

AG COAKLEY AND COALITION OF ATTORNEYS GENERAL JOIN FORCES TO COMBAT HUMAN TRAFFICKING (6-23-11)

Office of the Attorney General Martha Coakley  
CONTACT: Press Office (617) 727-2543  
June 23, 2011

AG COAKLEY AND COALITION OF ATTORNEYS GENERAL JOIN FORCES TO COMBAT HUMAN TRAFFICKING

CHICAGO - Today, Attorney General Martha Coakley joined Washington Attorney General Rob McKenna and a coalition of other Attorneys General as he announced his 2011-2012 presidential initiative to combat human trafficking nationwide. The announcement was made following AG McKenna's installation as president of the National Association of Attorneys General (NAAG) in Chicago. AG Coakley, appointed to the Leadership Council of the NAAG Presidential Initiative on Human Trafficking, discussed this initiative during a panel discussion titled "Pillars of Hope: Attorneys General Unite Against Human Trafficking."

"I am honored to be a part of this effort to combat human trafficking at a national level and look forward to working with the other Attorneys General to fight what is considered the single fastest growing illegal industry in the world," said AG Coakley. "As our office continues to advocate for legislation to make human trafficking a crime in Massachusetts, we recognize the importance of collaboration between law enforcement and advocates nationwide to fight an egregious crime that crosses state lines and affects communities across the country."

AG Coakley highlighted the importance of passing comprehensive human trafficking legislation in Massachusetts, now one of only three states in the country without human trafficking laws. She discussed the implementation of model statutes that address the supply and demand sides of human trafficking, while creating strong support services for victims. AG Coakley spoke about a nationwide effort to develop a more uniform way to report human trafficking across states through the FBI's Uniform Crime Reporting Program. She also discussed expanded training through the National Attorneys General Training and Research Institute to help first responders better recognize human trafficking and to assist prosecutors in successfully prosecuting these cases.

The welcoming remarks were given by North Carolina Attorney General Roy Cooper, the 2010-11 NAAG President, and the panel discussion was moderated by Ken Thompson, Senior Vice Present and Global Chief Legal Officer of LexisNexis. Other panelists included Washington Attorney General and incoming NAAG President Rob McKenna, Alice Hill, Senior Counselor to the Secretary of the Department of Homeland Security, and Illinois Attorney General Lisa Madigan and Indiana Attorney General Greg Zoeller, both members of the Leadership Council. Shamere McKenzie, a youth survivor of human trafficking, delivered closing remarks. Video footage from the panel discussion can be viewed at [www.naag.org](http://www.naag.org).

In January, AG Coakley and a coalition of legislators, law enforcement, and advocates, including lead sponsors Senator Mark Montigny and House Judiciary Chairman Eugene O'Flaherty, filed An Act Relative to the Commercial Exploitation of People. The bill, which has passed in the House of Representatives and is awaiting action in the Senate, would for the first time establish human trafficking for sexual servitude or labor as a crime in Massachusetts. The bill gives law enforcement the necessary tools to investigate and prosecute these crimes and attempts to address all three aspects of human trafficking - supply, demand, and victim services. For more information, please visit the Anti Human Trafficking Initiative section on the AG Coakley's website.

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AG COAKLEY APPLAUDS PASSAGE BY HOUSE OF HUMAN TRAFFICKING BILL (6-1-11)

Office of Massachusetts Attorney General Martha Coakley

CONTACT: Harry Pierre (617) 727-2543

June 1, 2011

AG COAKLEY APPLAUDS PASSAGE BY HOUSE OF HUMAN TRAFFICKING BILL

"The passing of this bill by the House is an important step towards eradicating Human Trafficking in our Commonwealth. The fact remains that people of all backgrounds are being exploited for sexual servitude and labor right in our own backyard. We remain one of four states without a law against human trafficking, and we hope this bill will finally change that. We commend the House leadership, especially Speaker DeLeo and Chairman O'Flaherty, for sending a strong message that this brutal exploitation will not be tolerated."

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## AG COAKLEY COMMENDS PASSAGE OF HUMAN TRAFFICKING LEGISLATION (11-15-11)

The Office of Massachusetts Attorney General Martha Coakley

CONTACT: Press Office (617) 727-2543

November 15, 2011

### AG COAKLEY COMMENDS PASSAGE OF HUMAN TRAFFICKING LEGISLATION

BOSTON - Today, the Massachusetts House of Representatives and Massachusetts Senate passed a bill that creates the crime of human trafficking in the Commonwealth. On January 20, 2011, AG Coakley, lead sponsors Senator Mark Montigny and House Judiciary Chairman Eugene O'Flaherty, and a coalition of law enforcement and victim advocates, filed comprehensive human trafficking legislation.

Human trafficking is one of the most egregious human rights violations that we see in our world today. It is a heinous crime of exploitation that involves forcing people to work for others for profit, whether through labor or sexual exploitation. Experts estimate that, worldwide, 27 million people are trafficked annually, bringing in \$32 billion and making it the second-largest and fastest-growing black market in the world.

The average age of girls forced into the sex trade is between 11 and 13 years old. They are lured into "the life" then forced to stay there by their pimps, many of whom employ extreme violence and threats.

The growth of the Internet has only made this kind of exploitation more extensive by putting it out of sight. Pimps can easily recruit child victims online, and then use websites to sell them to johns.

Massachusetts is one of three remaining states in the country that does not have a human trafficking law. The bill now goes to the desk of Governor Deval Patrick.

The following is a statement of Attorney General Martha Coakley:

"Today the Legislature has taken a major step toward ending the exploitation of children and other victims in our Commonwealth. The passage of this bill recognizes that these crimes aren't only occurring in other countries and other states, but right in our own communities. I look forward to Governor Patrick signing this bill into law to give us the tools to combat these egregious crimes and offer critical services to victims.

"I want to particularly thank the leadership of Senate President Therese Murray and House Speaker Robert DeLeo, as well as Senator Mark Montigny and House Judiciary Chairman Eugene O'Flaherty for sponsoring this important legislation. I also want to commend Suffolk District Attorney Dan Conley for his efforts in passing the 'safe harbor' component of this legislation. I want to recognize and thank the many victim advocates who work every day to support victims of these crimes and for their unwavering commitment to passing this legislation. Finally, I want to thank the many survivors of human trafficking who shared their personal stories to help other victims—their voices helped make the passage of this bill a reality."

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## AG COAKLEY URGES PASSAGE OF ANTI-HUMAN TRAFFICKING LEGISLATION (5-18-11)

Office of Massachusetts Attorney General Martha Coakley

CONTACT: Melissa Karpinsky (617) 727-2543

May 18, 2011

AG COAKLEY URGES PASSAGE OF ANTI-HUMAN TRAFFICKING LEGISLATION  
Bill Aimed At Eliminating Exploitation Of Victims For Sexual Servitude Or Labor;  
Massachusetts Is Currently One Of Only 4 States Without Human Trafficking Laws

BOSTON - Seeking to eradicate the exploitation of victims for sexual servitude and labor in Massachusetts, Attorney General Martha Coakley today advocated for passage of human trafficking legislation before the Joint Committee on the Judiciary.

In January, AG Coakley and a coalition of legislators, law enforcement, and advocates, including lead sponsors Senator Mark Montigny and House Judiciary Chairman Eugene O'Flaherty, filed legislation (An Act Relative to the Commercial Exploitation of People) that would for the first time establish human trafficking as a crime in Massachusetts. Massachusetts is currently one of only 4 states that does not have a human trafficking statute.

