



CONNECTICUT

Legal System	Constitution	Bill of Rights	Form of Government
Common Law Statutory Law	Written	Yes	Republic

A. Criminal Statutes

1. Human Trafficking and Related Offenses

a. Conn. Gen. Stat. Ann. § 53a-192a (2021)¹ – Trafficking in Persons

i. Summary

Persons commit the offense of trafficking of persons in Connecticut if they:

- (1) Knowingly compel or induce 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, or the threat of the use of force, against such other person or a third person,
 - (B) fraud, or
 - (C) coercion, as provided in section 53a-192,
- (2) Knowingly compel or induce another person who is under 18 years of age to engage in conduct involving sexual contact with one or more third persons that constitutes sexual contact for which such third person may be charged with a criminal offense, or
- (3) Otherwise knowingly commit an act that constitutes sex trafficking.

Conn. Gen. Stat. Ann. § 53a-192a(a).

“Sexual contact” is defined as “any contact with the intimate parts of another person,” and “sex trafficking” as “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.” *Id.*

A person is guilty of coercion when the person “compels or induces another person to engage in conduct which such other person has a legal right to abstain from engaging in, or to abstain from engaging in conduct in which such other person has a legal right to engage, by means of instilling in such other person a fear that, if the demand is not complied with, the actor or another will: (1) Commit any criminal offense; or (2) accuse any person of a criminal offense; or (3) expose any secret tending to subject any person to hatred, contempt or ridicule, or to impair any person’s credit or business repute; or (4) take or withhold action as an official, or cause an official to take or withhold action.” Conn. Gen. Stat. Ann. § 53a-192(a).

¹ Connecticut House Bill 6657 (**HB 6657**) was introduced on March 18, 2021; passed by the House on May 12, 2021; passed by the Senate on June 8, 2021; and approved by the Connecticut Governor and signed into law on June 16, 2021. HB 6657 updated a number of Connecticut’s human trafficking laws as noted herein; these updates went into effect on October 1, 2021.

It shall be an affirmative defense in any prosecution or delinquency proceeding under § 53a-192a that the defendant was under the age of 18 and participated in the offense as a result of having been a victim of conduct of another person that constitutes trafficking in persons in violation of § 53a-192a(a). Conn. Gen. Stat. Ann. § 53a-192a(b).

ii. Sentencing

Human trafficking is a Class A felony, *id.*, punishable by a prison term of 10 to 25 years and a fine of not more than USD 20,000. Conn. Gen. Stat. Ann. §§ 53a-35a, 53a-41. A court shall also order restitution upon request, under terms the court determines are appropriate. Conn. Gen. Stat. Ann. § 53a-28(c).

iii. Statute of Limitations

Connecticut places no time limitation on the prosecution of the crime of human trafficking. Conn. Gen. Stat. Ann. § 54-193(a)(1)(A).

b. Conn. Gen. Stat. Ann. § 54-36p (2017) – Forfeiture of Moneys and Property Related to Exploitation, Prostitution and Human Trafficking

Connecticut law authorizes the forfeiture of all money or property used or intended for use in human trafficking, along with the proceeds or any fruits of the proceeds of human trafficking. Conn. Gen. Stat. Ann. § 54-36p.

c. Conn. Gen. Stat. Ann. § 53-393, *et seq.* (2018) – Corrupt Organizations and Racketeering Activity Act (CORA)

Connecticut's racketeering statute includes trafficking in persons in its predicate acts. Conn. Gen. Stat. Ann. § 53-394. A person or enterprise that engages in a trafficking pattern (*i.e.*, at least two instances) is subject to prosecution under CORA, imprisonment up to 20 years, and fines up to USD 25,000 in addition to the fines and penalties associated with the underlying crime. Conn. Gen. Stat. Ann. § 53-396.

d. Conn. Gen. Stat. Ann. § 53a-82 (2016) – Prostitution [Affirmative Defenses]

Connecticut law provides persons prosecuted for prostitution with an affirmative defense that they were a victim of human trafficking. Conn. Gen. Stat. Ann. § 53a-82(b). It also explicitly allows duress as a defense. *Id.*

e. Conn. Gen. Stat. Ann. § 54-95c (2021) – Application to Vacate Prostitution Conviction on Basis of Being a Victim of Trafficking in Persons

