

Since 2011, Shared Hope has laid the foundation for transformational policy, practice, and cultural change by supporting state legislators and stakeholders to identify gaps in the fabric of laws needed to address child sex trafficking. The Report Cards on Child & Youth Sex Trafficking build upon the progress already made, challenging states to take the next step in the fight against sex trafficking by focusing on the area where the largest gaps remain—victim protections. This report provides a thorough review of Connecticut’s laws related to both criminalization and victim protections while providing recommendations for addressing gaps in the law.<sup>1</sup>



## ISSUE 1: Criminal Provisions

**Policy Goal 1.1** The child sex trafficking law is expressly applicable to buyers of commercial sex with any minor under 18.

Conn. Gen. Stat. § 53a-192a (Trafficking in persons) does not apply to buyers of commercial sex with minors. Subsection (a) states,

A person is guilty of trafficking in persons when such person . . . (2) (A) knowingly compels or induces another person 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, and (B) such person who is compelled or induced to engage in such conduct is under eighteen years of age, or (3) otherwise knowingly commits an act that constitutes sex trafficking . . . .

Use of the phrase “with one or more third persons” under Conn. Gen. Stat. § 53a-192a(a)(2) excludes buyers who, themselves, are seeking to purchase sex with a minor. Similarly, “sex trafficking,” as prohibited under Conn. Gen. Stat. § 53a-192a(a)(3), excludes buyer conduct, instead criminalizing “the recruitment, harboring, transportation or provision of a person for the purpose of engaging in sexual conduct with another person in exchange to anything of value.” Conn. Gen. Stat. § 53a-192a(a).

1.1.1 Recommendation: Amend Conn. Gen. Stat. § 53a-192a (Trafficking in persons) to make the statute applicable to the actions of buyers of commercial sex with minors.

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<sup>1</sup> Evaluations of state laws are based on legislation enacted as of August 1, 2022.

**Policy Goal 1.2** Commercial sexual exploitation of children (CSEC) laws specifically criminalize purchasing or soliciting commercial sex with any minor under 18.

Connecticut law criminalizes both purchasing and soliciting commercial sex with a minor. Specifically, Conn. Gen. Stat. § 53a-83b(a) (Commercial sexual abuse of a minor) states,

A person is guilty of commercial sexual abuse of a minor when: (1) Such person exchanges anything of value with a minor or third person as compensation for a minor having engaged in sexual conduct with such person; (2) such person exchanges or agrees to exchange anything of value with a minor or a third person pursuant to an understanding that in return 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 anything of value.

Further, Conn. Gen. Stat. § 53a-90a(a) (Enticing a minor) states,

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 (1) under eighteen years of age, or (2) who the actor reasonably believes to be under eighteen 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.

**Policy Goal 1.3** Commercial sexual exploitation of children (CSEC) laws apply to traffickers and protect all minors under 18.

Connecticut’s CSEC laws address an array of trafficker conduct. Specifically, Conn. Gen. Stat. § 53a-86 (Promoting prostitution in the first degree) criminalizes “advance[ing]<sup>2</sup> or profit[ing] from prostitution<sup>3</sup> of a person less than eighteen years old.” Further, Conn. Gen. Stat. § 53a-90a(a) (Enticing a minor) states,

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 (1) under eighteen years of age, or (2) who the actor reasonably believes to be under eighteen 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

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<sup>2</sup> Conn. Gen. Stat. § 53a-85 (Promoting prostitution: definitions) defines “advances prostitution” as follows:

[W]hen, acting other than as a prostitute or as a patron thereof, he knowingly causes or aids a person to commit or engage in prostitution, procures or solicits patrons for prostitution, provides persons or premises for prostitution purposes, operates or assists in the operation of a house of prostitution or a prostitution enterprise, or engages in any other conduct designed to institute, aid or facilitate an act or enterprise of prostitution.

<sup>3</sup> Conn. Gen. Stat. § 53a-85 defines “profits from prostitution” as follows:

[W]hen acting other than as a prostitute receiving compensation for personally rendered prostitution services, he accepts or receives money or other property pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds of prostitution activity.

provides access to the Internet and such systems operated or services offered by libraries or educational institutions.

Conn. Gen. Stat. § 53a-196i(b) (Commercial sexual exploitation of a minor) makes it a crime to “knowingly purchase[] advertising space for an advertisement for a commercial sex act that includes a depiction of a minor.” Lastly, Conn. Gen. Stat. § 53a-70c(a) (Aggravated sexual assault of a minor) provides,

A person is guilty of aggravated sexual assault of a minor when such person commits a violation of subdivision (2) of subsection (a) of 53-21 [Injury or risk of injury to, or impairing morals of, children. Sale of children] or section 53a-70 [Sexual assault in the first degree], section 53a-70a [Aggravated sexual assault in the first degree], section 53a-71 [Sexual assault in the second degree], section 53a-86 [Promoting prostitution in the first degree], Conn. Gen. Stat § 53a-87 [Promoting prostitution in the second degree] or section 53a-196a [Employing a minor in an obscene performance] and the victim of such offense is under thirteen years of age, and (1) such person kidnapped or illegally restrained the victim, (2) such person stalked the victim, (3) such person used violence to commit such offense against the victim, (4) such person caused serious physical injury to or disfigurement of the victim, (5) there was more than one victim of such offense under thirteen years of age, (6) such person was not known to the victim, or (7) such person has previously been convicted of a violent sexual assault.

**Policy Goal 1.4** Mistake of age is not an available defense under sex trafficking and commercial sexual exploitation of children (CSEC) laws.

Connecticut law expressly prohibits a mistake of age defense in certain prosecutions for CSEC but not child sex trafficking. Pursuant to Conn. Gen. Stat. § 53a-196i(c)(1) (Commercial sexual exploitation of a minor),

In any prosecution for an offense under this section, it shall not be a defense that the defendant (A) did not know the age of the person depicted in the advertisement, (B) relied on an oral or written representation of the age of the person depicted in the advertisement, or (C) relied on the apparent age of the person depicted in the advertisement.

- 1.4.1 Recommendation: Amend state law to prohibit a mistake of age defense in all cases involving child sex trafficking and CSEC.

**Policy Goal 1.5** Use of a law enforcement decoy is not an available defense in child sex trafficking cases.

Although the trafficking law does not expressly prohibit an offender from raising a defense based on the use of a law enforcement decoy posing as a minor, Connecticut’s criminal attempt statute, Conn. Gen. Stat. § 53a-49 (Criminal attempt; sufficiency of conduct; renunciation as defense), could provide prosecutors with an alternative avenue to prosecute those cases. Conn. Gen. Stat. § 53a-49(a) states,

A person is guilty of an attempt to commit a crime if, acting with the kind of mental state required for commission of the crime, he: (1) Intentionally engages in conduct which would constitute the crime if attendant circumstances were as he believes them to be; or (2) intentionally does or omits to do anything which, under the circumstances as he believes them to be, is an act or omission constituting a substantial step in a course of conduct planned to culminate in his commission of the crime.

Accordingly, an offender could be found guilty of attempting to commit a child sex trafficking offense despite the use of a law enforcement decoy.

**Policy Goal 1.6** The trafficking law expressly allows for business entity liability and establishes a business-specific penalty scheme.

Connecticut’s trafficking law does not expressly allow for business entity liability.

1.6.1 Recommendation: Amend state law to ensure business entities can be held liable under state trafficking laws and establish a business-specific penalty scheme.

**Policy Goal 1.7** State law mandates that financial penalties are levied on sex trafficking and CSEC offenders and are directed to a victim services fund.

Financial penalties, including criminal fines, fees, and asset forfeiture, paid by convicted trafficking and CSEC offenders are not required to be directed into a victim services fund.<sup>4</sup>

1.7.1 Recommendation: Statutorily direct a percentage of financial penalties levied on trafficking and CSEC offenders into a victim services fund.