Human trafficking is considered the second largest and single fastest growing illegal industry in the world. Experts estimate that 27 million people are trafficked internationally and domestically, bringing in \$32 billion annually. The average age of entry into the sex trade is children between the ages of 12-14 years old. They are brought into the life at that young age, and then often forced to stay with their pimps and endure repeated violence, rape, abuse, threats, and other inhumane treatment.

"Let there be no doubt - people of every background are being exploited for sexual servitude and labor across the world, across this country, and right in our own backyard," Coakley said. "There are only 4 states remaining that do not have human trafficking as a crime. That must change, and it must change now. Our bill sends a clear message that this brutal exploitation is unacceptable in Massachusetts and gives law enforcement the tools to address it."

The bill attacks all three aspects of human trafficking by addressing the supply and the demand-side, as well as further supporting victims. The legislation does this by creating two new felonies, increasing penalties for current "John" crimes, and creating an interagency task force.

Specifically, An Act Relative to the Commercial Exploitation of People does the following:

" Creates the crime of trafficking of persons for sexual servitude, which has a penalty of no more than 20 years in state prison;

" Creates the crime of trafficking of persons for forced labor, which has a penalty of no more than 15 years in state prison;

" Imposes higher penalties for those who exploit child victims under 18 years of age versus adult victims for both crimes (life or any term of years)

" Imposes a minimum mandatory sentence of 10 years in prison for any second or subsequent offense of either crime;

" Allows forfeiture of funds and enables funds to be paid to victims in any restitution order from the court;

" Creates an inter-agency task force to study human trafficking that is led by the Attorney General; and

" Increases penalties for current "John" crimes to address the demand side of human trafficking by increasing the fines from a \$500 maximum to \$5,000 maximum, and by increasing the penalties from 1 year in jail to 2 ½ years in jail.

Today's hearing was held at the State House in the Gardner Auditorium. Legislators, District Attorneys, Law Enforcement and Victim Advocates testified before the Committee.

Attorney General Coakley's written testimony on Human Trafficking Legislation can be found [here](#).

This legislation filed on January 20, 2011, is supported by:

Mark C. Montigny Senator (D-New Bedford)  
Eugene L. O'Flaherty Representative (D-Chelsea)  
Steven A. Baddour Senator (D-Methuen)  
Bruce E. Tarr Senator (R-Gloucester)  
Russell Holmes Representative (D-Boston)  
Katherine Clark Senator (D-Melrose)  
Timothy R. Madden Representative (D-Nantucket)  
Sean Garballey Representative (D-Arlington)  
Richard T. Moore Senator (D-Uxbridge)  
Kay Khan Representative (D-Newton)  
Stephen R. Canessa Representative (D-New Bedford)  
John J. Binienda Representative (D-Worcester)  
Timothy J. Toomey, Jr. Representative (D-Cambridge)  
James E. Timilty Senator (D-Walpole)  
Paul Brodeur Representative (D-Melrose)  
Jennifer E. Benson Representative (D-Lunenburg)  
Geraldine Creedon Representative (D-Brockton)  
Chris Walsh Representative (D-Framingham)  
Ellen Story Representative (D-Amherst)  
Lori A. Ehrlich Representative (D-Marblehead)  
Frank I. Smizik Representative (D-Brookline)  
Tom Sannicandro Representative (D-Ashland)  
Robert L. Hedlund Senator (R- Hingham)  
Cory Atkins Representative (D-Concord)  
John Scibak Representative (D-South Hadley)  
Robert M. Koczera Representative (D-New Bedford)  
Carlo Basile Representative (D-East Boston)  
Carolyn C. Dykema Representative (D-Holliston)  
Alice Wolf Representative (D-Cambridge)  
Ruth B. Balsler Representative (D-Newton)  
Denise Provost Representative (D-Somerville)  
Martha Walz Representative (D-Boston)  
Brian A. Joyce Senator (D-Milton)  
Anne M. Gobi Representative (D-Spencer)  
James Arciero Representative (D-Westford)  
David Paul Linsky Representative (D-Natick)  
Walter F. Timilty Representative (D-Milton)  
Michael O. Moore Senator (D-Milbury)  
Alice Hanlon Peisch Representative (D-Wellesley)  
William N. Brownsberger Representative (D-Belmont)  
Jason M. Lewis Representative (D-Winchester)  
Stephen M. Brewer Senator (D-Barre)  
Thomas P. Conroy Representative (D-Wayland)  
Tackey Chan Representative (D-Quincy)

Stanley C. Rosenberg Senator (D-Amherst)  
Jennifer L. Flanagan Senator (D-Leominster)  
Denise Andrews Representative (D-Orange)  
Edward Coppinger Representative (D-Boston)  
James O'Day Representative (D-West Boylston)  
Daniel B. Winslow Representative (R-Norfolk)  
Byron Rushing Representative (D-Boston)  
Barry R. Finegold Senator (D-Andover)  
John Hart, Jr. Senator (D-Boston)  
Karen Spilka Senator (D-Ashland)  
Louis L. Kafka Representative (D-Stoughton)  
Ayanna Pressley, City Councilor At-Large, Boston City Council  
Michael W. Morrissey, Norfolk County District Attorney  
Joseph D. Early, Worcester County District Attorney  
Gerard T. Leone Jr., Middlesex County District Attorney  
Jonathan W. Blodgett, Essex County District Attorney  
C. Samuel Sutter, Bristol County District Attorney  
David F. Capeless, Berkshire County District Attorney  
Daniel F. Conley, Suffolk County District Attorney  
David E. Sullivan, Northwestern District Attorney  
Mark D. Mastroianni, Hampden County District Attorney  
Michael O'Keefe, Cape and Islands District Attorney  
Timothy J. Cruz, Plymouth County District Attorney  
Richard Brown, President, State Police Association of Massachusetts  
Mark K. Leahy, Northborough Police Chief, President of Massachusetts Chiefs of Police Association  
Steven A. Mazzie, President, Massachusetts Major City Chiefs  
Edward Davis, Boston Police Commissioner  
Terrence M. Cunningham, Chief, Wellesley Police  
Ronald E. Teachman, Chief, New Bedford Police  
Massachusetts AFL-CIO  
New England Regional Council of Carpenters  
Painters & Allied Trades District Council #35  
Massachusetts Jobs with Justice  
Germaine Lawrence  
Community VOICES  
Chelsea Collaborative  
La Comunidad, Inc. (Everett)  
Dominican Development Center (JP)  
MA Immigrant and Refugee Advocacy Coalition  
Boston Area Rape Crisis Center  
Chinese Progressive Association (Boston)  
The Brazilian Immigrant Center (Allston / Brighton)  
American Friends Service Committee  
Nivasa Foundation  
SEIU 509  
Brazilian Women's Group  
Lutheran Social Services of New England  
My Life My Choice Project  
Polaris Project  
The Emancipation Network/MadeBySurvivors  
Agencia ALPHA  
Massachusetts Children's Alliance  
Mass. Coalition for Occupational Safety and Health (MassCOSH)  
Women's Bar Association  
Roxbury Youthworks  
Jane Doe, Inc.

