



The Commission on
Women, Children, Seniors, Equity & Opportunity

CWCSEO
Connecticut General Assembly



TRAFFICKING IN PERSONS COUNCIL
2019 ANNUAL REPORT

SUBMITTED TO THE
CONNECTICUT GENERAL ASSEMBLY
JANUARY 2020

TRAFFICKING IN PERSONS COUNCIL MEMBERS AND DESIGNEES
STATE & LEGISLATIVE MEMBERS

- The Commission on Women, Children, Seniors, Equity & Opportunity, represented by Steven Hernández, Esq., Trafficking in Persons Council Chair
- The Chief Public Defender, represented by Deborah Del Prete Sullivan, Legal Counsel
- The Chief State’s Attorney, represented by Christopher Alexy, Senior Assistant State’s Attorney
- The Child Advocate of Connecticut, represented by Faith Vos Winkel, Assistant Child Advocate
- The Commissioner of Children and Families, represented by Tammy Sneed, Director of Gender Responsive Adolescent Services and co-chair of the Human Anti-Trafficking Response Team
- The Commissioner of Mental Health and Addiction Services, represented by Kimberly Karanda, Director of Statewide Services
- The Commissioner of Public Health, represented by Olinda Morales, Esq., Staff Attorney
- The Commissioner of Emergency Services and Public Protection, represented by Kelly Kraynak, Lieutenant, Connecticut State Police
- The Judicial Branch, represented by Linda J. Cimino, Director, Office of Victim Services
- The Victim Advocate of Connecticut, represented by Hakima Bey-Coon, Staff Attorney
- The Commissioner of the Department of Labor, represented by Resa Spaziani, Director, Wage & Workplace Standards Division
- The Commissioner of the Department of Consumer Protection, represented by Catherine Blinder, Chief Education and Outreach Officer
- The Department of Education, represented by John Frassinelli, Bureau Chief of the Office of Student Supports and Organizational Effectiveness
- The Commissioner of the Department of Social Services, Deidre S. Gifford, MD, MPH;
- The director of the Basic Training Division of the Police Officer Standards and Training Council, represented by Joanne Peterson, Captain;
- Stephen M. Clark, Chief of Police, Newington Police Department, representing the Connecticut Police Chiefs Association;
- An adult victim of trafficking, appointed by the Governor.

PUBLIC MEMBERS

- Andrew Anastasio, Jr., Chairman, Motor Transport Association of Connecticut, Inc.;
- Mario Thomas Gaboury , Acting Dean and Professor, Henry C. Lee College of Criminal Justice & Forensic Sciences, University of New Haven;
- Debra Greenwood, President & CEO, The Center for Family Justice, Inc.;
- Bethany Hamilton, Associate Director, Connecticut Alliance to End Sexual Violence;
- Kara Hart, Esq., Staff Attorney, Greater Hartford Legal Aid;
- Alicia R. Kinsman, Esq., Director and Managing Attorney of Immigration Legal Services;
- Leonela Cruz-Ahuatl, Program Manager for Project Rescue, Connecticut Institute for Refugees and Immigrants;
- Erin Williamson, Survivor Care Program Director, Love 146;
- Krishna Patel, Grace Farms Foundation.

TRAFFICKING IN PERSONS COUNCIL

The Trafficking in Persons (TIP) Council is chaired and convened by the Commission on Women, Children, Seniors, Equity & Opportunity pursuant to *C.G.S 46a-170* and consists of members from a diversity of backgrounds, including representatives from State agencies, the Judicial Branch, law enforcement, motor transport and community-based organizations that work with victims of sexual and domestic violence, immigrants, and refugees, and address behavioral health needs, social justice, and human rights. The TIP Council consults with government and non-governmental organizations (both state and federal) to develop recommendations to strengthen State and local efforts to prevent trafficking, protect and assist victims, prosecute traffickers, and provide updates and progress reports on trafficking in Connecticut. The TIP Council reports annually to the Connecticut General Assembly.