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<sup>4</sup> Regarding asset forfeiture, Conn. Gen. Stat. § 54-36p(a) (Forfeiture of moneys and property related to sexual exploitation and human trafficking) provides,

The following property shall be subject to forfeiture to the state pursuant to subsection (b) of this section:

- (1) All moneys used, or intended for use, in a violation of subdivision (3) of subsection (a) of . . . section 53a-86 [Promoting prostitution in the first degree], 53a-87 [Promoting prostitution in the second degree], 53a-88 [Promoting prostitution in the third degree], 53a-90a [Enticing a minor. Penalties], . . . 53a-192a [Trafficking in persons], 53a-196a [Obscenity as to minors], 53a-196b [Promoting a minor in an obscene performance], 53a-196c [Importuning child pornography] or 53a-196i [Commercial sexual exploitation of a minor];
- (2) All property constituting the proceeds obtained, directly or indirectly, from a violation of subdivision (3) of subsection (a) of . . . section 53a-86, 53a-87, 53a-88, 53a-90a, . . . 53a-192a, 53a-196a, 53a-196b, 53a-196c or 53a-196i;
- (3) All property derived from the proceeds obtained, directly or indirectly, from a violation of subdivision (3) of subsection (a) of . . . section 53a-86, 53a-87, 53a-88, 53a-90a, . . . 53a-192a, 53a-196a, 53a-196b, 53a-196c or 53a-196i;
- (4) All property used or intended for use, in any manner or part, to commit or facilitate the commission of a violation of subdivision (3) of subsection (a) of . . . 53a-86, 53a-87, 53a-88, 53a-90a, . . . 53a-192a, 53a-196a, 53a-196b, 53a-196c or 53a-196i.

Additionally, property may be seized pursuant to Conn. Gen. Stat. § 54-33g (Forfeiture of moneys and property related to commission of criminal offense. In rem proceeding. Disposition. Secondary evidence of forfeited property), which applies to “any property believed to be possessed, controlled, designed or intended for use or which is or has been used or which may be used as a means of committing any criminal offense, or which constitutes the proceeds of the commission of any criminal offense . . . which the state claims to be a nuisance . . . .”

Disposition of the forfeited property is governed by Conn. Gen. Stat. § 54-36p(f), (g) (Forfeiture of moneys and property related to sexual exploitation and human trafficking), which disperses assets as follows:

- (f) Any property ordered forfeited pursuant to subsection (b) of this section shall be sold at public auction
- (g) The proceeds from any sale of property under subsection (f) of this section and any moneys forfeited under this section shall be applied: (1) To payment of the balance due on any lien preserved by the court in the forfeiture proceedings; (2) to payment of any costs incurred for the storage, maintenance, security and forfeiture of any such property; and (3) to payment of court costs. The balance, if any, shall be deposited in the General Fund.

However, a percentage of those forfeited assets is not directed to a victim services fund.



## ISSUE 2: Identification of & Response to Victims

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**Policy Goal 2.1** The definition of child sex trafficking victim in the criminal code includes all commercially sexually exploited children without requiring third party control.

The definition of child sex trafficking victim does not include all commercially sexually exploited children. Conn. Gen. Stat. § 53a-192a (Trafficking in persons) does not apply to buyers of commercial sex with minors.<sup>5</sup> Accordingly, third party control is required to establish the crime of child sex trafficking, thereby excluding commercially sexually exploited children who are not under the control of a trafficker from the definition of child sex trafficking victim.

2.1.1 Recommendation: Amend state law to remove third party control requirements that narrow the definition of child sex trafficking victim.<sup>6</sup>

**Policy Goal 2.2** State law provides policy guidance to facilitate access to services and assistance for trafficked foreign national children.

Connecticut law does not provide policy guidance that facilitates appropriate responses to foreign national child sex trafficking victims.

2.2.1 Recommendation: Statutorily provide policy guidance that facilitates access to services and assistance for trafficked foreign national children.

**Policy Goal 2.3** State law mandates child welfare agencies to conduct trauma-informed CSEC screening for children at risk of sex trafficking.

Connecticut law does not require child welfare to conduct trauma-informed CSEC screening of system-involved children and youth who are at risk of sex trafficking.

2.3.1 Recommendation: Statutorily require child welfare to screen system-involved children and youth at risk of sex trafficking for experiences of commercial sexual exploitation.

**Policy Goal 2.4** State law mandates juvenile justice agencies to conduct trauma-informed CSEC screening of children at risk of sex trafficking.

Connecticut law does not require juvenile justice agencies to conduct trauma-informed CSEC screening of children and youth who are at risk of sex trafficking.

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<sup>5</sup> See *supra* Policy Goal 1.1 for a full discussion of buyer-applicability under Conn. Gen. Stat. § 53a-192a.

<sup>6</sup> See generally Shared Hope Int'l, *Eliminating the Third Party Control Barrier to Identifying Juvenile Sex Trafficking Victims*, JuST Response Policy Paper (August 2015), [http://sharedhope.org/wp-content/uploads/2015/08/Policy-Paper\\_Eliminating-Third-Party-Control\\_Final1.pdf](http://sharedhope.org/wp-content/uploads/2015/08/Policy-Paper_Eliminating-Third-Party-Control_Final1.pdf) (discussing need to include all commercially sexually exploited children within sex trafficking definitions and the corresponding need to include buyer conduct in core sex trafficking offenses regardless of whether the victim is under control of a third party).



- 2.4.1 Recommendation: Statutorily require juvenile justice agencies to screen children and youth who are at risk of sex trafficking for experiences of commercial sexual exploitation.

**Policy Goal 2.5** State law prohibits the criminalization of minors under 18 for prostitution offenses and establishes a services-referral protocol as an alternative to arrest.

Connecticut law prohibits the criminalization of minors for prostitution offenses but does not require law enforcement to refer impacted children to a direct services organization or child-serving agency. Conn. Gen. Stat. § 53a-82(a) (Prostitution) states, “A person eighteen years of age or older is guilty of prostitution when such person engages or agrees or offers to engage in sexual conduct with another person in return to a fee.” Consequently, although minors are protected from criminalization for conduct in violation of the state prostitution law, law enforcement officers are not required to make a referral to services.

- 2.5.1 Recommendation: Strengthen existing law to establish a services-referral protocol in response to minors engaged in commercial sex.

**Policy Goal 2.6** State law prohibits the criminalization of child sex trafficking victims for status offenses, and misdemeanor and non-violent felony offenses committed as a result of their trafficking victimization.

Connecticut law does not prohibit the criminalization of child sex trafficking victims for status offenses nor does it prohibit charging victims with misdemeanors or non-violent felonies committed as a result of their trafficking victimization.

- 2.6.1 Recommendation: Amend state law to prohibit the criminalization of child sex trafficking victims for status offenses, and misdemeanors and non-violent felonies committed as a result of their trafficking victimization.

**Policy Goal 2.7** State law prohibits the criminalization of child sex trafficking victims for sex trafficking and commercial sexual exploitation offenses, including accomplice and co-conspirator liability, committed as a result of their trafficking victimization.

Although Connecticut law does not prohibit the criminalization of child sex trafficking victims for sex trafficking and commercial sexual exploitation offenses, including accomplice and co-conspirator liability, committed as a result of their trafficking victimization, an affirmative defense may be available. Pursuant to Conn. Gen. Stat. § 53a-192a(b) (Trafficking in persons),

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.

- 2.7.1 Recommendation: Amend state law to prohibit the criminalization of child sex trafficking victims for sex trafficking and commercial sexual exploitation offenses, including accomplice and co-conspirator liability, committed as a result of their trafficking victimization.

**Policy Goal 2.8** State law provides child sex trafficking victims with an affirmative defense to violent felonies committed as a result of their trafficking victimization.