AIDS Action  
MA Childrens Alliance  
Worcester CARD Program  
MA Society for the Prevention of Cruelty to Children  
American Massage Therapy Association, Massachusetts Chapter  
LexisNexis

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URGENT: COMBAT HUMAN TRAFFICKING AND STRENGTHEN VICTIM RIGHTS & ASSISTANCE (7-12-11)

MIRA

Coalition

July

12,

2011

URGENT: COMBAT HUMAN TRAFFICKING AND STRENGTHEN VICTIM RIGHTS & ASSISTANCE

Urge the House of Representatives to Pass Senate Bill 1950

Dear

State,

Massachusetts is only one of five states without anti-human trafficking laws. It is a heinous crime that disproportionately disrupts the immigrant community, and victims often face the double stigma of being exploited and undocumented. Earlier this year the House passed a version of anti-trafficking legislation, and now thanks to your efforts the Senate has passed a comprehensive anti-trafficking bill (S.1950). The Senate bill addresses all three aspects of human trafficking: supply, demand, and victim services. We want the House to pass the Senate's bill, which is the most complete, including victim services provisions necessary to the safety of victims and for the law enforcement efforts against offenders. A conference committee on Senate Bill 1950 risks watering down victim services provisions. Call your House member TODAY and ask them to pass the entire Senate Bill 1950 so that Massachusetts can address human trafficking on all levels.

Download the factsheet  
Action Needed:  
Support victim rights and assistance: call your State Representative to vote 'YES' on Senate Bill 1950 (Redraft of S.820).  
Click 'act now' below, or call the State House switchboard: 617-722-2000.

Tell your Representative to adopt S.1950 because -  
" Victim services will protect those most vulnerable to exploitation.  
" Victim services are necessary to successful prosecutions of traffickers, because it provides supports necessary for victims to come forward, and the stability for them to participate in a trial.  
Stay tuned with MIRA on Facebook for updates.

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DA CONLEY, AG COAKLEY TO BRIEF LAWMAKERS ON COMMERCIAL SEXUAL EXPLOITATION (5-16-11)

Suffolk County District Attorney's Office

Contact: Jake Wark 617-619-4206 617-872-7294 cell

May 16, 2011

DA CONLEY, AG COAKLEY TO BRIEF LAWMAKERS ON COMMERCIAL SEXUAL EXPLOITATION  
OTHER EXPERTS TO SPEAK AT STATE HOUSE HEARING TOMORROW

BOSTON, May 16, 2011-Suffolk County District Attorney Daniel F. Conley, Massachusetts Attorney General Martha Coakley, other law enforcement officials, and service providers for those victimized by the commercial sex trade will brief House lawmakers tomorrow in support of proposed legislation targeting human trafficking.

Representatives Elizabeth Malia and Martin Walsh, who called for the discussion, will host the event in Room B-1 of the State House beginning at 10:30 tomorrow morning.

In 2004, Conley and the Children's Advocacy Center of Suffolk County launched the Teen Prostitution Prevention Project - now known as Support to End Exploitation Now (SEEN) - and implemented a policy of terminating the prosecution of minors arrested in sex-for-fee cases to divert those exploited youth away from pimps and johns. In January, he filed a bill that would expand that "safe harbor" policy of treating prostituted youth as victims, rather than offenders, statewide.

Coakley also filed legislation in January to define and criminalize human trafficking for sexual servitude and forced labor. Massachusetts is currently one of only four states without a human trafficking law on its books. Coakley's bill would additionally create a task force to study human trafficking and enhance the penalties for buying sex to address the industry's demand side.

Others taking part in tomorrow's hearing will be Sergeant Detective Donna Gavin of the Boston Police Department's Human Trafficking Unit and Audrey Porter, associate director of My Life My Choice, which serves the victims of commercial sexual exploitation.

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All defendants are presumed innocent until and unless proven guilty beyond a reasonable doubt.

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## GOVERNOR PATRICK SIGNS ANTI-HUMAN TRAFFICKING LEGISLATION (11-21-11)

The Office of Governor Deval L. Patrick

CONTACT: Kim Haberlin, Alec Loftus, Bonnie McGilpin – 617-725-4025; Jennifer Kritz (HHS) – 617-573-1612

November 21, 2011

### GOVERNOR PATRICK SIGNS ANTI-HUMAN TRAFFICKING LEGISLATION

Drastically increases punishment for offenders, protection for victims

BOSTON – Monday, November 21, 2011 – Governor Deval Patrick today signed into law H. 3808, “An Act Relative to the Commercial Exploitation of People,” which strengthens protections for victims of human trafficking and prostitution and increases the punishment for offenders by carrying a potential life sentence for traffickers of children.

“I thank the legislature and the Attorney General for making this critical legislation a priority this session,” said Governor Patrick. “I am proud to sign into law this bill that will protect innocent victims and give Massachusetts the tools to prosecute the criminals committing these egregious crimes to the fullest extent.”

“Human trafficking is a real issue, impacting innocent children, women and men across the Commonwealth,” said Lieutenant Governor Timothy Murray, Chair of the Governor’s Council to Address Sexual and Domestic Violence. “We thank the state legislature, Attorney General Coakley, advocates and other stakeholders who made their voices heard on behalf of victims exploited by these horrific acts.”

With the Governor’s signature, the legislation establishes the state crime of human trafficking for sexual servitude. Defined as intentionally subjecting, enticing, harboring, transporting or delivering another with the intent that the person engage in sexually explicit performance, production of pornography or sexual conduct for a fee or benefiting from sexual conduct of another, human trafficking for sexual servitude is now punishable by a mandatory-minimum term of five years, with a potential maximum sentence of up to 20 years, and a fine of up to \$25,000. Human trafficking for sexual servitude involving a victim under 18 carries a potential maximum sentence of life in prison. A business entity convicted of human trafficking for sexual servitude may be fined up to \$1 million.

“Today, we take a major step toward ending the exploitation of children and other victims in our Commonwealth,” said Attorney General Coakley. “As it should now be clear, these crimes aren’t only occurring in other countries and other states, but right in our own communities. I want to thank Governor Patrick for signing this bill into law to give us the tools to combat these egregious crimes while offering critical services to victims. I would also like to thank Senator Montigny and Chairman O’Flaherty for sponsoring this bill. Finally, I want to thank the many survivors of human trafficking who shared their personal stories to help other victims---their voices helped this new law become a reality.”

In response to the growing use of the internet as a human trafficking tool, the legislation will establish enticing a child to engage in prostitution, human trafficking or commercial sexual activity by electronic communication a crime, punishable by up to five years in state prison or a fine of \$2,500 or both. A second or subsequent offense is subject to a mandatory five-year sentence and a fine of not less than \$10,000.

The legislation requires the Department of Children and Families (DCF) to provide comprehensive services to all victims of child sexual exploitation, including state-funded social and legal services.

“This legislation gives the Commonwealth vital tools to assist victims of trafficking,” said Secretary of Health and Human Services Dr. JudyAnn Bigby. “With the Governor’s signature today, the Department of

Children and Families will provide comprehensive services that will protect and support people who are sexually exploited, including children.”

The legislation requires DCF to provide an advocate who would accompany a sexually exploited child to all court appearances. The bill allows the DCF Commissioner, subject to appropriation, to contract with non-governmental organizations with experience working with sexually exploited children to provide training to law enforcement, in order to assist the police and prosecutors in interacting with and obtaining services for sexually exploited children.

“With this bill, the Commonwealth is taking another important step in ensuring the safety of our children,” said DCF Commissioner McClain. “It is incumbent upon all of us to protect and care for these victims of exploitation. The Department of Children and Families is proud to offer comprehensive services, support, and advocacy for these children and youth.”

The legislation also amends the definition of a "Child in Need of Services" to include a sexually exploited child, and it allows for the "safe harbor" of sexually exploited children from prosecution for certain sex crimes. The court with jurisdiction over the case can require the child to comply with services in exchange for non-prosecution.

