



February 25, 2010

Dear Senator Musto, Representative Urban and the Select Committee on Children-

Thank you for allowing me to review the bill and make suggestions based upon my experiences working with law enforcement and victims of commercial sexual exploitation and trafficking.

I have reviewed the current S.B. 153 along with Connecticut Voices for Children's proposed amendments. With some changes to the current S.B. 153, I strongly feel that this bill can effectively protect Connecticut's youth entrapped in prostitution and trafficking.

Overall, I agree with the suggestions set forth by Connecticut Voices for Children, but I am concerned that there is a misconception that this bill will, or should, decriminalize minors in prostitution. Decriminalization, however well-meaning, is a very dangerous practice in addressing prostitution.

Decriminalization, even only of minors, may impede upon law enforcement's capabilities in investigating cases of minors in prostitution and can cause confusion in regards to what laws, in practice, can effectively replace it to protect children. Decriminalization may also result in law enforcement setting lower priorities in rescuing and assisting victims.

Furthermore, decriminalization of minors in prostitution opens up a Pandora's box for the sex industry and may lure traffickers into Connecticut hoping to capitalize on child prostitution. There is also the potential repercussion that sex-worker groups would try to push for decriminalization of adults in prostitution.

While law enforcement should have the option of arrest and temporary detainment, the exploited minor should *not* be prosecuted or charged with a crime.

Upon speaking with William Rivera, Multicultural Affair Liaison at Connecticut's Department of Children and Families, he informed me how law enforcement currently handle cases of minors in prostitution. When law enforcement comes across a suspected case of child sex trafficking, an officer contacts DCF and asks that a case worker pick up the minor and take over the case, thereby not involving the potential for prosecution, detention or charges. I propose that S.B. 153 codify this practice into law, so that there will never be a case where a minor is charged with prostitution or incarcerated.

I feel that it is important to address how law enforcement will shift their attitude and treatment of minors in prostitution to minimize the chances of re-traumatization. I feel that training is essential and fortunately, there is already training and funding available through the Train the Trainer grant (Bid#04-7031) under the Office of Victim Services. The Barnaba Institute is one of three or four agencies in Connecticut which hold this grant.





Mr. Rivera also informed me that by 2012, law enforcement will have a designated in-house trafficking officer who can handle cases. This will help ensure that minor victims are treated appropriately.

My second proposed amendment to S.B. 153 is in agreement with the Connecticut Voices for Children's proposed amendment number two; that the bill should more directly link child sex trafficking victims to the services and protections provided to victims of human trafficking, rather than just identifying these children as victims of human trafficking. The suggested amendment would read as follows:

(d) Any person under the age of seventeen who engages in or offers to engage in sexual conduct with another person in return for a fee shall be required to receive all protections and services provided to victims of human trafficking. After January 1, 2012, this subparagraph shall apply to all persons under the age of eighteen.

(e) Prostitution is a class A misdemeanor.

According to Mr. Rivera, this would entail referral to DCF, since they are the only agency equipped by statute to process minors in Connecticut.

I also strongly agree with the third proposed amendment change by Connecticut Voices for Children that S.B. 153 be applied to all minors under the age of eighteen, instead of seventeen as proposed in SB 153. This would not only coordinate S.B. 153 with "Raise the Age" (Public Act 07-04) but also with the Federal Trafficking in Persons Act which states that any person under the age of 18 in prostitution is assumed to be a human trafficking victim.

Specifically, I suggest replacing the existing subparagraph (c) with the following:

(c) No person under the age of 17 shall be prosecuted for an offense under this section. After January 1, 2012, no person under the age of 18 shall be prosecuted for an offense under this section.

I am very happy to discuss in person with any member of the Committee my proposed changes supported by staff and the Board of Directors of the Barnaba Institute.

Sincerely,

Frank N. Barnaba
President
The Barnaba Institute

