



**Testimony in Support of SB 311**  
**An Act Updating the Definition of Sex Trafficking**  
**Erin Williamson, LCSW, MPA, Survivor Care Program Director**  
**Committee on Children, March 6, 2018**

Good morning Senator Moore, Senator Suzio, Representative Urban, Representative Zupkus and members of the Committee on Children. My name is Erin Williamson, and I have the privilege to serve as the Survivor Care Program Director at Love146, an international anti-trafficking agency. Since joining Love146 in 2014, I have led the development, implementation, and operation of Love146's Connecticut Survivor Care Program, which has provided direct services to over 300 youth who are suspected and confirmed victims of child sex trafficking.

Based on our work with survivors of child trafficking in the state of Connecticut, I would like to testify in support of SB 311, An Act Updating the Definition of Sex Trafficking.

Current Connecticut law defines human trafficking as sexual contact in exchange for a fee – meaning money. Narrowly defining human trafficking to require a “fee” is not reflective of the realities of this crime, in which exploiters and predators take advantage of children, often leveraging their basic needs – food, shelter, clothing - against them. Changing “fee” to “anything of value” will more accurately address the realities of this crime and will support law enforcement and prosecutors in investigating and prosecuting perpetrators of this crime.

We would also like to draw the Committee's attention to another bill regarding the definition of human trafficking being raised in the Judiciary Committee. This bill adopts the attached language agreed upon by the Trafficking In Persons Council, of which Love146 is a member. In addition to changing “fee” to “anything of value,” this bill brings Connecticut's definition of human trafficking inline with the Federal definition by removing the third-party requirement and adding in buyer culpability.

The 2015, the Federal government took significant steps to improve the U.S. response to human trafficking through the passage of the Justice for Victims of Trafficking Act (JVTA). In particular, the JVTA clarified that child sex trafficking does not require third-party control and added criminal liability for buyers of commercial sex from victims of trafficking.

In 2018, Connecticut is one of only 20 states remaining that require the establishment of third-party control in defining human trafficking and one of only 10 states that does not have a buyer applicable trafficking law.

The extent of exploitation when there is not a third-part and at the hands of buyers continues to be misunderstood and minimized by many in Connecticut. The argument that these minors are “prostituting themselves” or that this is their “choice” is in direct conflict with our ever increased understanding of adolescent brain development, our expanded knowledge about how minors are groomed and recruited into sex trafficking, and the actual power structure that is at play when adult buyers take advantage of vulnerable youth. The youth we work with come from histories with complex trauma – 77% have a history of running away, 63% have a history of sexual abuse, 46% have a history of physical neglect, 46% have a history of suicidal ideation. We no longer blame rape victims by suggesting that they invited the crime due to their attire or lifestyle, we should not be suggesting that youth who are exploited and raped and then given something of value in exchange “ chose” their exploitation.

Love146 hopes that the Committee will see the importance of strengthening the state's human trafficking definition and join us in supporting SB 311. Thank you for you time and consideration.

Suggested amendments to Conn. Gen. Stat. § 53a-192a(a): Agreed to by the TIP Counsel on 2/15/18.

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

## National State Law Survey: Child Sex Trafficking Definitions

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### Key factors impacting whether all CSEC victims will be defined as victims of sex trafficking:<sup>1</sup>

State	When the victim is a minor, force, fraud or coercion is . . .	Establishing the crime of sex trafficking, third party control is . . . <sup>2</sup>	Are all commercially sexually exploited children defined as sex trafficking victims under the core sex trafficking offense?
Alabama	Required	Not Required	No
Alaska	Not Required	Required	No
Arizona	Not Required	Not Required	Yes
Arkansas	Not Required	Not Required	Yes
California	Not Required	Required	No
Colorado	Not Required	Not Required	Yes
Connecticut	Not Required	Required	No
Delaware	Not Required	Required*	No
DC	Not Required	Not Required	Yes
Florida	Not Required	Not Required	Yes
Georgia	Not Required	Not Required	Yes
Hawaii	Not Required	Required	No
Idaho	Not Required	Not Required	Yes
Illinois	Not Required	Required*	No
Indiana	Required <sup>3</sup>	Required*	No
Iowa	Not Required	Required*	No
Kansas	Not Required	Not Required	Yes
Kentucky	Not Required	Not Required	Yes
Louisiana	Not Required	Not Required	Yes
Maine	Not Required	Required	No
Maryland	Not Required	Required	No
Massachusetts	Not Required	Not Required	Yes
Michigan	Not Required	Not Required	Yes
Minnesota	Not Required	Required	No
Mississippi	Not Required	Required*	No
Missouri	Not Required	Not Required	Yes
Montana	Not Required	Not Required	Yes
Nebraska	Not Required	Not Required	Yes