2019 HIGHLIGHTS OF TIP COUNCIL ACTIVITIES

2019 Meeting Dates

January 16, 2019

May 16, 2019

September 12, 2019

November 19, 2019

Council Presentations

In 2019, the Council discussed a variety of topics related to sex and labor trafficking. Some of the topics discussed by Council members at 2019 Council Meetings include:

Revising Connecticut's definition of sex trafficking

Providing privileged communications and confidentiality to victims of child sex trafficking

Civil Justice Clinic at Quinnipiac University School of Law on Expanding Connecticut's Vacatur Statute for Victims of Human Trafficking

"The Underground" report on 2 new resources for adult victims of human trafficking: Tier-1 and Tier-3 housing available in CT.

Policy committee's agreed upon language for statutes and new sections for the upcoming session;

Discussion and planning of the racial disparity in human trafficking forum including data received from municipal law enforcement agencies;

Matters Relating to Nail Salons and the Provision of Services by Nail Technicians

Public Act 16-66, Section 44 established a working group to consider matters relating to nail salons and the provision of services by nail technicians. This working group was never filled, and Connecticut remains the only state in the country that doesn't require manicurists to obtain a license. A 2015 Department of Labor investigation of 25 randomly selected nail salons found that 98% of the salons

were violating Connecticut labor laws. The individuals working in these salons are at high risk of labor trafficking. Additionally, because there are no training requirements and lax regulations, the health of customers and nail salon employees is also at risk.

Law Enforcement & State's Attorney Reports on Human Trafficking

State law enacted in 2016 and amended in 2017 requires the Chief's State's Attorney and each municipal chief of police to report annually to the Trafficking in Persons Council.

The report must include: (1) All participation in federal, state-wide or regional anti-human trafficking efforts, (2) the number of referrals made relating to allegations of human trafficking, (3) the criteria used when deciding whether to investigate allegations of human trafficking or initiate criminal proceedings related to human trafficking, (4) coordination of efforts between the Office of the Chief State Attorney and municipal police departments concerning human trafficking cases, (5) the nature of annual training provided by each state's attorney and municipal police department concerning human trafficking, (6) obstacles to investigating human trafficking, (7) the number of investigations involving missing children, (8) the number of referrals from the Department of Children and Families relating to human trafficking, and (9) the number of human trafficking cases referred for prosecution.

This year, due to the most recent consolidation of the Commission and the loss of the previous Chair, the Council was unable to recover any reports filed by the Chief State's Attorneys and municipal chiefs. As of this writing, Commission staff is working with the Council to recover submitted statistics, which will be the subject of the TIP Council's reporting in the 2020 Annual report.

TIP Council Recommendations for 2020

Agreed Upon Language from Last Session with Minor Edits

Section 1. Subsection (b) of section 46a-170 of the general statutes is repealed and the following is substituted in lieu thereof (Effective July 1, 2020):

(b) The council shall consist of the following members: (1) The Chief State's Attorney, or a designee; (2) the Chief Public Defender, or a designee; (3) the Commissioner of Emergency Services and Public Protection, or the commissioner's designee; (4) the Labor Commissioner, or the commissioner's designee; (5) the Commissioner of Social Services, or the commissioner's designee; (6) the Commissioner of Public Health, or the commissioner's designee; (7) the Commissioner of Mental Health and Addiction Services, or the commissioner's designee; (8) the Commissioner of Children and Families, or the commissioner's designee; (9) the Commissioner of Consumer Protection, or the commissioner's designee; (10) the director of the Basic Training Division of the Police Officer Standards and Training Council, or the director's designee; (11) the Child Advocate, or the Child Advocate's designee; (12) the Victim Advocate, or the Victim Advocate's designee; (13) the chairperson of the Commission on Women, Children and Seniors or the chairperson's designee; (14) one representative of the Office of Victim Services of the Judicial Branch appointed by the Chief Court Administrator; (15) a municipal police chief appointed by the Connecticut Police Chiefs Association, or a designee; (16) the Commissioner of Education, or the commissioner's designee; (17) an adult victim of trafficking, appointed by the Governor; **[and (18) ten]**[\(18\) the Director of the Connecticut Children's Alliance;](#) [\(19\) a judge of](#)