Any person who is convicted of prostitution under Conn. Gen. Stat. Ann. § 53a-82 may apply to the Superior Court to vacate the conviction if the person was a victim of human trafficking. Conn. Gen. Stat. Ann. § 54-95c. Such persons should send notice by registered or certified mail to the victims of the crime for which such person was convicted. *Id.* The victim and the prosecutor have the opportunity to be heard. *Id.*

If the defendant proves that the conviction was a result of human trafficking, the court shall vacate the judgment and dismiss all charges related to the offense. *Id.* The defendant, however, is not entitled to compensation for wrongful conviction or incarceration under Conn. Gen. Stat. Ann. § 54-102uu. *Id.*

f. Conn. Gen. Stat. Ann. § 46b-146 (Formerly Sec. 51-327) (2021) – Erasure of Police and Court Records

If a minor has a criminal record as a result of being a human trafficking victim, the Court must order all related police and court records erased. Upon the erasure order, all references must be removed from all agency, official, and institutional files. Information relating to the erased record may not be disclosed, unless the Court believes it is in the child's best interest to do so. Conn. Gen. Stat. Ann. § 46b-146.

g. Conn. Gen. Stat. Ann. § 53a-40e (2021) – Standing Criminal Protective Orders

Courts may impose a standing criminal protective order against anyone who commits trafficking in persons where the victim is under age 18. Conn. Gen. Stat. Ann. § 53a-40e.

h. Conn. Gen. Stat. Ann. § 53a-192 (1992) – Coercion

i. Summary

A person is guilty of coercion when the person “compels or induces another person to engage in conduct which such other person has a legal right to abstain from engaging in, or to abstain from engaging in conduct in which such other person has a legal right to engage, by means of instilling in such other person a fear that, if the demand is not complied with, the actor or another will: (1) Commit any criminal offense; or (2) accuse any person of a criminal offense; or (3) expose any secret tending to subject any person to hatred, contempt or ridicule, or to impair any person’s credit or business repute; or (4) take or withhold action as an official, or cause an official to take or withhold action.” Conn. Gen. Stat. Ann. § 53a-192(a).

It is an affirmative defense to a prosecution for coercion, other than a prosecution under Conn. Gen. Stat. Ann. § 53a-192(a)(1), that the actor “believed the accusation or secret to be true or the proposed official action justified and that his purpose was limited to compelling the other person to behave in a way reasonably related to the circumstances which were the subject of the accusation, exposure or proposed official action, as by desisting from further misbehavior or making good a wrong done.” Conn. Gen. Stat. Ann. § 53a-192(b).

ii. Sentencing

Coercion is generally a Class A misdemeanor. Conn. Gen. Stat. Ann. § 53a-192(c). If the threat is to commit a felony, coercion is a Class D felony. *Id.*

A Class A misdemeanor is punishable by a term of imprisonment of not more than one year and a fine of not more than USD 2,000. Conn. Gen. Stat. Ann. §§ 53a-36, 53a-42. A Class D felony is punishable by a term of imprisonment of not more than five years and a fine of not more than USD 5,000. Conn. Gen. Stat. Ann. §§ 53a-35a(8), 53a-41.

iii. Statute of Limitations

The statute of limitations for a misdemeanor coercion prosecution is one year. Conn. Gen. Stat. Ann. § 54-193(d). If the coercion prosecution is for a Class D felony, the statute of limitations is five years. Conn. Gen. Stat. Ann. § 54-193(c). There is no limitation of time within which a person may be prosecuted for any offense involving sexual abuse, sexual exploitation, or sexual assault if the victim of the offense was a minor at the time of the offense. Conn. Gen. Stat. Ann. §§ 53a-36(a).