<sup>1</sup> Evaluations of state laws are based on legislation enacted as of August 1, 2017. For related policy goals, background information, and select statute highlights, please visit [http://sharedhope.org/wp-content/uploads/2015/11/Issue\\_Briefs/Issue\\_Briefs\\_5.1.pdf](http://sharedhope.org/wp-content/uploads/2015/11/Issue_Briefs/Issue_Briefs_5.1.pdf).

<sup>2</sup> Responses with an asterisk (\*) indicate that buyers face some culpability under the sex trafficking law or the trafficking chapter, even though third party control is required.

<sup>3</sup> The buyer-applicable provision of Indiana's trafficking law requires the buyer to know the victim was forced into juvenile prostitution.

## National State Law Survey: Child Sex Trafficking Definitions

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<b>Nevada</b>	Not Required	Not Required	Yes
<b>New Hampshire</b>	Not Required	Not Required	Yes
<b>New Jersey</b>	Not Required	Not Required	Yes
<b>New Mexico</b>	Not Required	Not Required	Yes
<b>New York</b>	Required	Required	No
<b>North Carolina</b>	Not Required	Not Required	Yes
<b>North Dakota</b>	Not Required	Required*	No
<b>Ohio</b>	Required <sup>4</sup>	Required	No
<b>Oklahoma</b>	Not Required	Not Required	Yes
<b>Oregon</b>	Not Required	Not Required	Yes
<b>Pennsylvania</b>	Not Required	Not Required	Yes
<b>Rhode Island</b>	Not Required	Required*	No
<b>South Carolina</b>	Not Required	Required*	No
<b>South Dakota</b>	Not Required	Not Required	Yes
<b>Tennessee</b>	Not Required	Not Required	Yes
<b>Texas</b>	Not Required	Not Required	Yes
<b>Utah</b>	Not Required	Not Required	Yes
<b>Vermont</b>	Not Required	Not Required	Yes
<b>Virginia</b>	Not Required	Required	No
<b>Washington</b>	Not Required	Not Required	Yes
<b>West Virginia</b>	Not Required	Required*	No
<b>Wisconsin</b>	Not Required	Not Required	Yes
<b>Wyoming</b>	Not Required	Required*	No
<b>Total number of states w/ barriers to identifying all CSEC as sex trafficking victims:</b>	<b>4 states</b> require some level of force, fraud, or coercion when the victim is a minor.	<b>20 states</b> require third party control to establish the crime of sex trafficking (*10 of these provide some criminal penalties for buyers of sex with children).	<b>21 states</b> have a narrow definition of child sex trafficking that does not identify all commercially sexually exploited children as victims of sex trafficking.

<sup>4</sup> Ohio Rev. Code Ann. § 2905.32(A) (Trafficking in persons) eliminates the requirement to prove force, fraud, or coercion when the victim is under 16 years of age or the victim is 16 or 17 and the defendant is in a position of authority or trust as described in Ohio Rev. Code Ann. § 2907.3(A)(5), (6), (7), (8), (9), (10), (11), (12), or (13) (Sexual battery).