[the Superior Court appointed by the Chief Court Administrator; \(20\) a state's attorney appointed by the Chief State's Attorney; \(21\) a public defender appointed by the Chief Public Defender; and \(22\) twelve](#) public members appointed as follows: The Governor shall appoint two members, one of whom shall represent victims of commercial exploitation of children and one of whom shall represent sex trafficking victims who are children, the president pro tempore of the Senate shall appoint two members, one of whom shall represent the Connecticut Alliance to End Sexual Violence and one of whom shall represent an organization that provides civil legal services to low-income individuals, the speaker of the House of Representatives shall appoint two members, one of whom shall represent the Connecticut Coalition Against Domestic Violence and one of whom shall represent the Connecticut Lodging Association, the majority leader of the Senate shall appoint [\[one member who\] two members, one of whom](#) shall represent an organization that deals with behavioral health needs of women and children [and one of whom shall represent the Connecticut Coalition to End Homelessness](#), the majority leader of the House of Representatives shall appoint [\[one member who\] two members, one of whom](#) shall represent an organization that advocates on social justice and human rights issues [and one of whom shall represent the Connecticut Criminal Defense Lawyers Association](#), the minority leader of the Senate shall appoint one member who shall represent the Connecticut Immigrant and Refugee Coalition, and the minority leader of the House of Representatives shall appoint one member who shall represent the Motor Transport Association of Connecticut, Inc.

Sec. 2. Subsection (a) of section 54-47a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

(a) Whenever in the judgment of the Chief State's Attorney, a state's attorney or the deputy chief state's attorney, the testimony of any witness or the production of books, papers or other evidence of any witness (1) in any criminal proceeding involving narcotics, arson, bribery, gambling, election law violations, felonious crimes of violence, any violation which is an offense under the provisions of title 22a, corruption in the executive, legislative or judicial branch of state government or in the government of any political subdivision of the state, fraud by a vendor of goods or services in the medical assistance program under Title XIX of the Social Security Act amendments of 1965, as amended, any violation of chapter 949c, or any other class A, B or C felony or unclassified felony punishable by a term of imprisonment in excess of five years for which the Chief State's Attorney or state's attorney demonstrates that he has no other means of obtaining sufficient information as to whether a crime has been committed or the identity of the person or persons who may have committed a crime, before a court or grand jury of this state, [or] (2) in any investigation conducted by an investigatory grand jury as provided in sections 54-47b to 54-47g, inclusive, [or \(3\) in any delinquency proceeding](#), is necessary to the public interest, the Chief State's Attorney, the state's attorney, or the deputy chief state's attorney, may, with notice to the witness, after the witness has claimed his privilege against self-incrimination, make application to the court for an order directing the witness to testify or produce evidence subject to the provisions of this section.

Sec. 3. Subsection section § 53a-192a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

(a) A person is guilty of trafficking in persons when such person (1) compels or induces another person to engage in conduct involving sexual contact with one or more third persons, or provide labor or services that such person has a legal right to refrain from providing, by means of (A) the use of force against such other person or a third person, or by the threat of use of force against such other person or a third person, (B) fraud, or (C) coercion, as provided in section 53a-192, (2) compels or induces another person who is under

eighteen years of age to engage in conduct involving sexual contact with one or more third persons that constitutes sexual contact for which such third person may be charged with a criminal offense, or (3) otherwise commits an act that constitutes sex trafficking. For the purposes of this subsection, “sexual contact” means any contact with the intimate parts of another person, and “sex trafficking” means the recruitment, harboring, transportation or provision of a person for the purpose of engaging in sexual conduct with another person for a fee.

(b) It shall be an affirmative defense in any prosecution or delinquency proceeding under this section that the defendant was under eighteen years of age and his or her participation in the offense was a result of having been a victim of conduct of another person that constitutes trafficking in persons in violation of subsection (a) of this section.

~~(b)~~ (c) Trafficking in persons is a class A felony.