“If you’re going to engage in the unthinkable exploitation of children and other people, you’re going to pay the price,” said Senate President Therese Murray. “This legislation lays out serious punishments to help prevent human trafficking. It is the result of a lot of good work from human rights advocates, the legislature, especially Senator Montigny who has put in so much time and effort, and the attorney general. Massachusetts was one of only a few states without such a law, and I’m glad we got it done.”

The legislation will create a Victims of Human Trafficking Trust fund, funded from assets seized and forfeited from the crimes established under the bill, and allows DCF to apply to the victim and witness assistance board for grants from the Trust Fund to provide services to the victims.

“As legislators, it is a priority to ensure the safety of people across the Commonwealth – especially those who are most vulnerable,” said House Speaker Robert A. DeLeo. “No one should have to experience the utter horror of being sold into a life of exploitation; it is simply unjust. This anti-human trafficking legislation will sharpen law enforcement’s ability to take action on instances of this despicable practice in Massachusetts.”

The legislation also targets the new crime of organ trafficking. Recruiting, enticing, harboring, transporting, delivering or obtaining by any means another person with the intent to have an organ or body part removed for sale or benefiting from organ trafficking – is punishable by up to 15 years in state prison or a fine of \$50,000 or both. Organ trafficking involving a child under 18 is punishable by a mandatory sentence of five years.

“This is the most important piece of legislation I have passed since joining the Senate,” said Senator Mark Montigny, author of the legislation. “I filed the original bill six years ago. During this time I have continually fought for a bill that would protect victims and survivors of this horrific crime. While the wait has been frustrating, at least we can say to those who have been wronged that a great bill has finally been passed, which is going to make a difference. We cannot repair the spirits that have been broken, but we can provide services for those victims that need help recovering, and prosecute the traffickers to the fullest extent of the law.”

“Passing this bill into law will move our Commonwealth to the forefront of the fight against the horrors of human trafficking,” said Senator Bruce Tarr. “Now we will have modern and effective tools to confront the people who profit from enslaving others.”

Finally, the legislation will create an interagency task force, chaired by the Attorney General, to address all aspects of human trafficking, including sex and labor trafficking. The 19-member interagency task force will address all aspects of human trafficking. The task force includes the Secretary of Public Safety

and the Colonel of the State Police, two police and one district attorney representative, representatives from several other state agencies, and eight gubernatorial appointees representing various areas of expertise or interest groups.

"It is so sad that many people don't even realize this is happening right here in Massachusetts," said Senator Jennifer L. Flanagan. "I was very proud to have served on this vitally important conference committee. We are sending a very stern message with this legislation that this type of activity will not be tolerated. Again, I am so proud of the Legislature for acting on this bill and for sending it to the Governor."

"Human trafficking is an insidious offense, and this new law will provide law enforcement with the tools they need to prosecute those who engage in and profit from it," said Senator Cynthia Creem. "I am also very pleased that the law will offer 'safe harbor' and social services to child-prostitutes, recognizing that they are victims – not criminals."

"I am so thrilled this urgent and important piece of legislation has been signed into law," said Representative Sheila Harrington. "As a conference committee, we worked hard so that this bill would ensure the protection of the people of the commonwealth against these criminals."

"I hope that this legislation will help us put a stop to the horrendous industry of human trafficking, and that it will provide pathways to a better life for those of our youth that have been compelled and lured into being commercially sexually exploited," said Representative Liz Malia.

"Massachusetts now has the most comprehensive human trafficking laws in the country," said Representative Eugene L. O'Flaherty. "This bill gives law enforcement and prosecutors the tools they need to combat this issue that is often hidden from society and provides victims, particularly young children, with the safety and services they need to get their lives in order. The Legislature has no sympathy for those who prey upon others and these individuals will face harsh penalties and sex offender registration requirements."

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## GROWING LIST OF SUPPORTERS BACK ANTI-HUMAN TRAFFICKING BILL (6-17-11)

Office of the Attorney General Martha Coakley

CONTACT: Brad Puffer (617) 727-2543

June 17, 2011

### GROWING LIST OF SUPPORTERS BACK ANTI-HUMAN TRAFFICKING BILL Bill Passed Unanimously By The House Now Awaits Final Passage

BOSTON - A growing list of supporters now backs legislation by Attorney General Martha Coakley that would for the first time establish human trafficking as a crime in Massachusetts. Those supporters include more than 55 legislators, 20 advocacy groups, every District Attorney, and organized labor. The bill now awaits final passage by the Senate after the House unanimously passed this important legislation two weeks ago.

In January, AG Coakley filed this legislation (An Act Relative to the Commercial Exploitation of People) with lead sponsors Senator Mark Montigny and House Judiciary Chairman Eugene O'Flaherty. Massachusetts is currently one of only 4 states that does not have a human trafficking statute. The bill is designed to address all three aspects of human trafficking: supply, demand, and victim services.

"We want to thank the growing number of supporters of this bill, including victim advocates across the Commonwealth," said AG Coakley. "These supporters recognize that people of all backgrounds are being exploited for sexual servitude and labor right in our own backyard. We remain one of four states without a law against human trafficking, and we hope this bill will finally change that."

Human trafficking is considered the second largest and single fastest growing illegal industry in the world. Experts estimate that 27 million people are trafficked internationally and domestically, bringing in \$32 billion annually. The average age of entry into the sex trade is children between the ages of 12-14 years old. They are brought into the life at that young age, and then often forced to stay with their pimps and endure repeated violence, rape, abuse, threats, and other inhumane treatment.

The bill attacks all three aspects of human trafficking by addressing the supply and the demand-side, as well as further supporting victims. The legislation does this by creating two new felonies, increasing penalties for current "John" crimes, and creating an interagency task force.

Specifically, An Act Relative to the Commercial Exploitation of People does the following:

- " Creates the crime of trafficking of persons for sexual servitude, which has a penalty of no more than 15 years in state prison, or a fine of not more than \$25,000, or both;
- " Creates the crime of trafficking of persons for forced labor, which has a penalty of no more than 15 years in state prison, or a fine of not more than \$25,000, or both;
- " Imposes a minimum mandatory sentence of 10 years in prison for any repeat offense of either crime;
- " Imposes higher penalties for victims who are children under 18 years of age versus adult victims for both crimes (life or any term of years);
- " Allows forfeiture of funds and requires funds to be paid to victims in any restitution order from the court;
- " Incorporates DA Conley's "Safe Harbor" provision that allows children who are arrested for prostitution to be treated as victims as opposed to prostitutes.

- " Creates an inter-agency task force to study human trafficking comprised of a cross-section of victim advocates, academics, and law enforcement;
- " Corporations found guilty of forced labor trafficking face a fine of not more than \$500,000;
- " Increases penalties for current "John" crimes to address the demand side of human trafficking by increasing the fines from a \$500 maximum to \$5,000 maximum, and by increasing the penalties from 1 year in jail to 2 ½ years in jail.

