

Connecticut's Recent Human Trafficking Legislation

By: Michelle Kirby, Senior Legislative Attorney
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Issue

Background information on Connecticut's human trafficking laws and summary of related legislation passed over the past five years.

Background Information

Human trafficking describes a wide range of activities involving the exploitation of people for profit using physical and psychological methods of power and control to force them to perform commercial sex acts, work under illegal conditions, or both. Trafficking is a federal crime and also illegal in all states.

Legislation Enacted Over the Last Five Years

Since 2012, the Connecticut legislature has enacted several laws to strengthen the protections for victims of human trafficking. OLR Report [2012-R-0316](#) provides a history of human trafficking legislation in Connecticut through the 2012 legislative session.

Connecticut's Anti-Trafficking Law

Connecticut enacted its first anti-trafficking law in 2006. Like the framework established by a 2000 federal law, The Trafficking in Victims Protection Act ("TVPA", PL 106-386), the Connecticut law focused on trafficking prevention, prosecution, and victim protection (the "3Ps").

PA 13-166, An Act Concerning Sexual Exploitation and Trafficking in Persons

[PA 13-166](#) made the following changes to trafficking and prostitution crimes:

1. expanded the crime of trafficking in persons;
2. increased the penalty for patronizing a prostitute from a class A misdemeanor to a class C felony if the actor knew or reasonably should have known at the time of the offense that the prostitute was (a) under age 18 or (b) the victim of conduct amounting to a crime of trafficking in persons under state law or involuntary servitude, slavery, or trafficking under federal law;
3. allows anyone convicted of prostitution to apply to the Superior Court to vacate the conviction because he or she was a victim of conduct amounting to a crime of trafficking in persons under state law or involuntary servitude, slavery, or trafficking under federal law; and
4. made changes to defenses to a prostitution charge.

The act also altered the Trafficking in Persons Council's membership and requires it to report on deficiencies in the statutes relating to trafficking and propose legislation to address them.

PA 14-186, An Act Concerning the Department of Children and Families and the Protection of Children

[PA 14-186](#) expanded the actions the Department of Children and Families (DCF) can take to help children it identifies or believes are victims of trafficking to include (1) providing services, (2) forming multidisciplinary teams to review trafficking cases, and (3) providing training to law enforcement officers about trafficking. It also expanded the category of children or youths a court may find to be “uncared for” to include child-trafficking victims.

PA 15-195, An Act Strengthening Protections for Victims of Human Trafficking

[PA 15-195](#) made a number of changes related to human trafficking. Among other things, the act:

1. broadened the conditions under which a human trafficking crime is committed when the victim is under age 18;
2. requires the Department of Public Health to provide human trafficking victims the same services it must provide to certain sexual assault victims under existing law;

3. allows the Office of Victim Services, under certain circumstances, to waive the time limitation on crime victim compensation applications for minors who are human trafficking victims;
4. upon request, requires a court to order the erasure of a juvenile's police or court records after discharge from court supervision or court-ordered custody if the child's criminal record is the result of being a victim of human trafficking or related federal crimes;
5. expanded the list of crimes, including human trafficking, for which wiretapping is authorized; and
6. increased, from 20 to 22, the membership of the Trafficking in Persons Council.

PA 16-71, An Act Concerning Human Trafficking

[PA 16-71](#) further strengthened the state's human trafficking laws by, among other things, requiring:

1. hotel, motel, inn, and similar lodging operators to (a) maintain a system to keep records of all guest transactions and receipts for at least six months and (b) ensure that their employees receive training on human trafficking when they are hired and provide ongoing awareness campaigns;
2. the commissioners of DCF and the Department of Emergency Services and Public Protection to consult with state and national hotel and lodging associations to recommend educational and refresher training programs related to human trafficking; and
3. more people to post a notice about services for human trafficking victims.

The act also made changes to a number of crimes related to human trafficking. It:

1. prohibits someone age 16 or 17 from being convicted of prostitution and altered eligibility for vacating a prostitution conviction,
2. makes more people subject to a higher penalty for patronizing a prostitute,
3. set the fine that is part of the penalty for certain prostitution-related crimes at the maximum of the range that was previously applicable to each crime,
4. expanded the crime of enticing a minor to include enticing a minor age 16 or 17 (prior law applied only to minors under age 16) and punished those who reasonably believe the person being enticed is under age 18, and
5. expanded the conduct punishable as human trafficking and allowed a court to impose a standing criminal protective order against a person convicted of certain types of trafficking.

PA 17-32, An Act Concerning Human Trafficking

[PA 17-32](#), effective October 1, 2017, made the following changes to the human trafficking laws:

1. expanded the conduct punishable as trafficking in persons and increased the penalty for the crime from a class B felony (punishable by one to 20 years in prison, a fine up to \$15,000, or both) to class A felony (punishable by 10 to 25 years in prison, a fine up to \$20,000, or both);
2. reduced the penalty for patronizing a prostitute when the victim is a trafficking victim, from a class C felony (punishable by one to 10 years in prison, a fine up to \$10,000, or both) to a class A misdemeanor (punishable by up to one year in prison, a fine up to \$2,000, or both); and
3. repealed the higher penalties under the patronizing a prostitute statute for conduct that involves a minor but imposes stricter penalties under a new crime the act creates, “commercial sexual abuse of a minor.” (Under this act, commercial sexual abuse of a minor is a class B felony if the victim is age 15, 16, or 17 and a class A felony if the victim is under age 15.)

The act also requires the attorney general to develop and report on a proposed certification for inclusion in state contracts to conform, to the extent legally feasible, with the provisions of the federal Executive Order 13627, Strengthening Protections Against Trafficking in Persons in Federal Contracts.

PA 17-129, An Act Concerning the Receipt of Annual Reports on Anti-Human Trafficking from Law Enforcement Agencies

[PA 17-129](#), effective October 1, 2017, requires the Chief State’s Attorney’s Office and municipal police chiefs to annually report on efforts to combat human trafficking to the Trafficking in Persons Council, rather than requiring each state’s attorney and police chiefs to report this information to the Children’s and Judiciary committees as under prior law.

Additional Information

For more information on human trafficking see:

- OLR Report [2012-R-0520](#), *Human Trafficking (Backgrounder)*
- Connecticut’s Trafficking in Persons Council - [2016 Annual Report](#)
- U.S. Department of State’s 2017 [Trafficking in Persons Report](#)

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