



**State of Connecticut**  
**DIVISION OF PUBLIC DEFENDER SERVICES**

**Office of Chief Public Defender**  
55 Farmington Avenue, 8<sup>th</sup> Floor  
Hartford, Connecticut 06105  
(860) 509-6405 Telephone  
(860) 509-6495 Fax

**Christine Perra Rapillo**  
Chief Public Defender  
[Christine.Rapillo@jud.ct.gov](mailto:Christine.Rapillo@jud.ct.gov)

**Deborah Del Prete Sullivan**  
Legal Counsel, Director  
[deborah.d.sullivan@jud.ct.gov](mailto:deborah.d.sullivan@jud.ct.gov)

**Testimony of Deborah Del Prete Sullivan, Legal Counsel**  
**Office of Chief Public Defender**

**Judiciary Committee - March 24, 2021**

**R.B. 6657**  
**An Act Concerning Human Trafficking**

The Office of Chief Public Defender supports **Raised Bill 6657, An Act Concerning Human Trafficking**. As a member of the Trafficking in Persons Council, this office is supportive of the work over the last few years by the Council to protect minor victims of trafficking. We thank Representative Gilcrest, Chair of the Council, and its members, especially the Division of Criminal Justice and Love 146, for their collaboration on **Sections 1 through 6**.

In addition, this office supports **Section 7** of the bill and appreciates the dedication of the members of the Connecticut Bar Association's Committee on Human Trafficking and Quinnipiac University School of Law, specifically Professor Sheila N. Hayre and Cynthia J. Lilli, the Executive Chairwoman of the Human Trafficking Prevention Project, in regard to the vacatur language. While the language of Section 7 is broader than originally agreed upon by stakeholders, this office supports it.

The Office of Chief Public Defender not only represents indigent persons accused of an offense in both the adult and juvenile courts, but also children in Child Protection matters. As a result, this office can be appointed to represent a minor or an adult who has been a trafficking victim in a criminal proceeding. The changes proposed in this bill are thoughtful and intended to assist our clients.

Page 2 of 2

Testimony of Deborah Del Prete Sullivan, Legal Counsel, Office of Chief Public Defender  
Judiciary Committee Public Hearing March 24, 2021

Re: R.B. 6657 - An Act Concerning Human Trafficking

**Section 2** clarifies subsection (a) of *C.G.S. §54-47a* to ensure that immunity is available in delinquency proceedings as well as certain criminal and grand jury proceedings. This is important to protect trafficked minors who may have been involved in criminal conduct. Once arrested, the minor may have information wanted by the state. However, without a grant of immunity, the minor could incriminate themselves by disclosing such information. This change makes it clear that the state has the power to grant the minor immunity in such instances.

**Subsection (a) of Section 3** clarifies the mens rea for the offense of trafficking as “knowing.” This change is necessary to avoid a situation in which a person is unknowingly involved in a trafficking scenario. An example of this would be if a cab driver transported a person to a place unaware that the passenger may be trafficked there. Also, language has been added in subsection (a) to clarify that a person so charged does not need to be aware that the other person is under the age of eighteen.

Lastly, the insertion of “in exchange for anything of value” in lieu of “for a fee” is an important change as money is not the only manner of payment in trafficking cases. In addition to money, trafficked persons are provided shelter, food and narcotics in exchange for engaging in sexual contact or the providing labor or other services. This language has also been inserted in **Sections 4 and 5** to amend *C.G.S. §53a-83, Patronizing a Prostitute* and *C.G.S. §53a-83b, Commercial Sexual Abuse of a Minor* respectively.

**Subsection (b) of Section 3** creates an affirmative defense for a trafficked minor, defined as a person under the age of 18 years, in any prosecution or delinquency proceeding. The affirmative defense would only be asserted if there was a trial. In such a case, the minor would be able to argue that their participation in criminal conduct was the result of having been a victim of trafficking by another person.

**Section 7**, also referred to as the vacatur section, is a very important step to assisting trafficking victims to clear their criminal records and embark on the road to re-entry and recovery from the abuse inflicted upon them. This section permits a trafficking victim convicted of certain offenses they were forced to commit while being trafficked, to apply to the court to request that the conviction(s) be vacated. Current law already permits this process for prostitution. The change would expand this access to this process and provide discretion to the court in ordering vacatur.

In conclusion, the Office of Chief Public Defender thanks the Committee for raising this bill and requests that this bill receive a joint favorable vote.