## National State Law Survey: Addressing Demand Under Sex Trafficking Laws

1

State <sup>1</sup>	Is there a buyer applicable trafficking law?	Applicable offense	Is proof of force, fraud, or coercion required?	Does the core sex trafficking offense expressly include the conduct of buyers?
Alabama	Yes	Ala. Code § 13A-6-152 (Human trafficking in the first degree)	Yes	No
Alaska	No	N/A	N/A	N/A
Arizona	Yes	Ariz. Rev. Stat. Ann. § 13-3212 (Child sex trafficking; classification; increased punishment; definition)	No	Yes
Arkansas	Yes	Ark. Code Ann. § 5-18-103 (Trafficking of persons)	No	Yes
California	No	N/A	N/A	N/A
Colorado	Yes	Colo. Rev. Stat. Ann. § 18-3-504 (Human trafficking of a minor for sexual servitude)	No	No
Connecticut	No	N/A	N/A	N/A
Delaware	Yes	Del. Code Ann. tit. 11, § 787 (Trafficking an individual; forced labor and sexual servitude)	No	Yes
DC	Yes	D.C. Code § 22-1834 (Sex trafficking of children)	No	No
Florida	Yes	Fla. Stat. Ann. § 787.06 (Human trafficking)	No	Yes
Georgia	Yes	Ga. Code Ann. § 16-5-46 (Trafficking of persons for labor or sexual servitude)	No	Yes

<sup>1</sup> Evaluations of state laws are based on legislation enacted as of August 1, 2017. For related policy goals, background information, and select statute highlights, please visit [http://sharedhope.org/wp-content/uploads/2015/11/Issue\\_Briefs/Issue\\_Briefs\\_2.1.pdf](http://sharedhope.org/wp-content/uploads/2015/11/Issue_Briefs/Issue_Briefs_2.1.pdf).

## National State Law Survey: Addressing Demand Under Sex Trafficking Laws

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<b>Hawaii</b>	No	N/A	N/A	N/A
<b>Idaho</b>	Yes	Idaho Code Ann. § 18-8602 (Human trafficking defined)	No	Yes
<b>Illinois</b>	Yes	720 Ill. Comp. Stat. Ann. 5/10-9 (Trafficking in persons, involuntary servitude, and related offenses)	No	No
<b>Indiana</b>	Yes	Ind. Code Ann. § 35-42-3.5-1 (Promotion of human trafficking; sexual trafficking of a minor; human trafficking)	Yes <sup>2</sup>	Yes
<b>Iowa</b>	Yes	Iowa Code § 710A.2 (Human trafficking)	No	Yes <sup>3</sup>
<b>Kansas</b>	Yes	Kan. Stat. Ann. § 21-5426 (Human trafficking; aggravated human trafficking)	No	Yes
<b>Kentucky</b>	Yes	Ky. Rev. Stat. Ann. § 529.100 (Human trafficking)	No	No
<b>Louisiana</b>	Yes	La. Rev. Stat. Ann. § 14:46.3 (Trafficking of children for sexual purposes)	No	Yes
<b>Maine</b>	No	N/A	N/A	N/A
<b>Maryland</b>	No	N/A	N/A	N/A
<b>Massachusetts</b>	Yes	Mass. Gen. Laws ch. 265, § 50 (Human trafficking—Sexual servitude)	No	No
<b>Michigan</b>	Yes	Mich. Comp. Laws Ann. § 750.462e	No	No

<sup>2</sup> Ind. Code Ann. § 35-42-3.5-1(d) (Promotion of human trafficking; sexual trafficking; human trafficking) requires that the buyer have knowledge that the victim was forced into prostitution when the victim is a minor.

<sup>3</sup> Iowa Code § 710A.2(4) (Human trafficking) applies to buyers but is limited to buyers who purchase sex acts with a minor victim who is under the control of a third party.

## National State Law Survey: Addressing Demand Under Sex Trafficking Laws

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		(Forced labor or services; prohibited conduct as relates to age of minor)		
<b>Minnesota</b>	No	N/A	N/A	N/A
<b>Mississippi</b>	Yes	Miss. Code Ann. § 97-3-54.1 (Human Trafficking Act; prohibited conduct; penalty)	No	No
<b>Missouri</b>	Yes	Mo. Rev. Stat. § 566.211 (Sexual trafficking of a child) <sup>4</sup>	No	No
<b>Montana</b>	Yes	Mont. Code Ann. § 45-5-702 (Trafficking of persons)	No	No
<b>Nebraska</b>	Yes	Neb. Rev. Stat. Ann. § 28-830 (Human trafficking; forced labor or services; terms, defined)	No	Yes
<b>Nevada</b>	Yes	Nev. Rev. Stat. Ann. § 201.300 (Pandering and sex trafficking: Definitions; penalties; exception)	No	No
<b>New Hampshire</b>	Yes	N.H. Rev. Stat. Ann. § 633:7 (Trafficking in persons)	No	Yes
<b>New Jersey</b>	Yes	N.J. Stat. Ann. § 2C:13-8 (Human trafficking)	No	No
<b>New Mexico</b>	Yes	N.M. Stat. Ann. § 30-52-1 (Human trafficking)	No	Yes
<b>New York</b>	No	N/A	N/A	N/A
<b>North Carolina</b>	Yes	N.C. Gen. Stat. § 14-43.13 (Sexual servitude); N.C. Gen.	No	No

