

**State of Connecticut  
General Assembly**

# **Trafficking in Persons Council**

## **2015 Annual Report**

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**Jillian Gilchrest, MSW  
Council Chair**

**SUBMITTED TO THE CONNECTICUT GENERAL ASSEMBLY  
January 5, 2016**

## Trafficking in Persons Council Members and Designees

### State Agencies

- The Permanent Commission on the Status of Women, represented by **Jillian Gilchrest**, Senior Policy Analyst and Trafficking in Persons Council Chair
- The Chief Public Defender, represented by **Deborah Del Prete Sullivan**, Legal Counsel
- The Chief State's Attorney, represented by **Tracey Kelley**, Witness Protection Coordinator
- The Child Advocate of Connecticut, represented by **Faith VosWinkel**, 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 Labor, represented by **Marla Shiller**, Equal Employment Opportunity Manager
- The Commissioner of Mental Health and Addiction Services, represented by **Kimberly Karanda**, Director of Statewide Services
- The Commissioner of Public Health, represented by **DeVaughn Ward**, Executive Assistant to the Commissioner
- The Commissioner of Emergency Services and Public Protection, represented by **Anthony Carter**, Sargent, Connecticut State Police
- The Commissioner of Social Services, represented by **Sylvia Gafford-Alexander**, Program Director
- 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

### Public Members

- **Andrew Anastasio, Jr.**, Chairman, Motor Transport Association of Connecticut, Inc.
- **Debra Greenwood**, President & CEO, The Center for Family Justice, Inc.
- **Laura Cordes**, Executive Director, and **Deborah Heinrich**, Director of Policy & Public Relations, Connecticut Alliance to End Sexual Violence
- **Mario Thomas Gaboury**, Acting Dean and Professor, Henry C. Lee College of Criminal Justice & Forensic Sciences, University of New Haven
- **Kara Hart, Esq.**, Staff Attorney, Greater Hartford Legal Aid
- **Karen Jarmoc**, Chief Executive Officer, and **Joseph J. Froehlich**, Coordinator for Law Enforcement, Connecticut Coalition Against Domestic Violence
- **Alicia R. Kinsman, Esq.**, Director and Managing Attorney of Immigration Legal Services, and **Leonela Cruz-Ahuatl**, Program Manager for Project Rescue, International Institute of Connecticut
- **Beau Thurnauer**, Deputy Chief, East Hartford Police Department, The Connecticut Police Chiefs Association

Staffed and report prepared by Jillian Gilchrest, Senior Policy Analyst for the Permanent Commission on the Status of Women



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## TRAFFICKING IN PERSONS COUNCIL

The Trafficking in Persons (TIP) Council is chaired and convened by the Permanent Commission on the Status of Women 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 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.

### Human Trafficking in Connecticut

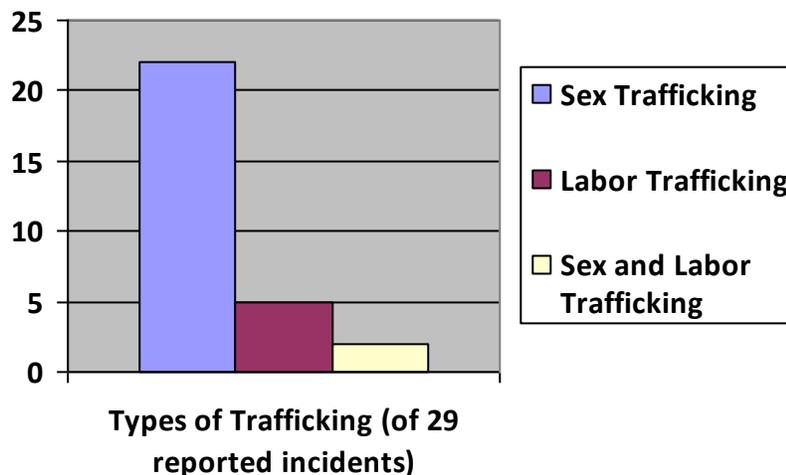
In Connecticut, a person is guilty of trafficking in persons when such person compels or induces another person to engage in sexual contact or provide labor or services by means of force, threat of force, fraud or coercion. Anyone under the age of 18 engaged in commercial sexual exploitation is deemed a victim of domestic minor sex trafficking irrespective of the use of force, threat of force, fraud or coercion. For many people, sex and labor trafficking bring visions of foreign places and people, but this idea is false. In reality, sex and labor trafficking are happening right here in Connecticut and to U.S. born citizens.