2. Online Child Sexual Exploitation and Child Pornography Offenses

Conn. Gen. Stat. Ann. § 53a-83b – Commercial Sexual Abuse of a Minor (2021)

Conn. Gen. Stat. Ann. § 53a-196c – Importing Child Pornography (2007)

Conn. Gen. Stat. Ann. § 53a-196d – Possessing Child Pornography in the First Degree (2014)

Conn. Gen. Stat. Ann. § 53a-196e – Possessing Child Pornography in the Second Degree (2014)

Conn. Gen. Stat. Ann. § 53a-196f – Possessing Child Pornography in the Third Degree (2014)

Conn. Gen. Stat. Ann. § 53a-196g – Possessing Child Pornography: Affirmative Defenses (2014)

Conn. Gen. Stat. Ann. § 53a-196h – Possessing or Transmitting Child Pornography by Minor (2017)

Conn. Gen. Stat. Ann. § 53a-196i – Commercial Sexual Exploitation of a Minor (2012)

3. Conn. Gen. Stat. Ann. §§ 54-250 to 54-254 (2019) – Registration of Sexual Offenders

A person who is found guilty or found not guilty by reason of mental disease or defect of first-degree promoting prostitution with someone under the age of 18, importing or possessing child pornography, sexually violent offenses, and nonviolent sexual offenses must register as a sex offender. Conn. Gen. Stat. Ann. §§ 54-250 to 54-254.

B. Civil Liability Statutes

1. Conn. Gen. Stat. Ann. § 52-571i (2006) – Claim for Damages Resulting from Trafficking in Persons

Connecticut law authorizes a civil claim by a person aggrieved by a violation of § 53a-192a (trafficking in persons) against the perpetrator of the violation. The aggrieved can recover actual damages, statutory damages of USD 1,000 per day for each day the aggrieved was coerced, and reasonable attorney's fees. Conn. Gen. Stat. Ann. § 52-571i.

C. Additional Statutes Specific to Human Trafficking

1. Conn. Gen. Stat. Ann. § 17a-106f (2014) – Trafficking of Minor Children, Child Welfare Services, Training for Law Enforcement Officials

The Commissioner of Children and Families must provide child welfare services to a minor reasonably believed to be a victim of trafficking and provide law enforcement training regarding the trafficking of minor children. Conn. Gen. Stat. Ann. § 17a-106f.

2. Conn. Gen. Stat. Ann. § 17a-106g (2016) – Training regarding Identification of Human Trafficking for Employees of Hotels, Motels, Inns, and Similar Lodging

The Commissioner of Children and Families and the Commissioner of Emergency Services and Public Protection shall consult with state and national hotel and lodging associations to recommend an educational training program and refresher training program for the accurate and prompt identification and reporting of suspected human trafficking. Conn. Gen. Stat. Ann. § 17a-106g. The training program shall include a video presentation that offers guidance to employees of hotels, motels, inns, and similar lodgings on the recognition of potential victims of human trafficking and activities commonly associated with human trafficking. *Id.*

3. Conn. Gen. Stat. Ann. § 17a-106h (2021) – Training regarding 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

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. Conn. Gen. Stat. Ann. § 17a-106h.

4. Conn. Gen. Stat. Ann. § 31-71 *et seq.* (2021) – Wage Payment Laws

An employer must regularly pay wages to employees. Conn. Gen. Stat. Ann. § 31-71b. An employer must also comply with Connecticut's notice requirements at the time of hiring and throughout the employment relationship. Conn. Gen. Stat. Ann. § 31-71f. An employee may institute a civil lawsuit for recovery of unpaid wages against a noncompliant employer. *Id.* An employee is entitled to recover twice the amount of wages owed, in addition to attorney's fees and costs. Conn. Gen. Stat. Ann. § 31-72. Moreover, an employer that fails to pay wages owed may be subject to civil penalties and imprisonment. Conn. Gen. Stat. Ann. §§ 31-71g, 31-69a.

More information can be found at: <https://www.ctdol.state.ct.us/wgwkstnd/wage-hour/pay002.htm>.

5. Conn. Gen. Stat. Ann. § 44-5 (2016) – Training regarding Recognition of Human Trafficking

The operator of each hotel, motel, inn, or similar lodging must maintain a system of records of all guest transactions and records for at least six months and shall ensure that each employee receives training at the time of hire on the recognition of potential victims of human trafficking, and activities commonly associated with human trafficking. Conn. Gen. Stat. Ann. § 44-5. In addition, each operator shall conduct ongoing awareness campaigns for employees on the activities commonly associated with human trafficking. *Id.*

6. Conn. Gen. Stat. § 46a-4b (2019) – Training Program on Trafficking in Persons

As part of Connecticut’s prevention strategy, the Commission on Women, Children, Seniors, Equity and Opportunity, in conjunction Connecticut’s Police Officer Standards and Training Council, must develop a training program on trafficking persons for police departments.