<sup>4</sup> Mo. Rev. Stat. § 566.211 (Sexual trafficking of a child—penalty) applies to all minors, but Mo. Rev. Stat. § 566.210 (Sexual trafficking of a child under age twelve—affirmative defense not allowed, when—penalty) provides an enhanced penalty when the victim is under the age of 12.

## National State Law Survey: Addressing Demand Under Sex Trafficking Laws

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		Stat. § 14-43.11 (Human trafficking)		
<b>North Dakota</b>	Yes <sup>5</sup>	N.D. Cent. Code § 12.1-41-05 (Patronizing a victim of sexual servitude); N.D. Cent. Code § 12.1-41-06 (Patronizing a minor for commercial sexual activity)	No	No
<b>Ohio</b>	No	N/A	N/A	N/A
<b>Oklahoma</b>	Yes	Okla. Stat. Ann. tit. 21, § 748 (Human trafficking)	No	Yes
<b>Oregon</b>	Yes	Or. Rev. Stat. § 163.266 (Trafficking in persons)	Yes	No
<b>Pennsylvania</b>	Yes	18 Pa. Cons. Stat. § 3011 (Trafficking in individuals)	No	Yes
<b>Rhode Island</b>	Yes	R.I. Gen. Laws Ann. § 11-67.1-6 (Patronizing a victim of sexual servitude); R.I. Gen. Laws Ann. § 11-67.1-7 (Patronizing a minor for commercial sexual activity)	No	No
<b>South Carolina</b>	Yes	S.C. Code Ann. § 16-3-2020 (Trafficking in persons; penalties; defenses)	No	Yes <sup>6</sup>
<b>South Dakota</b>	Yes	S.D. Codified Laws § 22-49-1 (Human trafficking prohibited)	No	No
<b>Tennessee</b>	Yes	Tenn. Code Ann. § 39-13-309 (Trafficking for commercial sex acts)	No	Yes

<sup>5</sup> The core human trafficking law, N.D. Cent. Code § 12.1-41-02 (Trafficking an individual), and the sex trafficking law, N.D. Cent. Code § 12.1-41-04 (Sexual servitude), do not apply to buyers, but two offenses within the human trafficking chapter are applicable to buyers.

<sup>6</sup> S.C. Code Ann. § 16-3-2020 (Trafficking in persons; penalties; defenses) applies to buyers but is limited to buyers who purchase sex acts with a minor victim who is under the control of a third party.



## National State Law Survey: Addressing Demand Under Sex Trafficking Laws

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<b>Texas</b>	Yes	Tex. Penal Code Ann. § 20A.02 (Trafficking of persons)	No	Yes
<b>Utah</b>	Yes	Utah Code Ann. § 76-5-308.5 (Human trafficking of a child—Penalties)	No	Yes
<b>Vermont</b>	Yes	Vt. Stat. Ann. tit. 13, § 2652 (Human trafficking)	No	No
<b>Virginia</b>	No	N/A	N/A	N/A
<b>Washington</b>	Yes	Wash. Rev. Code Ann. § 9A.40.100 (Trafficking)	No	No
<b>West Virginia</b>	Yes	W. Va. Code Ann. § 61-14-6 (Patronizing a victim of sexual servitude; penalties)	No	No
<b>Wisconsin</b>	Yes	Wis. Stat. § 948.051 (Trafficking of a child)	No	Yes
<b>Wyoming</b>	Yes	Wyo. Stat. Ann. § 6-2-707 (Patronizing a victim of sexual servitude)	No	No
<b>Totals:</b>	<b>40 states &amp; DC</b> have a buyer-applicable trafficking law		<b>3</b> buyer-applicable trafficking laws require force, fraud or coercion	<b>20</b> core trafficking laws have language <b>expressly</b> applicable to buyers