### Connecticut Specific Data and Activities

#### **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 live 24 hours a day, 7 days a week, 365 days a year. Callers can speak with the 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 the 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 more than 600 calls to their hotline that reference Connecticut. As of September 2015, the NHTRC had received 100 calls from Connecticut and a total of 29 unique cases (incidents) of potential human trafficking.



*Top Venues for 2015 NHTRC Reported Incidents of Trafficking in Connecticut*

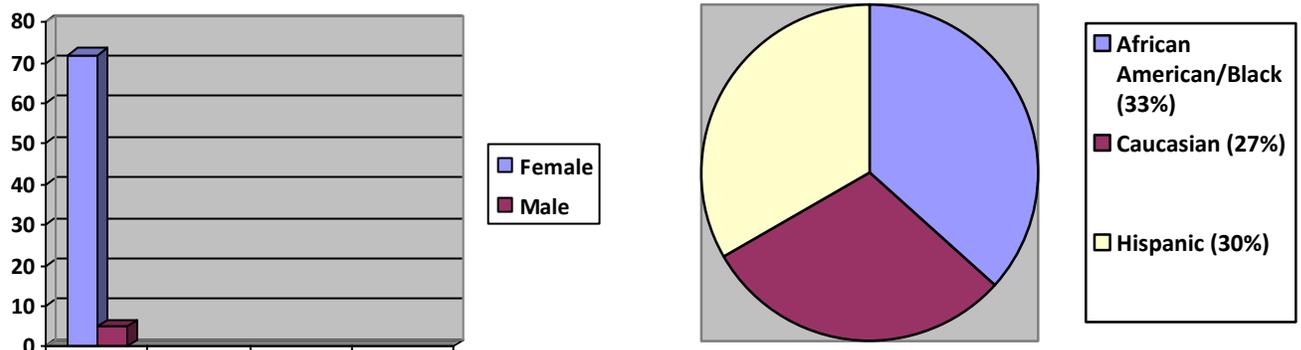
TOP VENUES/INDUSTRIES FOR SEX TRAFFICKING	TOP VENUES/INDUSTRIES FOR LABOR TRAFFICKING
Commercial-Front Brothels	Health & Beauty Services
Escort Services	Agriculture
Residential Brothels	Housekeeping/Cleaning Services
Hotel/Motel-Based	Retail/Other Small Business
Bars/Clubs	---

**Connecticut Department of Children and Families (DCF):**

In 2014, DCF submitted a grant with the support of many partners to the U.S. Department of Health and Human Services (HHS), Administration for Children and Families (ACF). DCF was awarded just over \$1 million over a five-year period to support Connecticut’s Human Anti-Trafficking Response Team (HART) Project. During the 2015 legislative session the TIP Council was statutorily changed to include the addition of two new Council members, to represent the needs of child victims of domestic minor sex trafficking (DMST) and commercial sexual exploitation of children (CSEC).

At 100 members strong, the HART comprises multi-department, multiagency partners, various levels of law enforcement, the provider community, faith-based network, among others. The state’s system of Multidisciplinary Teams now review DMST/CSEC cases ensuring the child and family has the most efficient and responsive approach during their most difficult times. In 2014, DCF received 94 referrals of youth who were at risk or confirmed victims of human trafficking. As of September 2015, DCF has received 77 referrals of youth who were at risk or confirmed victims of human trafficking.

*DCF Confirmed Victims of Domestic Minor Sex Trafficking in Connecticut, January 2015-September 2015*



**The Office of Victim Services (OVS):**

OVS has contracted with the Connecticut Coalition Against Domestic Violence to provide shelter and services on a temporary basis, basic needs such as clothing and prescriptions, and assistance with permanent living arrangements for victims of human trafficking. OVS also contracted with the

International Institute of Connecticut to conduct regional community-based trainings. The State Legislature allocated \$9,402 a year to OVS to provide housing and training.

For 2015, OVS reimbursed for the following services and training:

Number of victims housed: 7

Number of trainings: 6

Number of participants in trainings: 106

Funds spent for housing: \$2,167.05

Funds spent for trainings: \$1,409.66

### **International Institute of Connecticut, Inc. (IICConn)**

IICConn provides services in Hartford, Tolland and Fairfield counties to assist victims of human trafficking. In 2014, IICConn was awarded a grant to continue its partnership with the PCSW and the TIP Council, and to continue to lead the Connecticut Coalition Against Human Trafficking, along with the Department of Children and Families and the Connecticut Alliance to End Sexual Violence (formerly CONNSACS).

