



State of Connecticut
DIVISION OF CRIMINAL JUSTICE

TESTIMONY OF THE DIVISION OF CRIMINAL JUSTICE

IN SUPPORT OF:

**H.B. No. 5052 AN ACT STRENGTHENING PROTECTIONS FOR VICTIMS OF
HUMAN TRAFFICKING**

JOINT COMMITTEE ON JUDICIARY

March 16, 2016

The Division of Criminal Justice supports H.B. No. 5052, An Act Strengthening Protections for Victims of Human Trafficking, and respectfully recommends the Committee's JOINT FAVORABLE SUBSTITUTE Report to further strengthen this legislation. This legislation represents yet another step forward in our state's efforts to address the problem of human trafficking, and, in particular, sex trafficking of minors. The Division of Criminal Justice is an active participant in the Connecticut Human Trafficking Task Force, a collaborative effort initiated by the United States Attorney for the District of Connecticut to marshal state, federal and local law enforcement resources to vigorously investigate and prosecute human trafficking crimes. It is our intention to designate at least one prosecutor in each of the state's 13 Judicial Districts to coordinate and advance the important work of this task force.

The Division supports H.B. No. 5052. Specifically, section 1 of the bill strengthens the statutes prohibiting enticing a minor by removing the requirement that it be proven that the individual committing the crime did, in fact, know the victim was under age 16. The addition of the language "whom he or she reasonably believed to be under sixteen years of age" will aid in the successful prosecution of these sex trafficking offenses involving minors.

With regard to Section 2 of the bill, the Division would recommend that there be no distinction made between individuals under age 18 and older than 18 with regard to the number of incidents where sexual contact occurs to constitute a crime. There is no overriding reason why more than one occurrence of sexual contact must occur if the victim is 18 or older. Shouldn't the fact that a person was compelled or induced to engage in such conduct even once be sufficient?

We would also question the reason for removing the prostitution element from the statute altogether. The advantage of the prostitution element is that a person need not *actually engage* in sexual conduct to be guilty of prostitution. The mere *offer to engage* in sexual conduct for a fee is prohibited. We would recommend the bill be amended to provide that a person is guilty of trafficking of a person under the age of 18 if the person "compels or induces another person who

is under eighteen years of age, to engage in prostitution or commit acts that would be prostitution if committed by a person sixteen years or older or to engage in sexual contact with one or more third persons that constitutes sexual contact for which such third person may be charged with a criminal offense.”

In conclusion, the Division of Criminal Justice respectfully recommends the Committee’s JOINT FAVORABLE SUBSTITUTE Report for H.B. No. 5052 to incorporate the revisions herein stated. We thank the Committee for affording this opportunity to provide input on this matter and we would be happy to provide any additional information you might require.