This legislation, first filed on January 20, 2011, is now supported by:

#### ADVOCATES

Massachusetts Jobs with Justice  
 Germaine Lawrence  
 Community VOICES  
 Chelsea Collaborative  
 La Comunidad, Inc. (Everett)  
 Dominican Development Center (JP)  
 MA Immigrant and Refugee Advocacy Coalition  
 Boston Area Rape Crisis Center  
 Chinese Progressive Association (Boston)  
 The Brazilian Immigrant Center (Allston / Brighton)  
 American Friends Service Committee  
 NIVASA Foundation  
 Brazilian Women's Group  
 Lutheran Social Services of New England  
 My Life My Choice Project  
 Polaris Project  
 Worcester CARD Program  
 The Emancipation Network/MadeBySurvivors  
 Agencia ALPHA  
 Massachusetts Children's Alliance  
 Mass Coalition for Occupational Safety and Health (MassCOSH)  
 Woman's Bar Association  
 Roxbury Youthworks  
 Jane Doe, Inc.  
 AIDS Action  
 Reed Elsevier (LexisNexis)  
 MA Society for the Prevention of Cruelty to Children  
 Northeast Region Amnesty International USA  
 Greater Boston Legal Services  
 American Massage Therapy Association, MA Chapter

#### ORGANIZED LABOR

Massachusetts AFL-CIO  
 New England Carpenters Labor Management Program  
 New England Regional Council of Carpenters  
 Painters & Allied Trades District Council #35  
 Mass Building Trades Council  
 SEIU 615  
 SEIU 509

## LAW ENFORCEMENT

C. Samuel Sutter, Bristol County District Attorney  
President, Massachusetts District Attorneys Association  
Michael W. Morrissey, Norfolk County District Attorney  
Joseph D. Early, Worcester County District Attorney (Middle District)  
Gerard T. Leone Jr., Middlesex County District Attorney  
Jonathan W. Blodgett, Essex County District Attorney  
David F. Capeless, Berkshire County District Attorney  
Daniel F. Conley, Suffolk County District Attorney  
David E. Sullivan, Northwestern District Attorney  
Mark D. Mastroianni, Hampden County District Attorney  
Michael O'Keefe, Cape and Islands District Attorney  
Timothy J. Cruz, Plymouth County District Attorney  
Richard Brown, President, State Police Association of Massachusetts  
Chief Mark K. Leahy, Northborough Police  
President, Massachusetts Chiefs of Police Association  
Steven A. Mazzie, President, Massachusetts Major City Chiefs  
Commissioner Edward Davis, Boston Police  
Chief Terrence M. Cunningham, Wellesley Police  
Chief Ronald E. Teachman, New Bedford Police

## ELECTED OFFICIALS

Senator Mark C. Montigny (D-New Bedford) (Sponsor)  
Representative Eugene L. O'Flaherty (D-Chelsea) (Sponsor)  
Senator Steven A. Baddour (D-Methuen)  
Senator Bruce E. Tarr (R-Gloucester)  
Senator Robert L. Hedlund (R- Hingham)  
Senator James E. Timilty (D-Walpole)  
Senator Richard T. Moore (D-Uxbridge)  
Senator Brian A. Joyce (D-Milton)  
Senator Michael O. Moore (D-Milbury)  
Senator Katherine Clark (D-Melrose)  
Senator Jennifer L. Flanagan (D-Leominster)  
Senator John Hart, Jr. (D-Boston)  
Senator Stephen M. Brewer (D-Barre)  
Senator Karen Spilka (D-Ashland)  
Senator Barry R. Finegold (D-Andover)  
Senator Stanley C. Rosenberg (D-Amherst)

Representative Daniel B. Winslow (R-Norfolk)  
Representative John J. Binienda (D-Worcester)  
Representative Jason M. Lewis (D-Winchester)  
Representative James Arciero (D-Westford)  
Representative James O'Day (D-West Boylston)  
Representative Alice Hanlon Peisch (D-Wellesley)  
Representative Thomas P. Conroy (D-Wayland)  
Representative Louis L. Kafka (D-Stoughton)  
Representative Anne M. Gobi (D-Spencer)  
Representative John Scibak (D-South Hadley)  
Representative Denise Provost (D-Somerville)  
Representative Tackey Chan (D-Quincy)



Representative Denise Andrews (D-Orange)  
Representative Kay Khan (D-Newton)  
Representative Ruth B. Balsler (D-Newton)  
Representative Robert M. Koczera (D-New Bedford)  
Representative Stephen R. Canessa (D-New Bedford)  
Representative David Paul Linsky (D-Natick)  
Representative Timothy R. Madden (D-Nantucket)  
Representative Walter F. Timilty (D-Milton)  
Representative Paul Brodeur (D-Melrose)  
Representative Lori A. Ehrlich (D-Marblehead)  
Representative Jennifer E. Benson (D-Lunenburg)  
Representative Carolyn C. Dykema (D-Holliston)  
Representative Chris Walsh (D-Framingham)  
Representative Carlo Basile (D-East Boston)  
Representative Cory Atkins (D-Concord)  
Representative Alice Wolf (D-Cambridge)  
Representative Timothy J. Toomey, Jr. (D-Cambridge)  
Representative Frank I. Smizik (D-Brookline)  
Representative Geraldine Creedon (D-Brockton)  
Representative Russell Holmes (D-Boston)  
Representative Byron Rushing (D-Boston)  
Representative Edward Coppinger (D-Boston)  
Representative Martha Walz (D-Boston)  
Representative William N. Brownsberger (D-Belmont)  
Representative Tom Sannicandro (D-Ashland)  
Representative Sean Garballey (D-Arlington)  
Representative Ellen Story (D-Amherst)  
Ayanna Pressley, City Councilor At-Large  
Boston City Council

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HOUSE MINORITY LEADER'S STATEMENT ON ADOPTION OF HUMAN TRAFFICKING BILL (6-1-11)

Office of the House Minority Leader, Rep. Bradley H. Jones, Jr.

CONTACT: Peter Lorenz 617-722-2100

June 1, 2011

HOUSE MINORITY LEADER'S STATEMENT ON ADOPTION OF HUMAN TRAFFICKING BILL

BOSTON-House Minority Leader Bradley H. Jones, Jr. issued the following statement today in response to the adoption of the human trafficking bill by the House:

I am encouraged by the unanimous adoption of House Bill 3470 An Act Relative to the Commercial Exploitation of People. This piece of legislation will enable the Commonwealth of Massachusetts to protect our most vulnerable citizens. With Massachusetts being one of only four states without laws on the books to protect exploited persons, the House has now laid the groundwork for such legislation to be adopted and implemented in the Commonwealth. Additionally, with the adoption of Republican led amendments, we will ensure that repeat human trafficking offenders receive harsher punishments, including longer incarceration time. I look forward to the Senate's consideration of this matter in the near future, and ultimately seeing this legislation signed into law by Governor Patrick in a timely fashion.

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## HOUSE PASSES LEGISLATION TO COMBAT HUMAN TRAFFICKING (6-1-11)

Office of the House Speaker Robert A. DeLeo

Contact: Seth Gitell (617) 722-2500

June 1, 2011

### HOUSE PASSES LEGISLATION TO COMBAT HUMAN TRAFFICKING

(BOSTON) - House Speaker Robert A. DeLeo today joined his colleagues in the Massachusetts House of Representatives in unanimously passing legislation aimed at fighting human trafficking in the Commonwealth. The bill creates crimes for human trafficking offenses such as trafficking persons for sexual servitude and trafficking persons for forced services.

"Our primary job as elected officials is to secure the safety of folks across the Commonwealth," Speaker DeLeo said. "No one should have to experience the horrors of being sold into a life of exploitation. This anti-human trafficking legislation will help our law enforcement officials crack down on instances of this unconscionable practice in Massachusetts."

"This bill will give our law enforcement professionals the tools needed to address human trafficking offenses in Massachusetts," said Representative Eugene L. O'Flaherty, House Chairman of the Joint Committee on the Judiciary.