Connecticut law does not provide child sex trafficking victims with an affirmative defense to violent felonies committed as a result of their trafficking victimization.

- 2.8.1 Recommendation: Amend state law to provide child sex trafficking victims with an affirmative defense to violent felonies committed as a result of their trafficking victimization.

**Policy Goal 2.9** Juvenile court jurisdiction aligns with international human rights standards.

Connecticut law does not provide age-appropriate juvenile court responses for all minors accused of engaging in juvenile or criminal conduct. While juvenile court jurisdiction extends to all minors under 18 years of age, Connecticut law establishes a minimum age of 10 years for jurisdictional purposes, permits automatic transfers to criminal court for minors accused of certain offenses, and fails to require courts to consider the impact of trauma or past victimization in make discretionary transfer determinations.

	Minimum Age of Juvenile Court Jurisdiction	Maximum Age for Charging Youth in Juvenile Court	Automatic Transfers or Direct File	Discretionary Transfers	Requirement for Court to Consider Trauma or Past Victimization
<b>Summary</b>	10; “Child” is defined as “any person who (i) is at least ten years of age at the time of the alleged commission of the delinquent act . . . .”	17	Yes. Minors 15+ years old who have been charged with a class A or B felony offense.	Yes. Minors 15+ years old charged with a class C, D, or E felony offense may be transferred to criminal court.	No.
<b>Relevant Statute(s)</b>	Conn. Gen. Stat. § 46b-120 (Definitions)	Conn. Gen. Stat. § 46b-120 (Definitions)	Conn. Gen. Stat. § 46b-127(a)(1) (Transfer of child charged with a felony to the regular criminal docket. Transfer of youth aged sixteen or seventeen to docket for juvenile matters)	Conn. Gen. Stat. § 46b-127(b) (Transfer of child charged with a felony to the regular criminal docket. Transfer of youth aged sixteen or seventeen to docket for juvenile matters)	Conn. Gen. Stat. § 46b-127(a)(3), (b) (Transfer of child charged with a felony to the regular criminal docket. Transfer of youth aged sixteen or seventeen to docket for juvenile matters)

Consequently, some minors may still be subjected to age-inappropriate juvenile court responses due to state laws that: (1) fail to establish a minimum age for juvenile court jurisdiction that aligns international human rights standards; (2) allow minors to be subjected to automatic transfers; and (3) do not require the juvenile court to consider past trafficking victimization or trauma when making a transfer determination.

- 2.9.1 Recommendation: Statutorily require age-appropriate juvenile court responses for all children accused of engaging in juvenile or criminal conduct.

**Policy Goal 2.10** State law defines child abuse to include child sex trafficking for purposes of accessing child welfare services.

Connecticut law does not define “abuse”<sup>7</sup> to include child sex trafficking or commercial sexual exploitation of children. Further, Conn. Gen. Stat. § 17a-106f(a) (Trafficking of minor children. Child welfare services. Training for law enforcement officials) authorizes the Commissioner of Children and Families to provide services to child sex trafficking victims, but the response is discretionary. Conn. Gen. Stat. § 17a-106f(a) states.

The Commissioner of Children and Families may: (1) Provide child welfare services for any minor child residing in the state who is identified by the Department of Children and Families as a victim of trafficking, as defined in section 46a-170; and (2) provide appropriate services to a minor child residing in the state who the Department of Children and Families reasonably believes may be a victim of trafficking in order to safeguard the welfare of such minor child. For purposes of this section and section 17a-106a, “minor child” means any person under eighteen years of age.

- 2.10.1 Recommendation: Amend state law to include child sex trafficking within the definition of “abuse.”

**Policy Goal 2.11** State law allows for child welfare involvement in non-familial child sex trafficking cases without hinging involvement on caregiver fault and provides for an alternative, specialized investigation in those cases.

Although child sex trafficking victims may access child welfare services regardless of parent or caregiver fault, Connecticut law does not provide for a specialized investigation in those cases. Conn. Gen. Stat. § 17a-106f(a) (Trafficking of minor children. Child welfare services. Training for law enforcement officials) states in part,

The Commissioner of Children and Families may: (1) Provide child welfare services for any minor child residing in the state who is identified by the Department of Children and Families as a victim of trafficking, as defined in section 46a-170; and (2) provide appropriate services to a minor child residing in the state who the Department of Children and Families reasonably believes may be a victim of trafficking in order to safeguard the welfare of such minor child. For purposes of this section and section 17a-106a, “minor child” means any person under eighteen years of age.

- 2.11.1 Recommendation: Statutorily provide for a specialized investigation in non-familial child sex trafficking cases.

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<sup>7</sup> Conn. Gen. Stat. § 46b-120(5) (Definitions) defines “abuse” to include a child who:

- (A) has been inflicted with physical injury or injuries other than by accidental means,
- (B) has injuries that are at variance with the history given of them, or
- (C) is in a condition that is the result of maltreatment, including, but not limited to, malnutrition, sexual molestation or exploitation, deprivation of necessities, emotional maltreatment or cruel punishment.

Additionally, Conn. Gen. Stat. § 46b-120(6) states, “A child may be found ‘uncared for’ (A) who is homeless, (B) whose home cannot provide the specialized care that the physical, emotional or mental condition of the child requires, or (C) who has been identified as a victim of trafficking, as defined in section 46a-170 . . . .” However, this latter definition is inherently limited to cases involving parent or caregiver fault.





## ISSUE 3: Continuum of Care

**Policy Goal 3.1** State law mandates a process for coordinating access to specialized services for child sex trafficking victims that does not require involvement in child-serving systems.

Connecticut law does not mandate a process for coordinating access to specialized, community-based services for child sex trafficking victims that does not require involvement in a child-serving system.

3.1.1 Recommendation: Statutorily mandate a process for coordinating access to specialized services for child sex trafficking victims that does not require involvement in child-serving systems.

**Policy Goal 3.2** State law provides for a survivor-centered multi-disciplinary team response to child sex trafficking cases.

Connecticut law authorizes, but does not require, a multi-disciplinary team (MDT) response to child sex trafficking cases. Pursuant to Conn. Gen. Stat. § 17a-106a(b) (Multidisciplinary teams. Purpose. Composition. Confidentiality. Records of meetings),

The Commissioner of Children and Families, as department head of the lead agency, and the appropriate state's attorney may establish multidisciplinary teams for the purposes of (1) reviewing particular cases or particular types of cases, (2) coordinating the intervention in and prevention of child abuse or neglect or trafficking of children and the treatment of abused, neglected or trafficked children in each judicial district, (3) reviewing selected cases of child abuse or neglect or trafficking of children, (4) advancing and coordinating the prompt investigation of suspected cases of child abuse or neglect or trafficking of children, (5) reducing the trauma experienced by alleged victims of such abuse or neglect or trafficking and, (6) ensuring the treatment of abused, neglected or trafficked children and the protection of such children and their families . . . .

Under Conn. Gen. Stat. § 17a-106a(c), the MDT must consist of representatives from:

(1) The state's attorney of the judicial district of the multidisciplinary team, or such state's attorney's designee; (2) the Commissioner of Children and Families, or the commissioner's designee; (3) the heads of the local or state law enforcement agencies, or such heads' designees; (4) a health care professional with substantial experience in the diagnosis and treatment of abused or neglected children, who shall be designated by the multidisciplinary team members; (5) a member, where appropriate, of a youth service bureau; (6) a mental health professional with substantial experience in the treatment of abused or neglected children, who shall be designated by the multidisciplinary team members; (7) a forensic interviewer, who shall be designated by the multidisciplinary team members; (8) a victim advocate, who shall be designated by the multidisciplinary team members; and (9) any other appropriate individual with expertise in the welfare of children that the members of the multidisciplinary team deem necessary. Each multidisciplinary team shall select a chairperson. Each multidisciplinary team may invite experts to participate in the review of any case and may invite any other individual with particular information germane to the case to participate in such review, provided the expert or individual shall have the same protections and obligations under subsections (h) to (j), inclusive, of this section as members of the multidisciplinary team.