For 2015, IICConn provided the following:

Number of people screened: 181

Number of victims served: 33

Number of trainings (excluding OVS reimbursed trainings): 11

Training locations: Rocky Hill, Bridgeport, New Haven, Bloomfield, Simsbury, Hartford, New Canaan

### **Connecticut-based Needs Assessment**

In 2014, the TIP Council made a recommendation to conduct a statewide needs assessment as a strategy to protect victims of modern slavery and identify strategies to identify, rescue, rehabilitate, and reintegrate victims of sex and labor trafficking in Connecticut. Despite best efforts, the TIP Council still doesn't fully understand the impact and scope of human trafficking in Connecticut and many undetected victims continue to go unserved. By collecting data, through surveys and focus groups, we can determine what labor and sex trafficking looks like across Connecticut and begin to create a roadmap to effectively address and prevent human trafficking. At the June 2015 meeting of the TIP Council, the Council voted unanimously to move forward with a statewide needs assessment.

The TIP Council, with technical assistance from the Laboratory to Combat Human Trafficking (LCHT), will embark on an initiative that will develop sustainable efforts to end human trafficking with the essential input of those working on the ground. By utilizing the structure established by the United States Department of State's "4P" paradigm—prevention, protection, prosecution, and partnership—the TIP Council will embark on a statewide needs assessment on sex and labor trafficking in Connecticut, the results of which will inform a coordinated response to trafficking in persons that is community-led and can serve as a bridge among geographic areas of Connecticut, among sectors, and among anti-trafficking groups.

Every community in Connecticut is unique—from cities, to casinos, to rural communities, each has particular resources, industries and community dynamics. These characteristics are essential and ought to be the principle guiding force behind organizing a community-based human anti-trafficking

response around the 4 P's. This project will allow the TIP Council to build on Connecticut's strengths in a data-informed manner as a community, more comprehensively and more collaboratively.

### **Zero Convictions of 53a-192a, Trafficking in Persons in Connecticut**

In 2006, Connecticut enacted *Public Act 06-43* which created the felony crime of trafficking in persons, and yet, since then, only 10 arrests have been made and there have been no convictions. During that same time, the Department of Children and Families has received more than 300 referrals of individuals with high-risk indicators for human trafficking that demanded a collaborative response, including the participation of law enforcement. It is the position of the Connecticut Chief State's Attorney's Office that the federal prosecutors at the US Attorney's Office handles most, if not all of the trafficking investigations and eventually the prosecutions that result from these investigations. In the last decade, the U.S. Attorney's Office for the District of Connecticut has prosecuted 20 child trafficking cases.

Connecticut is not unique; there are many states that have yet to prosecute a trafficking case. In fact, according to the U.S. Department of State, as of 2011 only 18 states brought forward human trafficking cases under state human trafficking statutes. As Connecticut's felony crime of trafficking in persons, *53a-192a* approaches its 10 year anniversary, it seems only fitting that the TIP Council and the Connecticut General Assembly gain a solid understanding of why no one has been convicted of trafficking in Connecticut, how barriers to justice can be removed, and what can be done to ensure that when someone commits an act of modern day slavery in the state of Connecticut, he or she is prosecuted.

## **2015 Legislative Results**

### **House Bill 6849: An Act Strengthening Protections for Victims of Human Trafficking**

*HB 6849* aligns Connecticut law with recommendations from the Protected Innocence Legislative Framework, an analysis of state laws compiled by the American Center for Law and Justice and Shared Hope International, including:

- Eliminate the requirement of proving use of force or threat of use of force, fraud, or coercion in the sex trafficking of a minor under the age of 18;
- Expand counseling regarding human immunodeficiency virus (HIV) and acquired immune deficiency syndrome (AIDS), HIV-related testing, and referral service for appropriate health care and support services to victims of human trafficking and sexual exploitation;
- Expand the membership of the TIP Council to include those working with child victims of commercial sexual exploitation and human trafficking;
- Permit a minor who has incurred a criminal record as a result of being trafficked the opportunity to seek the expungement of the records immediately or, at the latest, upon turning 18 years of age;
- Permit prosecutors to make application to a panel of judges for an order authorizing the interception of any wire communication by investigative officers when such interception may provide evidence of the commission of trafficking in persons, promoting prostitution in

the first degree, aggravated sexual assault of a minor, enticing a minor, and employing a minor in an obscene performance; and

- Allow minors under the age of 18 who are victims of commercial sexual exploitation to apply for crime victim compensation.

*HB 6849* was voted unanimously out of the Judiciary Committee, House of Representatives and Senate and *Public Act 15-195* went into effect October 1, 2015.

