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Testimony of Douglas J. Monaghan
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Chair, Child Welfare and Juvenile Law Section

In SUPPORT of HB 5666

**An Act Concerning the Forfeiture of Moneys and Property
Related to Sexual Exploitation and Human Trafficking**

Judiciary Committee
April 5, 2013

The CBA Child Welfare and Juvenile Law Section **supports** passage of this act and like legislation.

According to the American Bar Association Task Force on Human Trafficking, the Protocol to Prevent, Suppress and Punish Trafficking in Persons, Especially Women and Children (“Trafficking Protocol”), a United Nations Convention entered into force in 2003 and ratified by the United States in 2005, defines “trafficking in persons” as “the recruitment, transportation, transfer, harboring or receipt of persons by means of the threat or use of force or other forms of coercion, of abduction, of fraud, of deception, of the abuse of power or of a position of vulnerability or of the giving or receiving of payments or benefits to achieve the consent of a person having control over another person for the purpose of exploitation.” It specifies that “[e]xploitation shall include, at a minimum, the exploitation of the prostitution of others or other forms of sexual exploitation, forced labour or services, slavery or practices similar to slavery, servitude or the removal of organs.”

The proposed legislation would authorize the forfeiture of money and property used in or obtained from the commission of these odious crimes involving human and sex trafficking. It requires little consideration to add this tool to the state’s ability to effectively deal with such heinous criminality. Since human trafficking is at its base a commercial enterprise, giving the state the authority to seek forfeiture of money and property strikes at the heart of the criminal conduct and will deprive the traffickers of their “ill-gotten gains.”