Conn. Gen. Stat. § 17a-106a(e), (f) further authorizes child advocacy centers<sup>8</sup> and the state Chapter of the National Children’s Alliance to assist these multidisciplinary teams, stating,

(e) Children’s advocacy centers may assist multidisciplinary teams by (1) providing safe, child and family-friendly settings that maintain the privacy of children and their families; (2) establishing policies and procedures that are culturally competent; . . . (5) providing specialized medical evaluation and treatment, mental health services and support and advocacy services to children at centers or through coordination with and referral to other appropriate providers of such services; [and] (6) providing regular case review for the purpose of aiding the decision-making, problem solving, systems coordination and information sharing concerning the status of cases and the services required by children and their families . . . .

(f) The state Chapter of the National Children’s Alliance and multidisciplinary teams may (1) coordinate and facilitate the exchange of information among children’s advocacy centers; . . . (3) educate the public and the General Assembly on the needs of victims of . . . trafficking in children; [and] (4) provide or coordinate multidisciplinary training opportunities that support a comprehensive response to allegations of . . . trafficking of children . . . .

- 3.2.1 Recommendation: Amend state law to require a multi-disciplinary team response to in all cases of child sex trafficking.

**Policy Goal 3.3** State law requires child welfare to provide access to specialized services for identified sex trafficked children and youth.

Connecticut law does not require child welfare to provide access to services that are specialized to the unique needs of child sex trafficking victims; instead, state law provides for discretionary access and limits the response to children who have been trafficked through use of force, fraud, or coercion. Pursuant to Conn. Gen. Stat. § 17a-106f(a) (Trafficking of minor children. Child welfare services. Training for law enforcement officials),

The Commissioner of Children and Families may:

- (1) Provide child welfare services for any minor child residing in the state who is identified by the Department of Children and Families as a victim of trafficking, as defined in section 46a-170 [Trafficking in persons council], of the general statutes; and (2) provide appropriate services to a minor child residing in the state who the Department of Children and Families reasonably believes may be a victim of trafficking in order to safeguard the welfare of such minor child. For purposes of this section and section 17a-106a [Multidisciplinary teams] of the general statutes, “minor child” means any person under eighteen years of age.

Conn. Gen. Stat. § 46a-170(i) (Trafficking in persons council) defines “trafficking” as follows:

[A]cts involved in the recruitment, abduction, transport, harboring, transfer, sale or receipt of persons, within national or across international borders, through force, coercion, fraud or deception, to place

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<sup>8</sup> Conn. Gen. Stat. § 17a-106a(a) defines “child advocacy center” to include entities that,

provides a child-focused, trauma-informed, facility-based program that fosters collaboration among members of a multidisciplinary team . . . for purposes of interviewing or meeting with children and children’s parents, guardians or other caregivers, in order to obtain information and provide such information to personnel charged with making decisions regarding the investigation and prosecution of allegations of child abuse or neglect or trafficking, as defined in section 46a-170, of children and the safety, treatment and provision of services to alleged victims of child abuse or neglect or trafficking of children.

persons in situations of slavery or slavery-like conditions, forced labor or services, such as forced prostitution or sexual services, domestic servitude, bonded sweatshop labor or other debt bondage.

Problematically, this definition of “trafficking” requires use of force, fraud, or coercion, leaving some commercially sexually exploited children without access to services under Conn. Gen. Stat. § 17a-106f.

- 3.3.1 Recommendation: Strengthen existing law by requiring child welfare to provide access to specialized services for child sex trafficking victims and by removing definitional barriers that create a force, fraud, or coercion requirement.

**Policy Goal 3.4** State law requires the juvenile justice system to provide access to specialized services for identified sex trafficked children and youth.

Connecticut law does not provide access to specialized services for identified sex trafficked children and youth in the juvenile justice system.<sup>9</sup>

- 3.4.1 Recommendation: Statutorily require the juvenile justice system to provide access to specialized services for identified sex trafficked children and youth.

**Policy Goal 3.5** State law extends foster care services to older foster youth.

Connecticut law extends foster care services to youth under 21 years of age. However, these services are not extended to youth under 23 years of age as permitted under federal law.<sup>10</sup> Specifically, Conn. Gen. Stat. § 17a-93 (Definitions) defines “child” to include “any person under twenty-one years of age who is in full-time attendance in a secondary school, a technical school, a college or a state-accredited job training program,” and Conn. Gen. Stat. Ann. § 17a-11(j) (Voluntary admission. Termination of admission. Transfer. Permanency plan. Review of plan by Probate Court. Appeals. Regulations. Plan for care and treatment of persons eighteen years of age or older) provides,

Notwithstanding any provision of sections 17a-1 to 17a-26, inclusive, and 17a-28 to 17a-49, inclusive, [General provisions] any person already under the care and supervision of the Commissioner of Children and Families who has passed such person’s eighteenth birthday but has not yet reached such person’s twenty-first birthday may be permitted to remain voluntarily under the supervision of the commissioner,

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<sup>9</sup> However, the Trafficking in Persons Council has been tasked with developing a plan to provide services through diversion. Conn. Gen. Stat. § 46a-170(f)(1)(D) (Trafficking in Persons Council. Membership. Duties. Reports.) states,

The council shall:

.....

(D) Develop a plan for mental health, support and substance abuse programs for individuals identified as victims of trafficking and those arrested for prostitution in violation of section 53a-82 [Prostitution: Class A misdemeanor]. The plan shall provide for (i) the diversion of victims of trafficking and prostitution offenders into community-based treatment and support services, including, but not limited to, substance abuse recovery, housing, healthcare, job training, treatment and mental health support, and (ii) after the successful completion of the program, the dismissal of any related criminal charges against the accused.

Consequently, a child or youth would have to be charged to qualify for diversion and to have the option of receiving specialized services through the juvenile justice system.

<sup>10</sup> For more information, see Shared Hope Int’l, *Issue Brief 3.5: Continuum of Care*, <https://reportcards.sharedhope.org/wp-content/uploads/2022/10/2022-Issue-Briefs-3.5.pdf> (discussing federal laws that allow for funded foster care services to be extended to youth under 23 years of age).

provided the commissioner, in the commissioner's discretion, determines that such person would benefit from further care and support from the Department of Children and Families. Any person remaining voluntarily under the supervision of the commissioner pursuant to this subsection shall be entitled to a written plan for care and treatment, and review of such plan, in accordance with section 17a-15 [Development of treatment and permanent placement plan. Review of plan. Modifications. Application for review. Hearing. Procedure].

Additionally, pursuant to Conn. Gen. Stat. Ann. § 46b-129(j)(5) (Commitment of child or youth. Petition for neglected, uncared for or abused child or youth. Hearing re temporary custody, order to appear or petition. Review of permanency plan. Cost of care and maintenance of child or youth; reimbursement. Revocation of commitment. Legal guardianships and permanent legal guardianships. Applicability of provisions re placement of child from another state and Interstate Compact on the Placement of Children),

A youth who is committed to the commissioner pursuant to this subsection and has reached eighteen years of age may remain in the care of the commissioner, by consent of the youth and provided the youth has not reached the age of twenty-one years of age, if the youth is (A) enrolled in a full-time approved secondary education program or an approved program leading to an equivalent credential; (B) enrolled full time in an institution which provides postsecondary or vocational education; or (C) participating full time in a program or activity approved by said commissioner that is designed to promote or remove barriers to employment. The commissioner, in his or her discretion, may waive the provision of full-time enrollment or participation based on compelling circumstances.

3.5.1 Recommendation: Strengthen existing law to better support transition age youth by extending transitional foster care services to youth under 23 years of age.

**Policy Goal 3.6** State funding is appropriated to support specialized services and a continuum of care for sex trafficked children regardless of system involvement.