"The passing of this bill by the House is an important step towards eradicating Human Trafficking in our Commonwealth," said Attorney General Martha Coakley. "The fact remains that people of all backgrounds are being exploited for sexual servitude and labor right in our own backyard. We remain one of four states without a law against human trafficking, and we hope this bill will finally change that. We commend the House leadership, especially Speaker DeLeo and Chairman O'Flaherty, for sending a strong message that this brutal exploitation will not be tolerated."

The bill creates the crimes of trafficking persons for sexual servitude and trafficking persons for forced services, each of which carries a punishment of imprisonment for up to 15 years or a fine of up to \$25,000, or both.

The legislation also creates the crimes of trafficking for sexual servitude or forced services on a person under 18 years-old. Each crime carries a penalty of up to life in prison.

Additionally, the bill increases protection for children by raising the age required to be considered a minor in the context of engagement in sexual conduct. Previously, only those under 14 years of age had qualified as minors in this context. This legislation increases the age to 18.

The legislation authorizes all money seized as a result of human trafficking apprehensions to be made available to human trafficking victims who are awarded restitution by a court.

The bill also addresses the demand side of human trafficking by increasing the punishment for those who pay another person in exchange for sexual conduct.

In an effort to provide needed social services for victims of human trafficking, the bill includes a "Safe Harbor" provision that allows a court to judge a person under 18 years-old who is apprehended for prostitution - but found to be a victim of human trafficking - to be in need of services rather than simply delinquent.

Finally, the bill establishes an inter-agency task force to address human trafficking. The task force will collect data to continually study the problem of human trafficking and devise plans to share information across agencies to facilitate a more efficient pursuit of human traffickers.

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LANDMARK HUMAN TRAFFICKING LEGISLATION AUTHORED BY SENATOR MONTIGNY PASSES LEGISLATURE: AWAITS GOVERNOR'S SIGNATURE TO BECOME LAW (11-15-11)

The Office of State Senator Mark Montigny

CONTACT: Paul Lehnus (617) 722-1440

November 15, 2011

LANDMARK HUMAN TRAFFICKING LEGISLATION AUTHORED BY SENATOR MONTIGNY PASSES LEGISLATURE: AWAITS GOVERNOR'S SIGNATURE TO BECOME LAW

(Boston) After six years of fighting to pass a comprehensive victim-focused bill, Senator Mark Montigny (D-New Bedford) celebrated as the Senate unanimously passed H.3808, landmark legislation to address human trafficking in Massachusetts.

"There won't be a more important piece of legislation passed this session," said the leading legislative anti-human trafficking advocate Senator Mark Montigny. "We filed the original bill six years ago. During this time we have continually fought for a bill that would protect victims and survivors of this horrific crime. While the wait has been frustrating, at least we can say to those who have been wronged that a great bill has finally been passed, which is going to make a difference. We cannot repair the spirits that have been broken, but we can provide services for those victims that need help recovering, and prosecute the traffickers to the fullest extent of the law."

200,000 American children are considered being at high risk for trafficking into the sex industry each year. According to US State Department an estimated 600,000 to 800,000 people are trafficked across international borders annually with over 70% of those trafficked are women and girls, and nearly 50% are minors.

The conference committee report concluded the required reconciliation of substantial differences between the final House and Senate versions of anti-human trafficking bills.

The bill establishes a range of criminal penalties for sex trafficking and forced labor. Additionally, the Senate fought and won the inclusion of organ trafficking, minimum mandatory sentences for first and second offenses of trafficking and crimes against minors, which the bill defines as any person under age 18.

Senate language dealing with businesses that are complicit in trafficking was included. A fine of up to \$1 million for participating in sex trafficking or trafficking in forced labor is now the ceiling and the business entity could also be held civilly liable.

"We've heard time and again, from survivors and advocates of anti-human trafficking efforts, that victims of this crime faced a fate worse than death, and consequently, more than just sentencing crimes were needed. Without services in place, without compassionate policies that address the root of the crime and break the cycle for those that are caught in it, victims don't come forward, arrests aren't made and prosecutions of the real offenders, the traffickers, simply don't happen," said Senator Montigny. "This bill contains the necessary provisions to begin eradicating traffickers from Massachusetts and shift the paradigm from targeting victims to targeting traffickers. I thank the Committee Conferees, Senate President and Attorney General for helping all of us make this day a reality."

An expansive Anti-Human Trafficking Task Force, was agreed upon, comprising of state officials, members of law enforcement, victim service organizations and trafficking survivors. The task force will be charged with investigating and studying rates of human trafficking, prevention, treatment of victims and evaluation of other necessary programs or services that might protect victims or potential victims of human trafficking.

A Victims of Human Trafficking Trust Fund, supported by fines and proceeds of asset forfeitures, would be created to fund services for victims of human trafficking. Courts will be allowed to provide money seized by law enforcement as restitution for victims.

A forfeiture process would be used by police, the district attorneys, and the Attorney General, to seize assets- such as vehicles and real estate- with the proceeds from the sale of such assets shared by law enforcement and the newly-established trust fund.

Minors will be protected by “safe harbor provisions” that were included as part of the bill that allows the commonwealth, defendant or court to request a hearing to determine whether a child arrested for being a common nightwalker or prostitute should instead receive services through a child in need of services or care and protection proceeding.

Other protections and means of assistance for victims including: protecting communications between human trafficking victims and their caseworkers, so that they are not disclosed without prior consent, extending the Rape Shield to victims of sexual servitude, creating a civil cause of action for victims against their traffickers, adding victims of sexual servitude to a list that requires confidentiality of the a victim’s name, and creates a criminal statute of limitations.

Anyone convicted of sex trafficking will have to register with the Sex Offender Registry Board in addition to fines and prison sentences that may be the result of a judgment in court.

Now that the conference committee report has passed both the House and Senate it goes before the governor for his signature. An emergency preamble was attached to the bill, meaning the bill will become law once it is signed.

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## LEGISLATURE APPROVES CRACKDOWN ON HUMAN TRAFFICKING (11-16-11)

The Office of State Senator Daniel A. Wolf

CONTACT: Micaelah Morrill 617.722.1570

November 16, 2011

## LEGISLATURE APPROVES CRACKDOWN ON HUMAN TRAFFICKING

BOSTON – Senator Wolf announced that the Senate and House gave final approval to a bill that stiffens penalties against people involved in the organization of forced labor, organ marketing and sexual servitude and establishes important protections for victims and children to help them access necessary services. This bill, which is being presented as one of the toughest in the nation, will help protect victims while punishing those perpetrators who would seek to commit such atrocities. This legislation has been hailed by the state's Attorney General as both necessary and sheds light on an issue that is generally regarded as happening everywhere but here.

The final legislation includes criminal sentences for up to five years in prison for attempted human trafficking, up to 20 years for trafficking adults, and up to life imprisonment for the trafficking of minors. Businesses involved in trafficking would face up to a \$1 million fine for the first offense, with a mandatory minimum of 10 years to a maximum of life for a second offense. These offenses also carry a 5-year mandatory minimum sentence.

The legislation also removes any statute of limitations for trafficking crimes and creates a 15-year criminal penalty for trafficking human organs, and it updates sex offender registration laws to include human trafficking and the enticement of a minor into prostitution through the use of electronic devices. Anyone convicted of these crimes would be required to register in Massachusetts as a sex offender.

"Many people think of human trafficking as happening far away from their homes and neighborhoods," said Senator Dan Wolf (D-Harwich). "But everyday young people, some children are subjected to things that can only be described as torture and this bill will help those victims and punish the people and machines behind these terrible acts. As the Senate Chair for the Joint Committee on Labor and Workforce Development, I feel it is so important to protect all workers from harm, especially those who are working against their will."