### **Senate Bill 446: An Act Concerning the Term “Domestic Worker”**

*SB 446* sought to define the term “domestic worker.” After passage out of the Labor Committee, the bill was amended in the Senate. There was some resistance by members of the General Assembly to define domestic worker before the Task Force completed its work. Instead, the bill was amended to grant domestic workers human rights protections under the CHRO statutes. After the bill received bipartisan support in the Senate, the House of Representatives also voted the bill on to the Governor. *Public Act 15-249* went into effect January 1, 2016.

## **Task Force Presentations**

The TIP Council met five times during 2015, (in April, June, September, November and December). The Council was fortunate to hear from experts in the field on a variety of topics related to sex and labor trafficking. Some of these presentation descriptions are included below:

### **DCF HART**

Tammy Sneed, Director of Gender Responsive Adolescent Services and co-chair of the Human Anti-Trafficking Response Team (HART) at the Connecticut Department of Children and Families presented on statewide efforts of the child welfare system to strengthen identification, prevention, and early intervention in child trafficking cases.

### **Arrest and Conviction Data**

Jillian Gilchrest, TIP Council Chair presented on Connecticut specific data obtained from the State Judicial Branch on arrests and convictions for prostitution-related crimes and trafficking in persons. According to the data, during the last ten years there have been 10 arrests for trafficking in persons and no convictions. Prostitutes are more than twice as likely to be arrested as those patronizing prostitutes and nearly seven times more likely to be convicted. Prostitutes are also twenty times more likely to be convicted than those arrested for promoting prostitution.

### **Massage Parlors**

Beau Thurnauer, Deputy Chief of the East Hartford Police Department presented on some recent cases of what sex trafficking looks like locally and some of the barriers to investigating these crimes. Council members engaged Mr. Thurnauer in conversation about his knowledge of similar cases statewide and how, if at all, victims’ needs are addressed. The TIP Council expressed interest in having Deputy Chief Thurnauer present again regarding his investigative work on ‘massage parlors.’

### **Connecticut Nail Salons**

The TIP Council heard from three speakers: Gary K. Pechie, the Director of Wage and Workplace Standards Division at the Connecticut Department of Labor (CTDOL); Alok Bhatt, the Legislative Analyst at the Asian Pacific American Affairs Commission; and Bob Kocienda with the Center for

Youth Leadership at Brien McMahon High School. Mr. Pechie discussed CTDOL's investigation of 25 nail salons randomly chosen throughout Connecticut which revealed numerous wage and labor violations. Mr. Bhatt discussed his commission's efforts to reach out to owners and employees of nail salons to clarify labor law and support the rights of workers. Mr. Kocienda discussed the work of his students at the Center for Youth Leadership regarding nail salons. Students at the Center speak with nail salon employees, explain their legal rights, provide community outreach to educate consumers, and work with local and state government officials to elevate the issue of health and labor violations in the nail salon industry.

The TIP Council members had a discussion with the speakers about what measures might help in preventing the violations from continuing. Members spoke about potential public policies that might help address the labor and health violations that are being committed at nail salons across Connecticut.

## **TIP Council Recommendations for 2016**

In 2013, the Legislature passed *Public Act 13-166*, AAC Sexual Exploitation and Trafficking in Persons, which required the TIP Council to examine existing law related to trafficking in persons, identify deficiencies, and report its findings and recommendations to the Legislature annually. The Council utilizes the structure established by the United States Department of State's "4P" paradigm – prevention, protection, prosecution, and partnership- in developing recommendations.

The TIP Council recommendations are based on the work of the Council, the work of individual Council members, and Council presentations. At the TIP Council meeting on December 17, 2015 those members in attendance discussed each proposed recommendation and voted unanimously to approve policy concepts. Any proposed recommendation that did not receive unanimous support of the TIP Council members has been included in the annual report as requiring further research and discussion.

### **PREVENTION**

Prevention efforts increase awareness, advocacy and education toward addressing key vulnerabilities, which leave certain populations and priority locales particularly vulnerable to sex and labor trafficking. This can be done by addressing the crime at its root causes by monitoring product supply chains and reducing demand.

#### **Policy Concept Recommendations:**

1. Recommend revising the membership in *Sec. 46a-170, Trafficking in Persons Council*, to include the Department of Consumer Protection and a representative of the Police Officer Standards and Training Council;
2. Recommend revising the definition of "employees" covered by state minimum wage and overtime laws to include those employed in domestic service in or about a private home, an outside sales representative, and an agricultural worker; and
3. Recommend revising *46a-51, Definitions*, under the Human Rights and Opportunities statutes to expand the discrimination and harassment protections to those employed in domestic

service in or about a private home, an outside sales representative, and an agricultural worker, regardless of the size of the workforce.