The Connecticut state legislature did not appropriate funds to support the development and provision of specialized, community-based services and care to child and youth survivors.

3.6.1 Recommendation: Appropriate state funds to support the development of and access to specialized, community-based services to child and youth survivors of sex trafficking.



## ISSUE 4: Access to Justice for Trafficking Survivors

### **Policy Goal 4.1** State law allows trafficking victims to seek emergency civil orders of protection.

While civil orders of protection exist under Connecticut law, this protection is not expressly available to victims of child sex trafficking and CSEC.

- 4.1.1 Recommendation: Amend state law to expressly allow victims of trafficking and CSEC to obtain ex parte civil orders of protection against their exploiters.

### **Policy Goal 4.2** Ineligibility factors for crime victims' compensation do not prevent victims of child sex trafficking and commercial sexual exploitation of children (CSEC) from accessing compensation.

Connecticut's crime victims' compensation laws provide victims of child sex trafficking with an exception to filing deadlines; however other ineligibility factors may leave some commercially sexually exploited children without access to an award.

For purposes of accessing crime victims' compensation, Conn. Gen. Stat. § 54-201(1) (Definitions) defines "victim" as "a person who is injured or killed as provided in section 54-209 . . . ." Pursuant to Conn. Gen. Stat. § 54-209(a)<sup>11</sup> (When compensation may be ordered. Order inadmissible in civil or criminal proceeding),

The Office of Victim Services or, on review, a victim compensation commissioner, may order the payment of compensation in accordance with the provisions of sections 54-201 to 54-218 [Chapter 968 Victim Services], inclusive, as amended by [Public Act 17-99], for personal injury or death which resulted from: . . . (2) the commission or attempt to commit by another of any crime as provided in section 53a-24 [Offense defined] . . . .

Conn. Gen. Stat. § 53a-24(a) (Offense defined. Application of sentencing provisions to motor vehicle and drug selling violators) states that "[t]he term 'crime' comprises felonies and misdemeanors." Accordingly, commercially sexually exploited children should be identified as victims for purposes of accessing crime .

Further, Conn. Gen. Stat. § 54-209(d) expressly authorizes payment of compensation to victims of a violation of Conn. Gen. Stat. § 53a-192a (Trafficking in persons), Conn. Gen. Stat. § 53a-70c (Aggravated sexual assault of a minor), Conn. Gen. Stat. § 53a-82 (Prostitution), Conn. Gen. Stat. § 53a-83b (Commercial sexual abuse of a minor), Conn. Gen. Stat. § 53a-90a (Enticing a minor), or Conn. Gen. Stat. § 53a-196i (Commercial sexual exploitation of a minor) if the injury was disclosed to a physician, police officer, or other specified individual, or the injury was the subject of a restraining order or civil protection order that was granted, and the Office of Victim Services or a compensation commissioner reasonably concludes that a violation of the offense has occurred.

However, several ineligibility criteria factors may still limit a commercially sexually exploited child's ability to access an award. Under Conn. Gen. Stat. § 54-211(b)(2) (Time limitation on filing application for compensation – Restrictions on award of compensation – Amount of compensation), compensation will not be granted if "the

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<sup>11</sup> The text of Con. Gen. Stat. § 54-209 cited here and elsewhere in this report includes amendments made by the enactment of House Bill 5001 during the 2022 Regular Session of the Connecticut state legislature (effective October 1, 2022).



victim violated a penal law of this state, which violation caused or contributed to his injuries or death.” Further Conn. Gen. Stat. § 54-208(c) (Order of payment of compensation) states,

In determining whether to make an order under this section, the Office of Victim Services or, on review, a victim compensation commissioner shall consider all circumstances determined to be relevant, including, but not limited to, provocation, consent or any other behavior of the victim which directly or indirectly contributed to such victim’s injury or death, the extent of the victim’s cooperation in investigating the application and the extent of the victim’s cooperation with law enforcement agencies in their efforts to apprehend and prosecute the offender, and any other relevant matters.

Notably, Connecticut law carves out an exception to filing deadlines for child sex trafficking victims and other minors. Pursuant to Conn. Gen. Stat. § 54-211(a)(1),

No order for the payment of compensation shall be made under section 54-210 [Compensation ordered for expenses, loss of earnings, pecuniary loss and other losses] unless (A) the application has been made within two years after the date of the personal injury or death, (B) the personal injury or death was the result of an incident or offense listed in section 54-209 [When compensation may be ordered. Order admissible in civil or criminal proceeding], and (C) such incident or offense has been reported to the police within five days of its occurrence or, if the incident or offense could not reasonably have been reported within such period, within five days of the time when a report could reasonably have been made . . . . (2) Notwithstanding the provisions of subdivision (1) of this subsection, any person who, before, on or after October 1, 2005, fails to make application for compensation within two years after the date of the personal injury or death as a result of physical, emotional or psychological injuries caused by such personal injury or death may apply for a waiver of such time limitation. The Office of Victim Services, upon a finding of such physical, emotional or psychological injury, may grant such waiver. (3) Notwithstanding the provisions of subdivision (1) of this subsection, any minor, including, but not limited to, a minor who is a victim of conduct by another person that constitutes a violation of section 53a-192a [Trafficking in persons] or a criminal violation of 18 USC Chapter 77, who, before, on or after October 1, 2005, fails to make application for compensation within two years after the date of the personal injury or death through no fault of the minor, may apply for a waiver of such time limitation. The Office of Victim Services, upon a finding that such minor is not at fault, may grant such waiver . . . . (6) Notwithstanding the provisions of subdivision (1), (2) or (3) of this subsection, the Office of Victim Services may, for good cause shown and upon a finding of compelling equitable circumstances, waive the time limitations of subdivision (1) of this subsection.

The exception does not apply to reporting requirements under Conn. Gen. Stat. § 54-211(a)(1).

- 4.2.1 Recommendation: Statutorily exempt victims of child sex trafficking and CSEC from ineligibility factors for crime victims’ compensation.

**Policy Goal 4.3** Sex trafficked children and youth may vacate delinquency adjudications and criminal convictions for any offense arising from trafficking victimization.

Although Connecticut law allows trafficking victims to vacate criminal convictions, vacatur is unavailable for delinquency adjudications arising from trafficking victimization. Pursuant to Conn. Gen. Stat. § 54-95c(a), (d) (Application to vacate prostitution conviction on basis of being a victim of trafficking in persons. Prosecutor’s response. Court order),

(a) At any time after a court enters a judgment of conviction for any misdemeanor offense or a class C, D or E felony or any unclassified felony offense carrying a term of imprisonment of not more than ten years, the defendant may apply to the Superior Court to vacate such judgment of conviction on the basis that his or her participation in the offense was a result of having been a victim of conduct of another person that constitutes (1) trafficking in persons under section 53a-192a [Trafficking in persons: Class A felony], as

amended by this act, or (2) a criminal violation of 18 USC Chapter 77 [Peonage, slavery, and trafficking in persons], as amended from time to time . . . .

....  
(d) If the defendant provides that he or she was a victim of trafficking in persons pursuant to section 53a-192a, as amended by public act 21-103, or a victim of a criminal violation of 18 USC Chapter 77, as amended from time to time, at the time of any offenses described in subsection (a) of this section for which the defendant has applied for vacatur, (1) the court shall vacate any judgment of conviction entered for a violation of section 53a-82 [Prostitution: Class A misdemeanor] and dismiss the charge related to such conviction, and (2) the court may, in its discretion, vacate any judgment of conviction entered for any other misdemeanor offense or a class C, D or E felony or any unclassified felony offense carrying a term of imprisonment of not more than ten years for which the defendant has applied for vacatur pursuant to this section and shall dismiss the charge related to any such conviction.