To further protect and help victims, the legislation also creates the "Victims of Human Trafficking Trust Fund" which will be funded from fines and convicted human traffickers' forfeited assets.

The legislation also:

- Establishes an Anti-Human Trafficking Task Force, comprised of state officials, law enforcement, victims' services organizations and trafficking victims to investigate and study rates of human trafficking, prevention, and the treatment of victims;
- Increases the penalty for soliciting a prostitute, and increases the penalty for soliciting sex from a person under 18;
- Allows defendants who are victims of human trafficking and charged with prostitution to establish a defense of duress or coercion;
- Establishes a "safe harbor provision" that allows the Commonwealth, defendant or court to request a hearing for a child arrested for prostitution to instead receive protection services;
- Requires the Department of Children and Families (DCF) to provide services to sexually exploited

children and to immediately report to the district attorneys and the police any child the department believes to be a sexually exploited child;

- Amends the mandated reporting law so that mandated reporters, such as doctors, social workers, teachers and probation officers, must report to DCF when they have reasonable cause to believe that a child is sexually exploited;

- Establishes a process for victims of trafficking to bring civil actions; and

- Increases potential sentences for “Johns” to 2 ½ years in a house of correction and creates a mandatory \$1,000 fine.

The legislation now goes to the Governor for his review and expected signature.

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MASSACHUSETTS GIVEN NEGATIVE NATIONAL RANKING FOR ITS LEGAL TOOLS TO COMBAT HUMAN TRAFFICKING (8-29-11)

Office of Massachusetts Attorney General Martha Coakley

CONTACT: Harry Pierre (617) 727-2543

August 29, 2011

MASSACHUSETTS GIVEN NEGATIVE NATIONAL RANKING FOR ITS LEGAL TOOLS TO COMBAT HUMAN TRAFFICKING

Coakley Encourages Passage of Human Trafficking Bill Currently In Conference Committee

BOSTON - Massachusetts has been given a negative rating by a leading national advocacy organization for its lack of legal tools to combat human trafficking. The Polaris Project ranked all states based on the presence or absence of 10 categories of state laws that it believes are critical to a comprehensive anti-trafficking legal framework. Massachusetts received a rating of -2 and is now just one of 3 remaining states without laws to combat either sex or labor trafficking.

The complete state rankings can be found at this site: [http://www.polarisproject.org/what-we-do/policy-advocacy/state-policy/c](http://www.polarisproject.org/what-we-do/policy-advocacy/state-policy/current-laws)urrent-laws

The following is a statement from Massachusetts Attorney General Martha Coakley on the Polaris Project Report:

"This report highlights the fact that Massachusetts is well behind the rest of the nation in our laws to combat human trafficking. The passage of a human trafficking law would give us the tools to go after those who are exploiting children and other victims right in our own communities. I appreciate the Legislature's quick work in getting the bill to conference and now look forward to its swift passage.

I commend the advocates, law enforcement officers, and victim service providers who do incredible work in spite of a lack of legal tools and support."

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SENATE REPUBLICANS CALL FOR TOUGHER HUMAN TRAFFICKING LAWS (6-29-11)

Senator Tarr's office

CONTACT: Troy Wall or Michael Smith 617-722-1600 troy.wall@masenate.gov  
michael.smith@masenate.gov

June 29, 2011

SENATE REPUBLICANS CALL FOR TOUGHER HUMAN TRAFFICKING LAWS

Offer Amendments Aimed to Strengthen Bill, Increase Penalties

Boston- On Thursday, June 30th, the Massachusetts Senate will debate Senate Bill #1950, An Act Relative to the Commercial Exploitation of People. Legislative measures to criminalize human trafficking have been filed for multiple sessions but have only recently gained momentum due to the arrest of Norman Barnes, a Dorchester man who has been charged with the kidnapping and sexual exploitation of a 15-year-old girl.

Senate Minority Leader Bruce Tarr (R-Gloucester) and Senators Robert Hedlund (R-Weymouth), Michael Knapik (R-Westfield) and Richard Ross (R-Wrentham) are offering several amendments to strengthen the bill by increasing the punishment or elevating the charges of several of the outlined crimes for those who are found to be involved in human trafficking.

"Human trafficking is a heinous crime for which we should have no tolerance in Massachusetts. Not only must we join with the 46 other states that have enacted laws to address these outrageous acts, we must pass comprehensive legislation that provides every tool known to be effective in combating and eradicating human trafficking to those who can put them to work," said Senator Tarr.

Among the amendments filed are those that would:

- \* increase the bill's proposed punishment of human trafficking from 15 years in jail to 20 years;
- \* create additional penalties for those who use a firearm to facilitate or attempt to facilitate human trafficking;
- \* create additional penalties for those who physically injure or threaten to injure another person to facilitate or attempt to facilitate human trafficking;
- \* provide a confidentiality statute to protect victims who had been forced into sexual servitude from being identified or located by perpetrators; and
- \* create a separate additional crime for the enticement of a minor over the internet that carries either a fine of \$2,500 or a maximum of five years in jail for the first offense, and not less than five years in jail for subsequent offences.

"The bill now before the Senate offers us a tremendous opportunity to forcefully address the issue of human trafficking. Given the incalculable and devastating impacts this crime has on individuals, families and society, we have an undeniable obligation to make the bill as strong as possible," said Tarr.

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SENATE REPUBLICANS CALL FOR TOUGHER HUMAN TRAFFICKING LAWS (6-29-11)

Senator Tarr's office

CONTACT: Troy Wall or Michael Smith 617-722-1600 troy.wall@masenate.gov  
michael.smith@masenate.gov

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SENATOR TARR CALLS FOR PROGRESS ON HUMAN TRAFFICKING BILL (10-26-11)

The Office of State Senate Minority Leader Bruce Tarr

CONTACT: Troy Wall or Michael Smith, 617-722-1600, troy.wall@masenate.gov,  
michael.smith@masenate.gov

October 26, 2011

SENATOR TARR CALLS FOR PROGRESS ON HUMAN TRAFFICKING BILL

BOSTON – Calling the exploitation of people “a global problem whose ramifications can be seen at the state level,” Senate Minority Leader Bruce Tarr (R-Gloucester) is asking the chairs of the Conference Committee on human trafficking to convene a meeting of the committee “as soon as possible so that we can work towards a favorable resolution without any further delay.”

“Several months have elapsed since both the House and Senate unanimously endorsed their respective proposals and appointed a Conference Committee to work out the differences between the two bills,” Tarr noted in a letter that was hand-delivered earlier today to Senator Mark Montigny (D-New Bedford) and Representative Eugene O’Flaherty (D-Chelsea). “While I understand the importance of proceeding in a deliberative manner when considering legislation of this magnitude, I am concerned that with each passing day that goes by without a resolution, we are effectively denying justice to the victims of human trafficking who are relying on us to help end this terrible scourge.”

The House passed its version of the human trafficking bill on June 6, and the Senate endorsed its own version on June 30. Senator Tarr was one of six legislators appointed on July 14 to the Conference Committee that has been charged with reconciling the differences between the two bills.

“I know that both of you are committed to passing an effective human trafficking statute, and have invested many hours to make this a reality,” Tarr wrote. “I want you to know that I am prepared to work closely with you and to assist you in any way I can to help facilitate an expedited and successful resolution in this matter.”

Attached is a copy of Senator Tarr’s letter to the Conference Committee chairs.