#### **Further Research & Discussion:**

- Recommend further discussion and inquiry on Connecticut nail salons; including Department of Public Health licensing of nail technicians, increasing the civil penalty for violating a stop work order, mandating that nail salons have bond or liability insurance, and requiring that nail salons post business license, health license and Workers' Bill of Rights in view of all customers;
- Recommend further discussion and inquiry on prohibiting Connecticut hotels, motels, or similar lodgings from renting rooms hourly; and
- Recommend revising *Sec. 54-36p, Forfeiture of moneys and property related to sexual exploitation, prostitution and human trafficking*, to include *Sec. 53a-83, Patronizing a prostitute*, and *Sec. 53a-83a, Patronizing a prostitute from a motor vehicle*.

#### **PROTECTION**

Key victim protection efforts include 3 "Rs" - rescue, rehabilitation, and reintegration. It is important that human trafficking victims are provided access to health care, counseling, legal and shelter services in ways that are not prejudicial to victims' rights, dignity, or psychological well-being. Effective partnerships between law enforcement and service providers mean victims feel protected and such partnerships help to facilitate participation in criminal justice and civil proceedings.

#### **Policy Concept Recommendations:**

1. Recommend revising the duties in *Sec. 46a-170, Trafficking in Persons Council*, to reflect the inclusion of victims of trafficking who are minors, the Council role of collecting, analyzing, and disseminating data, and the Council role of facilitating training;
2. Recommend eliminating exceptions in *Sec. 54-234a, Display of notice re services for victims of human trafficking at truck stops and liquor permittee premises* and expand to include all hotels, motels, or similar accommodations, and adult entertainment businesses;
3. Recommend that Connecticut hotels, motels, or similar lodgings maintain records for a minimum of six months regarding all persons who rent sleeping accommodations;
4. Recommend revising *Sec. 53a-82, Prostitution*, to age 18 to ensure that minors under the age of 18 are treated as victims of commercial sexual exploitation; and
5. Recommend revising *Sec. 54-36p, Forfeiture of moneys and property related to sexual exploitation, prostitution and human trafficking*, to remove *Sec. 53a-82, Prostitution*.

#### **Further Research & Discussion:**

- Recommend further discussion with the Connecticut Sentencing Commission on the feasibility of a pre-trial diversionary program for persons charged with prostitution;
- Recommend further discussion on victim dynamics of human trafficking and domestic violence; and
- Recommend further research and discussion on privileged communication for certain agency employees who work with victims of human trafficking.

## **PROSECUTION**

Connecticut must ensure the creation of laws that address the continuum of exploitation, the implementation of laws, and the pursuit of criminal punishments for such cases. Sentences should take into account the severity of an individual's involvement in trafficking, imposed sentences for related crimes, and the judiciary's right to impose punishments consistent with its laws.

### **Policy Concept Recommendations:**

1. Recommend that State's Attorneys and Police Chiefs report to the Children's and Judiciary Committees of the Connecticut General Assembly on the prosecution of trafficking cases, including the number of referrals for human trafficking cases and investigations; and
2. Recommend that the Connecticut Sentencing Commission, Special Committee on Sex Offenders, Subcommittee on Sex Offender Sentencing consider whether to include *53a-192a, Trafficking in persons*, when the offender has compelled or induced another person to engage in sexual contact, and *53a-83(c), Patronizing a prostitute*, when such other person is under the age of 18, to the Registration of Sex Offenders statutes.

### **Further Research & Discussion:**

- Recommend further discussion and inquiring on why there have not been any convictions under *Sec. 53a-192a, Trafficking in persons*, which went into effect in 2006;
- Recommend revising *Sec. 53a-83, Patronizing a prostitute*, to remove the knowledge requirement and expressly prohibit a mistake of age defense when such other person is under the age of 18; and
- Recommend revising *Sec. 53a-90a, Enticing a minor*, to age 18 to ensure that minors under the age of 18 are treated as victims of commercial sexual exploitation.

## **PARTNERSHIP**

Effectively combating human trafficking requires a comprehensive response of multiple sectors. Partnerships bring together diverse experiences, amplify messages, and leverage resources, thereby accomplishing more together than any one entity or sector would be able to do alone.

### **Further Research & Discussion:**

- Recommend further discussion on elementary, middle, and high school personnel's responsibility to file Family with Service Needs (FWSN) reports for chronic absenteeism and protecting victims of domestic minor sex trafficking;
- Recommend further discussion on cross-municipality police information sharing for chronic runaways; and
- Recommend the TIP Council create an inventory of Connecticut statutes that have been enacted to address human trafficking, their status, and their effectiveness to date.