Because Conn. Gen. Stat. § 54-95c applies specifically to “convictions,” however, this protection does not clearly extend to delinquency adjudications. Further, vacatur is only mandatory for prostitution offenses. While the court may grant vacatur for other select offenses, this limited protection fails to recognize the array of crimes trafficking victims are charged with and leaves many survivors without any avenue for relief.

- 4.3.1 Recommendation: Strengthen existing law by allowing sex trafficked children and youth to vacate delinquency adjudications and criminal convictions for any offense arising from trafficking victimization.

**Policy Goal 4.4** State law mandates restitution for child sex trafficking and commercial sexual exploitation of children (CSEC) offenses.

Connecticut law requires an offender convicted of a child sex trafficking or CSEC offense to pay restitution. Pursuant to Conn. Gen. Stat. § 53a-28(c) (Authorized sentences),

[T]he court shall inquire on the record whether there are any requests by a victim for restitution, and if (1) a person is convicted of an offense that resulted in injury to another person or damage to or loss of property, (2) the victim requests financial restitution, and (3) the court finds that the victim has suffered injury or damage to or loss of property as a result of such offense, the court shall order the offender to make financial restitution under terms that it determines are appropriate . . . .

For purposes of determining the amount of restitution, Conn. Gen. Stat. § 53a-28(c) further provides,

[T]he court shall consider: (A) The financial resources of the offender and the burden restitution will place on other obligations of the offender; (B) the offender’s ability to pay based on installments or other conditions; (C) the rehabilitative effect on the offender of the payment of restitution and the method of payment; and (D) other circumstances, including the financial burden and impact on the victim, that the court determines make the terms of restitution appropriate. If the court determines that the current financial resources of the offender or the offender’s current ability to pay based on installments or other conditions are such that no appropriate terms of restitution can be determined, the court may forego setting such terms . . . . Restitution ordered by the court pursuant to this subsection shall be based on easily ascertainable damages for injury or loss of property, actual expenses incurred for treatment for injury to persons and lost wages resulting from injury. Restitution shall not include reimbursement for damages for mental anguish, pain and suffering or other intangible losses, but may include the costs of counseling reasonably related to the offense.

## EXTRA CREDIT



Connecticut law mandates restitution for victims of child labor trafficking under Con. Gen. Stat. § 53a-28(c), which applies broadly to any offense.

### Policy Goal 4.5 State law provides child sex trafficking victims with a trafficking-specific civil remedy.

Connecticut law allows victims of child sex trafficking to pursue civil remedies against their exploiters. Conn. Gen. Stat. § 52-571i (Action for damages resulting from trafficking in persons) states,

Any person aggrieved by a violation of section 53a-192a [Trafficking in persons] may bring a civil action in the superior court for the judicial district where such person resides or the judicial district of Hartford against the person or persons who committed such violation to recover actual damages, statutory damages of not more than one thousand dollars for each day such person was coerced by another person in violation of section 53a-192a and a reasonable attorney's fee.

However, in order to receive statutory damages of \$1,000 per day as authorized by Conn. Gen. Stat. § 52-571i, the victim must prove they were coerced.

## EXTRA CREDIT



Connecticut law provides sex trafficked youth with a trafficking-specific civil remedy under Conn. Gen. Stat. § 52-571i, which applies broadly to all cases involving sex trafficking regardless of the victim's age.



Connecticut law provides child labor trafficking victims with a trafficking-specific civil remedy under Conn. Gen. Stat. § 52-571i, which applies broadly to cases involving trafficking, including both sex and labor trafficking.

### Policy Goal 4.6 Statutes of limitation for criminal and civil actions for child sex trafficking or commercial sexual exploitation of children (CSEC) offenses are eliminated to allow prosecutors and victims a realistic opportunity to pursue criminal action and legal remedies.

Prosecutions for child sex trafficking and CSEC offenses may commence at any time; in contrast, the statute of limitation for filing a trafficking-specific civil action is lengthened, not eliminated. Pursuant to Conn. Gen. Stat. § 54-193(a)–(c) (Limitation of prosecution for certain offenses),

(a) There shall be no limitation of time within which a person may be prosecuted for (1) (A) . . . a class A felony . . . or (B) any other offense involving sexual abuse, sexual exploitation or sexual assault if the victim of the offense was a minor at the time of the offense . . . .

(b)

. . . .

(2) Except as provided in subsection (a) of this section, no person may be prosecuted for any offense involving sexual abuse, sexual exploitation or sexual assault of a victim if the victim was eighteen, nineteen or twenty years of age at the time of the offense, except not later than thirty years next after such victim attains the age of twenty-one years.

. . . .

(c) No person may be prosecuted for any offense, other than an offense set forth in subsection (a) or (b) of this section, for which the punishment is or may be imprisonment in excess of one year, except within five years next after the offense has been committed.

Regarding civil actions, Conn. Gen. Stat. § 52-577d (Limitation of action for damages to minor caused by sexual abuse, exploitation or assault) provides,

Notwithstanding the provisions of section 52-577 [Action founded upon a tort],<sup>12</sup> no action to recover damages for personal injury to a person under twenty-one years of age, including emotional distress, caused by sexual abuse, sexual exploitation or sexual assault may be brought by such person later than thirty years from the date such person attains the age of twenty-one.

4.6.1 Recommendation: Strengthen existing law to eliminate the statute of limitation for filing a trafficking-specific civil action.

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<sup>12</sup> Pursuant to Conn. Gen. Stat. § 52-577 (Action founded upon a tort), “No action founded upon a tort shall be brought but within three years from the date of the act or omission complained of.”



## ISSUE 5: Tools for a Victim-Centered Criminal Justice Response

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**Policy Goal 5.1** State law provides a child sex trafficking-specific hearsay exception that applies to non-testimonial evidence to reduce reliance on victim testimony.

Connecticut law does not allow non-testimonial, out-of-court statements made by a commercially sexually exploited child to be admitted into evidence in lieu of, or for the purpose of corroborating, the child's testimony.

5.1.1 Recommendation: Statutorily provide a hearsay exception that applies to non-testimonial evidence in cases involving commercial sexual exploitation of children under 18 years of age.

**Policy Goal 5.2** State law provides child sex trafficking victims with alternatives to live, in-court testimony regardless of the prosecuted offense.

Although Connecticut's closed circuit television (CCTV) law does not expressly apply in trafficking cases, it applies to criminal conduct that encompasses the abuse experienced by child sex trafficking victims; however, this protection is only available to younger minors. Specifically, Conn. Gen. Stat. § 54-86g(a) (Testimony of victim of child abuse) permits the court to order the testimony of a child under 13 years of age to be taken by CCTV, stating in part,

In any criminal prosecution of an offense involving assault, sexual assault or abuse of a child twelve years of age or younger, the court may, upon motion of the attorney for any party, order that the testimony of the child be taken in a room other than the courtroom in the presence and under the supervision of the trial judge hearing the matter and be televised by closed circuit equipment in the courtroom or recorded for later showing before the court.

As noted above, however, child victims who are 13 years of age or older are not permitted to testify by CCTV, thereby increasing their risk of re-traumatization from testifying. In addition, Conn. Gen. Stat. § 54-86g(a) only allows the court to exclude the defendant from the room under the following circumstances:

[T]he court may order the defendant excluded from the room or screened from the sight and hearing of the child only if the state proves, by clear and convincing evidence, that the child would be so intimidated, or otherwise inhibited, by the physical presence of the defendant that a compelling need exists to take the testimony of the child outside the physical presence of the defendant in order to insure the reliability of such testimony . . . .

5.2.1 Recommendation: Amend state law to strengthen existing protections to allow all commercially sexually exploited children to testify by an alternative method regardless of the child's age and the offense charged.



**Policy Goal 5.3**

Child sex trafficking victims have access to victim protections in the criminal justice system.