NEW Language with Agreement

Section 1. Section 53a-192a of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

(a) A person is guilty of trafficking in persons when such person knowingly (1) compels or induces another person to engage in conduct involving sexual contact with one or more third persons, or provide labor or services that such person has a legal right to refrain from providing, by means of (A) the use of force against such other person or a third person, or by the threat of use of force against such other person or a third person, (B) fraud, or (C) coercion, as provided in section 53a-192, (2) compels or induces another person who is under eighteen years of age to engage in conduct involving sexual contact with one or more third persons that constitutes sexual contact for which such third person may be charged with a criminal offense, or (3) otherwise commits an act that constitutes sex trafficking. For the purposes of this subsection, "sexual contact" means any contact with the intimate parts of another person, and "sex trafficking" means the recruitment, harboring, transportation or provision of a person for the purpose of engaging in sexual conduct with another person ~~[for a fee]~~ for anything of value.

(b) Trafficking in persons is a class A felony.

Sec. 2. Subsection (b) and (c) of section 17a-106h of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2020):

(b) The training program shall include a video presentation, developed and approved by said commissioners, that offers awareness of human trafficking issues and guidance to law enforcement personnel, judges of the Superior Court, prosecutors, public defenders and other attorneys who represent criminal defendants, hospital emergency room staff and urgent care facility staff who have contact with patients and persons employed by a local or regional board of education or a constituent unit, as defined in section 10a-1, who have contact with students.

(c) Any person described in subsection (b) of this section shall complete the initial educational training program not later than July 1, 2018, and shall complete the refresher training program ~~[annually]~~ every three years thereafter, provided any person being employed as such a person shall complete such initial educational training program not later than six months after beginning such employment or July 1, 2018, whichever is later.

National Human Trafficking Resource Center (NHTRC) Connecticut Data:

The NHTRC is a national, anti-trafficking hotline and resource center serving victims and survivors of human trafficking and the anti-trafficking community in the United States. The toll free-hotline, 1-888-373-7888, is answered 24 hours a day, 7 days a week, and 365 days a year. Callers can speak with a hotline operator in English or Spanish, or in more than 200 additional languages using a 24-hour tele-interpreting service. The NHTRC is operated by Polaris, a leader in global fight to eradicate modern slavery.

The NHTRC works closely with service providers, law enforcement, and other professionals in Connecticut to serve victims and survivors of trafficking, respond to human trafficking cases, and share information and resources. Since 2007, the NHTRC has received 1,421 calls to their hotline. As of December 31, 2019, the NHTRC had received 150 contacts from Connecticut and a total of 52 unique cases (incidents) of potential human trafficking. This is a slight decrease from the 178 contacts and 56 cases in 2018.¹

State of Connecticut Laws Regarding Human Trafficking

The State of Connecticut Judicial Branch maintains arrest and conviction data for crimes related to trafficking in persons and commercial sexual exploitation.

Sec. 53a-86. Promoting prostitution in the first degree: Class B felony. (a) A person is guilty of promoting prostitution in the first degree when he knowingly: (1) Advances prostitution by compelling a person by force or intimidation to engage in prostitution, or profits from coercive conduct by another; or (2) advances or profits from prostitution of a person less than eighteen years old.

(b) Promoting prostitution in the first degree is a class B felony. Any person found guilty under subdivision (2) of subsection (a) of this section shall be sentenced to a term of imprisonment of which nine months of the sentence imposed may not be suspended or reduced by the court.

Sec. 53a-192a. Trafficking in persons: Class B felony. (a) A person is guilty of trafficking in persons when such person compels or induces another person to engage in conduct involving more than one occurrence of sexual contact with one or more third persons, or provide labor or services that such person has a legal right to refrain from providing, by means of (1) the use of force against such other person or a third person, or by the threat of use of force against such other person or a third person, (2) fraud, or (3) coercion, as provided in Sec. 53a-192. For the purposes of this subsection, "sexual contact" means any contact with the intimate parts of another person.

(b) Trafficking in persons is a class B felony.