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October 26, 2011

The Honorable Mark C. Montigny  
Senate Chairman  
Human Trafficking Conference Committee  
State House, Room 312A  
Boston, MA 02133

The Honorable Eugene L. O’Flaherty  
House Chairman  
Human Trafficking Conference Committee  
State House, Room 136  
Boston, MA 02133

Dear Senator Montigny and Representative O’Flaherty:

I am writing to express my deep concerns about the lack of progress that has been made to date in finalizing a compromise version of human trafficking legislation passed by the House and Senate, and the fact that the Conference Committee has yet to meet. Given the enormity of the problem and the public

demand for legislative action, I am urging you to convene such a meeting as soon as possible so that we can work towards a favorable resolution without any further delay.

Several months have elapsed since both the House and Senate unanimously endorsed their respective proposals and appointed a Conference Committee to work out the differences between the two bills. While I understand the importance of proceeding in a deliberative manner when considering legislation of this magnitude, I am concerned that with each passing day that goes by without a resolution, we are effectively denying justice to the victims of human trafficking who are relying on us to help end this terrible scourge.

The United Nations has identified human trafficking as one of the fastest growing and most lucrative organized crime industries in the world, generating \$32 billion annually by sexually exploiting people or forcing them into manual labor. In addition, the U.S. State Department's 2010 Trafficking in Persons Report cites statistics from UNICEF indicating that "as many as 2 million children are subjected to prostitution in the global commercial sex trade."

Human trafficking is a global problem whose ramifications can be seen at the state level. One need only look at some recent cases of human trafficking in Massachusetts to understand that swift and decisive action is needed by the Legislature to ban the exploitation of people in the Commonwealth. Consider the following examples:

- On March 31, 2010 federal indictments were handed down against five defendants who engaged in a conspiracy to entice Asian women to travel to Massachusetts between August of 2004 and February of 2010 for the purposes of engaging in prostitution. The women were lured by ads placed in various newspapers in New York, California, Massachusetts and elsewhere and then transported to apartment brothels located in Boston, Quincy, Stoneham, Wellesley, Newton, Woburn, Malden, Peabody, Somerville, Burlington, Watertown and Medford.

- On May 19, 2011 28-year-old Dorchester resident Norman Barnes was arrested after he forced two underage girls (a 15-year-old and a 16-year-old) into prostitution. Barnes was indicted by a grand jury last month on 10 counts of deriving support from a minor in prostitution; seven counts of aiding and abetting in the commission of statutory rape; four counts of statutory rape; four counts of dissemination of visual material of a child in a state of nudity; and three counts of posing a child in a state of nudity.

- On October 18, 2011 a federal jury in Orlando, Florida heard opening arguments in a case involving a dozen people charged as members of an organized Russian sex-trafficking ring that operated out of several East Coast locations, including Boston. The alleged ring-leader escaped arrest and trial by fleeing the country, leaving 11 women he had sexually exploited – including his ex-wife – to face the charges listed in a 27-count indictment.

- The Massachusetts Attorney General's Office is currently prosecuting a case involving the owners of the now-closed Grand Chinese Buffet in Raynham, who allegedly exploited their employees by forcing them to work 70-hour, six-day work weeks at below-minimum wages. Workers were also routinely denied breaks while working long shifts, were not free to come and go as they pleased, and were fired if they complained about their pay or working conditions.

These are just a few of the most egregious examples of human trafficking crimes taking place right here in Massachusetts. While we already have a number of laws on the books to deal with prostitution and labor violations, we remain one of only four states without a human trafficking statute, which most law enforcement officials consider to be an essential tool for effectively prosecuting those who prey on others and ensuring the availability of assistance to those who have been victimized by this terrible crime.

In their October 11 letter to you, the Bishops of the Massachusetts Catholic Conference noted that human traffickers tend to "seek out and exploit the most vulnerable members of society," including "undocumented residents, runaway teenagers, homeless individuals, and people with alcohol and drug

dependency,” adding that “our state needs leaders to be particularly attentive to these ‘at-risk’ populations in order to prevent future victimization.” The Bishops also called on the Conference Committee to “work diligently to resolve the differences in the two versions of the legislation and end the tragedy of human trafficking.”

I agree wholeheartedly with the sentiment expressed in the Bishops’ letter. Recognizing and responding to the needs of human trafficking victims must go hand in hand with strong enforcement provisions. If we simply punish those individuals who seek to exploit others for personal gain, but fail to provide their victims with the help they need to overcome the serious trauma they have endured, then we will have done little to address this heinous cycle of human rights abuses.

Before any of this can happen, however, the Conference Committee must reconcile the differences between the two branches and produce a document that the House and Senate can endorse and forward to the Governor for his signature. While there are still many pressing issues facing the Legislature this session, passing a comprehensive human trafficking bill with strong protections for victims must be one of our top priorities.

I know that both of you are committed to passing an effective human trafficking statute, and have invested many hours to make this a reality. I want you to know that I am prepared to work closely with you and to assist you in any way I can to help facilitate an expedited and successful resolution in this matter.

Sincerely,

Bruce Tarr  
State Senator

cc: The Honorable Therese Murray, Senate President  
The Honorable Robert A. DeLeo, House Speaker

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STATEMENT OF SUFFOLK DISTRICT ATTORNEY DANIEL F. CONLEY ON THE PASSAGE OF MASSACHUSETTS' HUMAN TRAFFICKING AND SAFE HARBOR LEGISLATION (11-21-11)

The Office of Suffolk County District Attorney Daniel F. Conley

CONTACT: Jake Wark, Office: (617) 619-4206, Mobile: (617) 872-7294, Fax: (617) 619-4210, Email: Jake.Wark@massmail.state.ma.us

November 21, 2011

STATEMENT OF SUFFOLK DISTRICT ATTORNEY DANIEL F. CONLEY ON THE PASSAGE OF MASSACHUSETTS' HUMAN TRAFFICKING AND SAFE HARBOR LEGISLATION

BOSTON, Nov. 21, 2011—Suffolk County District Attorney Daniel F. Conley today made the following statement as Massachusetts Governor Deval Patrick signed landmark human trafficking and safe harbor legislation into law:

“That we’ve reached this point is a testament to the strength and commitment of a truly multidisciplinary partnership. In the Legislature, we had terrific allies in Representatives Marty Walsh, Liz Malia, and O’Flaherty; Senators McGee and Montigny; Speaker DeLeo, and Senate President Murray. We had the Governor’s support and we had groundbreaking work by Attorney General Coakley.

“But some of our most powerful partners weren’t elected officials or law enforcement professionals. They were victim advocates, service providers, and youth outreach workers. I’m talking about Audrey Porter and Lisa Goldblatt Grace of the My Life My Choice project. Susan Goldfarb of the Children’s Advocacy Center of Suffolk County and Rebecca Dufur of our Support to End Exploitation Now program. And countless others who knew the truth that teenage victims of prostitution are not to blame for their own exploitation.

“In 2004, we in Suffolk County worked with these partners and others to launch a program that diverted prostituted youth out of the criminal justice system and toward service providers. That program is known as Support to End Exploitation Now, and it’s been recognized again and again as a successful, innovative government initiative. We worked hard to make that safe harbor provision part of this legislation as it is elsewhere in the country, and its inclusion in the bill is part of what makes it so revolutionary.

“Today marks the end of one struggle and the beginning of another. Massachusetts has joined 46 other states with laws against human trafficking, but we can’t rest on that achievement. Now we have to get to work, enforce these laws, and bring home the runaways who have lived for too long in the shadows. We have to lift the veil of anonymity that protects the pimps and johns who exploit them. And we have to commit ourselves to a long-term policy that protects the true victims and holds the true offenders accountable.”

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