	Child sex trafficking victims have the right to a victim advocate	Child sex trafficking victims testifying against their exploiter are provided supports in the courtroom	Child sex trafficking victims' identifying information is protected from disclosure in court records
<b>Summary</b>	The Office of Victim Services is tasked with assigning victim advocates as needed for victim assistance. Additionally, the Office of the Victim Advocate is authorized to file a special appearance in court to advocate for the rights of crime victims.	Not statutorily required.	Not statutorily required.
<b>Relevant Statute(s)</b>	Conn. Gen. Stat. § 54-203(b)(5) (Office of Victim Services established. Powers and duties)	None.	None.

5.3.1 Recommendation: Statutorily require that child sex trafficking victims are provided courtroom supports when testifying against their exploiter and that their identifying information is kept confidential in court records.

**Policy Goal 5.4**

State law provides for privileged communications between caseworkers and child sex trafficking victims.

Connecticut law does not provide for privileged communications between caseworkers and child sex trafficking victims.<sup>13</sup>

5.4.1 Recommendation: Statutorily provide child sex trafficking-specific caseworker privilege to protect a child sex trafficking victim's communications with a caseworker from being disclosed.

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<sup>13</sup> Although not available in cases related to child sex trafficking, Conn. Gen. Stat. § 52-146k(b), (e) (Privileged communications between victim and domestic violence or sexual assault counselor) provides protection in cases involving domestic violence or sexual assault, stating,

(b) On or after October 1, 1983, a domestic violence counselor or a sexual assault counselor shall not disclose any confidential communications made to such counselor at any time by a victim in any civil or criminal case or proceeding or in any legislative or administrative proceeding unless the victim making the confidential communications waives the privilege . . . .

(e) The privilege established by this section shall not apply: (1) In matters of proof concerning chain of custody of evidence; (2) in matters of proof concerning the physical appearance of the victim at the time of the injury; or (3) where the domestic violence counselor or sexual assault counselor has knowledge that the victim has given perjured testimony and the defendant or the state has made an offer of proof that perjury may have been committed by the victim.



## ISSUE 6: Prevention & Training

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**Policy Goal 6.1** State law mandates statewide training for child welfare agencies on identification and response to child sex trafficking.

Connecticut law authorizes statewide training for personnel from the Department of Children and Families on identification and response to child sex trafficking. Pursuant to Conn. Gen. Stat. § 46a-170(f)(1)(A)–(C) (Trafficking in Persons Council. Membership. Duties. Report),

The [Trafficking in Persons Council] shall:

- (A) Develop a list of key indicators that a person is a victim of trafficking;<sup>14</sup>
- (B) Develop a standardized curriculum and conduct training for doctors, nurses, pharmacists, pharmacy technicians, emergency medical services personnel, teachers, school counselors, school administrators and personnel from the Department of Children and Families and the Department of Public Health to identify victims of human trafficking, using the list of key indicators developed under subparagraph (A) of this subdivision, and assist such victims;
- (C) Develop and conduct training for personnel from the Departments of Children and Families and Public Health on methods for identifying children in foster care who may be at risk of becoming victims of trafficking;

Resultingly, training regarding child sex trafficking may be, or become, available to child welfare. However, Connecticut law does not statutorily require individuals employed by child welfare to receive such training.

- 6.1.1 Recommendation: Statutorily mandate statewide training for child welfare agencies on identification and response to child sex trafficking.

**Policy Goal 6.2** State law mandates statewide training for juvenile justice agencies on identification and response to child sex trafficking.

Connecticut law does not mandate statewide training for juvenile justice agencies on identification and response to child sex trafficking.

- 6.2.1 Recommendation: Statutorily mandate statewide training for juvenile justice agencies on identification and response to child sex trafficking.

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<sup>14</sup> Conn. Gen. Stat. § 46a-170(i) defines “trafficking” as follows:

[A]ll acts involved in the recruitment, abduction, transport, harboring, transfer, sale or receipt of persons, within national or across international borders, through force, coercion, fraud or deception, to place persons in situations of slavery or slavery-like conditions, forced labor or services, such as forced prostitution or sexual services, domestic servitude, bonded sweatshop labor or other debt bondage.

**Policy Goal 6.3** State law mandates ongoing, trafficking-specific training on victim-centered investigations for law enforcement.

Connecticut law mandates trafficking-specific training for law enforcement both as initial education and as ongoing in-service training. Pursuant to Conn. Gen. Stat. § 17a-106h (Training re identification and reporting of suspected human trafficking for law enforcement personnel, judges, persons involved in the criminal justice system, emergency and urgent care staff and school and constituent unit employees),

- (a) The Commissioner of Children and Families, in consultation with the Commissioner of Emergency Services and Public Protection, shall develop an initial educational training program and refresher training program for the accurate and prompt identification and reporting of suspected human trafficking.
- (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 (1) law enforcement personnel, (2) judges of the Superior Court, (3) prosecutors, (4) public defenders and other attorneys who represent criminal defendants, (5) hospital emergency room staff, urgent care facility staff and emergency medical services personnel who have contact with patients, and (6) 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 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.

Further, training is available under Conn. Gen. Stat. § 46a-4b (Training program on trafficking in persons), which provides,

The Commission on Women, Children, Seniors, Equity and Opportunity, in conjunction with the Police Officer Standards and Training Council, shall develop a training program on trafficking in persons and make such training program available, upon request, to the Division of State Police within the Department of Emergency Services and Public Protection, the office of the Chief State's Attorney, local police departments and community organizations.

Lastly, Conn. Gen. Stat. § 17a-106f(b) (Trafficking of minor children. Child welfare services. Training for law enforcement officials) authorizes law enforcement training, stating,

The Commissioner of Children and Families may, within available appropriations, provide training to law enforcement officials regarding the trafficking of minor children. The training shall include, but not be limited to, (1) awareness and compliance with the laws and protocols concerning trafficking of minor children, (2) identification of, access to and provision of services for minor children who are victims of trafficking, and (3) any other services the department deems necessary to carry out the provisions of this section and section 17a-106a [Multidisciplinary teams. Purpose. Composition. Confidentiality. Recordings of meeting.].

**Policy Goal 6.4** State law mandates trafficking-specific training on victim-centered investigations and prosecutions for prosecutors.

Connecticut law mandates trafficking-specific training for prosecutors. Pursuant to Conn. Gen. Stat. § 17a-106h (Training re identification and reporting of suspected human trafficking for law enforcement personnel, judges, persons involved in the criminal justice system, emergency and urgent care staff and school and constituent unit employees),

- (a) The Commissioner of Children and Families, in consultation with the Commissioner of Emergency Services and Public Protection, shall develop an initial educational training program and refresher training program for the accurate and prompt identification and reporting of suspected human trafficking.
- (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 (1) law enforcement personnel, (2) judges of the Superior Court, (3) prosecutors, (4) public defenders and other attorneys who represent criminal defendants, (5) hospital emergency room staff, urgent care facility staff and emergency medical services personnel who have contact with patients, and (6) 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 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.

Further, training is available under Conn. Gen. Stat. § 46a-4b (Training program on trafficking in persons), which provides,

The Commission on Women, Children, Seniors, Equity and Opportunity, in conjunction with the Police Officer Standards and Training Council, shall develop a training program on trafficking in persons and make such training program available, upon request, to the Division of State Police within the Department of Emergency Services and Public Protection, the office of the Chief State’s Attorney, local police departments and community organizations.