Sec. 53a-196a. Employing a minor in an obscene performance: Class A felony. (a) A person is guilty of employing a minor in an obscene performance when such person (1) employs any minor, whether or not such minor receives any consideration, for the purpose of promoting any material or performance which is obscene as to minors, notwithstanding that such material or performance is intended for an adult audience, or (2) permits any such minor to be employed, whether or not such minor receives any consideration, in the promotion of any material or performance which is obscene as to minors, notwithstanding that such material or performance is intended for an adult audience, and such person is

¹ <https://humantraffickinghotline.org/state/connecticut>

the parent or guardian of such minor or otherwise responsible for the general supervision of such minor's welfare.

(b) Employing a minor in an obscene performance is a class A felony and any person found guilty under this section shall be sentenced to a term of imprisonment of which ten years of the sentence imposed may not be suspended or reduced by the court.

Sec. 53a-196b. Promoting a minor in an obscene performance: Class B felony. (a) A person is guilty of promoting a minor in an obscene performance when he knowingly promotes any material or performance in which a minor is employed, whether or not such minor receives any consideration, and such material or performance is obscene as to minors notwithstanding that such material or performance is intended for an adult audience.

(b) For purposes of this section, "knowingly" means having general knowledge of or reason to know or a belief or ground for belief which warrants further inspection or inquiry as to (1) the character and content of any material or performance which is reasonably susceptible of examination by such person and (2) the age of the minor employed.

(c) Promoting a minor in an obscene performance is a class B felony.

Sec. 53a-90a. Enticing a minor. Penalties. (a) A person is guilty of enticing a minor when such person uses an interactive computer service to knowingly persuade, induce, entice or coerce any person under sixteen years of age to engage in prostitution or sexual activity for which the actor may be charged with a criminal offense. For purposes of this section, "interactive computer service" means any information service, system or access software provider that provides or enables computer access by multiple users to a computer server, including specifically a service or system that provides access to the Internet and such systems operated or services offered by libraries or educational institutions.

(b)(1) Except as provided in subdivision (2) of this subsection, enticing a minor is a class D felony for a first offense, a class C felony for a second offense and a class B felony for any subsequent offense.

(2) Enticing a minor is a class B felony if the victim of the offense is under thirteen years of age and any person found guilty of such class B felony shall, for a first offense, be sentenced to a term of imprisonment of which five years of the sentence imposed may not be suspended or reduced by the court and, for any subsequent offense, be sentenced to a term of imprisonment of which ten years of the sentence imposed may not be suspended or reduced by the court.

Sec. 53a- 83a (c). Patronizing Prost < 18 Vitm/ Traffic. A person is guilty of patronizing a prostitute when (1) Pursuant to a prior understanding, [he] such person pays or agrees to pay a fee to another person pursuant to an understanding that in return [thereof] for such fee such other person or third person will engage in sexual conduct with [him] such person; [or] (2) [he] such person pays or agrees to pay a fee to another person pursuant to an understanding that in return [therefor] for such fee such other person or third person will engage in sexual conduct with [him] such person; or (3) [he] such person solicits or requests another person to engage in sexual conduct with [him] such person in return for a fee. (c) For the purpose of this section, "minor" means a person who has not attained eighteen years of age.

Sec. 53a-196i. Commercial Sexual Abuse of a Minor. (a) A person is guilty of commercial sexual abuse of a minor when: (1) Such person pays a fee to a minor or third person as compensation for a minor having engaged in sexual conduct with such person; (2) such person pays or agrees to pay a fee to a minor or a third person pursuant to an understanding that in return for such fee the minor will engage in sexual conduct with such person; or (3) such person solicits or requests to engage in sexual conduct with a minor, or any other person that such person reasonably believes to be a minor, in return for a fee.

(b) Except as provided in subsection (c) of this section, commercial sexual abuse of a minor is a class B felony.

(c) Commercial sexual abuse of a minor is a class A felony if the minor has not attained fifteen years of age. (d) For purposes of this section, "minor" means a person who has not attained eighteen years of age. There were no arrests or convictions for Commercial Sexual Abuse of a Minor in 2018, the first year the law went in to effect.