7. Conn. Gen. Stat. Ann. § 46a-170 (2021) – Trafficking in Persons Council

As part of Connecticut’s prevention strategy, a Trafficking in Persons Council is responsible for developing, among other things, a plan for mental health, support, and substance abuse programs for victims of trafficking and for those arrested for prostitution under § 53a-82. Conn. Gen. Stat. Ann. § 46a-170. The plan shall provide for: (1) the diversion of victims of trafficking and prostitution offenders into community-based treatment and support services, including substance abuse recovery, housing, healthcare, job training, treatment and mental health support, and (2) the dismissal after the successful completion of the program of related criminal charges against the victim. *Id.*

8. Conn. Gen. Stat. Ann. § 51-286h (2017) – Reports regarding Human Trafficking

The Office of the Chief State’s Attorney and each municipal chief of police shall report to the Trafficking in Persons Council on human trafficking activity and cases. Conn. Gen. Stat. Ann. § 51-286h.

9. Conn. Gen. Stat. Ann. §§ 54-222 (2013), 54-234 (2007), 54-234a (2020) – Information and Notices

The Connecticut Office of Victim Services is authorized to contract with nongovernmental organizations to develop a response system to help victims of human trafficking. The system includes training, resources, materials, and other educational opportunities addressing the rights of and services for victims that take into account the cultural context and needs of victims. Conn. Gen. Stat. Ann. § 54-234. Additionally, certain categories of businesses and facilities, namely those that offer materials for sale or promote performances for adult audiences, are required to post notices developed by the Chief Court Administrator that list services available to victims of human trafficking, including toll-free telephone numbers for state and federal hotlines. Conn. Gen. Stat. Ann. § 54-222. Those businesses and facilities include massage establishments, highway service plazas, airports, emergency and urgent care facilities, train and bus stations, providers of adult-only performances, nail salons, employment agencies for any of the foregoing, and certain holders of on-premises alcohol consumption permits. Conn. Gen. Stat. Ann. § 54-234a.

D. Significant Cases

No significant cases regarding Connecticut’s human trafficking statutes were found.

E. Academic Research/Papers

Taylor Matook, Note, *Escaping the Commercial Binds of Sex Trafficking Law: The Necessary Elimination of the “Commercial Vice” Requirement*, 37 QUINNIPIAC L. REV. 569 (2019).

Katherine M. Forbes, Note, *Highways and Byways: Following Connecticut’s Path in Creating Holistic Domestic Sex Trafficking Laws in Indiana*, 51 IND. L. REV. 499 (2018).

F. Resources

Connecticut Commission on Women, Children and Seniors Trafficking in Persons Council:
<https://ctcwcs.com/trafficking-in-persons-council/>

Connecticut Department of Children and Families Human Anti-Trafficking Response Team:
<https://portal.ct.gov/DCF/HART/Home#ABOUTHART>

Connecticut’s Human Trafficking-Related Case Statistics (2019):
<https://www.cga.ct.gov/2019/rpt/pdf/2019-R-0121.pdf>

Connecticut’s Recent Human Trafficking Legislation:
<https://www.cga.ct.gov/2017/rpt/pdf/2017-R-0336.pdf>

National Human Trafficking Hotline (Connecticut):
<https://humantraffickinghotline.org/state/connecticut>

Shared Hope International, Connecticut Report Card (2019):
http://sharedhope.org/PICframe9/reportcards/PIC_RC_2019_CT.pdf

Shared Hope International, Connecticut Analysis and Recommendations (2019):
http://sharedhope.org/PICframe9/analysis/PIC_AR_2019_CT.pdf

U.S. Department of Health & Human Services, *Connecticut: Efforts to Combat Human Trafficking* (2017):
https://www.acf.hhs.gov/sites/default/files/otip/connecticut_profile_efforts_to_combat_human_trafficking.pdf

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