**Policy Goal 6.5** State law mandates child sex trafficking training for school personnel.

Connecticut law mandates trafficking-specific training for those employed by a local or regional board of education who have contact with students, which would include school personnel. Specifically, Conn. Gen. Stat. § 17a-106h (Training re identification and reporting of suspected human trafficking for law enforcement personnel, judges, persons involved with the criminal justice system, emergency and urgent care staff and school and constituent unit employees) provides,

- (a) The Commissioner of Children and Families, in consultation with the Commissioner of Emergency Services and Public Protection, shall develop an initial educational training program and refresher training program for the accurate and prompt identification and reporting of suspected human trafficking.
- (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 . . . persons employed by a local or regional board of education or a constituent unit, as defined in section 10a-1,<sup>15</sup> 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 every three years

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<sup>15</sup> Conn. Gen. Stat. § 10a-1 defines “constituent units” to include institutes of higher education. Conn. Gen. Stat. § 10a-1 states,

There shall be a state system of public higher education to consist of (1) The University of Connecticut and all campuses thereof, and (2) the Connecticut State Colleges and Universities, which include (A) the state universities, which shall be known collectively as the Connecticut State University System, (B) the regional community-technical colleges, which shall be known collectively as the regional community-technical college system, and (C) Charter Oak State College. “Constituent units” as used in the general statutes means those units in subdivisions (1) and (2) of this section.

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.

Further, Conn. Gen. Stat. § 46a-170(f)(1)(A), (B) (Trafficking in Persons Council. Membership. Duties. Report) requires the Trafficking in Persons Council to develop a curriculum and conduct training for teachers and other school personnel, stating,

The [Trafficking in Persons Council] shall:

(A) Develop a list of key indicators that a person is a victim of trafficking;<sup>16</sup>

(B) Develop a standardized curriculum and conduct training for doctors, nurses, pharmacists, pharmacy technicians, emergency medical services personnel, teachers, school counselors, school administrators and personnel from the Department of Children and Families and the Department of Public Health to identify victims of human trafficking, using the list of key indicators developed under subparagraph (A) of this subdivision, and assist such victims;

**Policy Goal 6.6** State law mandates child sex trafficking prevention education in schools.

Connecticut law does not mandate child sex trafficking prevention education in schools.

- 6.6.1 Recommendation: Statutorily mandate developmentally and age-appropriate child sex trafficking prevention education in schools.

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<sup>16</sup> Conn. Gen. Stat. § 46a-170(i) defines “trafficking” as follows:

[A]ll acts involved in the recruitment, abduction, transport, harboring, transfer, sale or receipt of persons, within national or across international borders, through force, coercion, fraud or deception, to place persons in situations of slavery or slavery-like conditions, forced labor or services, such as forced prostitution or sexual services, domestic servitude, bonded sweatshop labor or other debt bondage.



## State Laws Addressing Child Sex Trafficking

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1. Conn. Gen. Stat. § 53a-192a (Trafficking in persons) states,

(a) A person is guilty of trafficking in persons when such person (1) knowingly 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 [Coercion], (2) (A) knowingly compels or induces another person 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, and (B) such person who is compelled or induced to engage in such conduct is under eighteen years of age, or (3) otherwise knowingly 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 in exchange for anything of value.

....

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

A class A felony is punishable by imprisonment for 10–25 years and a possible fine up to \$20,000. Conn. Gen. Stat. §§ 53a-35a(4), 53a-41(1), 53a-28(b)(4).

## State Laws Addressing Commercial Sexual Exploitation of Children (CSEC)

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1. Conn. Gen. Stat. § 53a-86 (Promoting prostitution in the first degree) states,

(a) A person is guilty of promoting prostitution in the first degree when he knowingly: . . . (2) advances<sup>17</sup> or profits from prostitution<sup>18</sup> 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 and shall be fined fifteen thousand dollars.

A class B felony is punishable by imprisonment for 1–20 years and a possible fine up to \$15,000. Conn. Gen. Stat. §§ 53a-35a(6), 53a-41(2), 53a-28(b)(4).

2. Conn. Gen. Stat. § 53a-83b(a)–(c) (Commercial sexual abuse of a minor) states,

(a) A person is guilty of commercial sexual abuse of a minor when: (1) Such person exchanges anything of value with a minor or third person as compensation for a minor having engaged in sexual conduct with such person; (2) such person exchanges or agrees to exchange anything of value with a minor or a third person pursuant to an understanding that in return 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 anything of value.

(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.

A class B felony is punishable by imprisonment for 1–20 years and a possible fine up to \$15,000. Conn. Gen. Stat. §§ 53a-35a(6), 53a-41(2), 53a-28(b)(4). A class A felony is punishable by imprisonment for 10–25 years and a possible fine up to \$20,000. Conn. Gen. Stat. §§ 53a-35a(4), 53a-41(1), 53a-28(b)(4).

3. Conn. Gen. Stat. § 53a-90a (Enticing a minor) states,

(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 (1) under eighteen years of age, or (2) who the actor reasonably believes to be under eighteen 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

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<sup>17</sup> Conn. Gen. Stat. § 53a-85 (Promoting prostitution: definitions) defines “advances prostitution” as

when, acting other than as a prostitute or as a patron thereof, he knowingly causes or aids a person to commit or engage in prostitution, procures or solicits patrons for prostitution, provides persons or premises for prostitution purposes, operates or assists in the operation of a house of prostitution or a prostitution enterprise, or engages in any other conduct designed to institute, aid or facilitate an act or enterprise of prostitution.

<sup>18</sup> Conn. Gen. Stat. § 53a-85 defines “profits from prostitution” as

when acting other than as a prostitute receiving compensation for personally rendered prostitution services, he accepts or receives money or other property pursuant to an agreement or understanding with any person whereby he participates or is to participate in the proceeds of prostitution activity.

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 . . . .

(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 . . . .

A class D felony is punishable by imprisonment for up to 5 years and a possible fine up to \$5,000. Conn. Gen. Stat. §§ 53a-35a(8), 53a-41(4), 53a-28(b)(4). If the victim is under 13 years of age, Conn. Gen. Stat. § 53a-90a is punishable as a class B felony by imprisonment for 5–20 years and a possible fine up to \$15,000. Conn. Gen. Stat. §§ 53a-90a(b)(2), 53a-35a(6), 53a-41(2), 53a-28(b)(4).

4. Conn. Gen. Stat. § 53a-70c (Aggravated sexual assault of a minor) states,

(a) A person is guilty of aggravated sexual assault of a minor when such person commits a violation of subdivision (2) of subsection (a) of 53-21 [Injury or risk of injury to, or impairing morals of, children. Sale of children] or section 53a-70 [Sexual assault in the first degree], section 53a-70a [Aggravated sexual assault in the first degree], section 53a-71 [Sexual assault in the second degree], section 53a-86 [Promoting prostitution in the first degree], Conn. Gen. Stat § 53a-87 [Promoting prostitution in the second degree] or section 53a-196a [Employing a minor in an obscene performance] and the victim of such offense is under thirteen years of age, and (1) such person kidnapped or illegally restrained the victim, (2) such person stalked the victim, (3) such person used violence to commit such offense against the victim, (4) such person caused serious physical injury to or disfigurement of the victim, (5) there was more than one victim of such offense under thirteen years of age, (6) such person was not known to the victim, or (7) such person has previously been convicted of a violent sexual assault.

(b) Aggravated sexual assault of a minor is a class A felony and any person found guilty under this section shall, for a first offense, be sentenced to a term of imprisonment, twenty-five years of which may not be suspended or reduced by the court . . . .

Conn. Gen. Stat. § 53a-70c is a class A felony punishable by imprisonment for 25–50 years and a possible fine up to \$20,000. Conn. Gen. Stat. §§ 53a-35a(3), 53a-41(1), 53a-28(b)(4).

5. Conn. Gen. Stat. § 53a-196i(b), (d) (Commercial sexual exploitation of a minor) states,

(b) A person is guilty of commercial sexual exploitation of a minor when such person knowingly purchases advertising space for an advertisement for a commercial sex act that includes a depiction of a minor.

. . . .

(d) Commercial sexual exploitation of a minor is a class C felony.

A class C felony is punishable by imprisonment for 1–10 years and a possible fine up to \$10,000. Conn. Gen. Stat. §§ 53a-35a(7), 53a-41(3), 53a-28(b)(4).