

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: HB-7236

AN ACT CONCERNING HUMAN TRAFFICKING AND SEXUAL ASSAULT

Title: VICTIMS.

Vote Date: 4/7/2025

Vote Action: Joint Favorable Substitute

PH Date: 3/24/2025

File No.:

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SPONSORS OF BILL:

Judiciary Committee

CO-SPONSORS:

Rep. Jillian Gilchrest, 18th Dist.

Rep. Anne M. Hughes, 135th Dist.

Rep. Tom Delnicki, 14th Dist.

REASONS FOR BILL:

This bill encompasses the proposals of the Trafficking in Persons (TIP) Council, convened by the Commission on Women, Children, Seniors, Equity and Opportunity (CWCSEO), to identify criteria for providing services to trafficking victims and developing recommendations to strengthen efforts to prevent trafficking in Connecticut.

SUBSTITUTE LANGUAGE:

Per the recommendations from Judiciary Committee members, the substitute language addresses concerns in the first section regarding the Governor's appointment specified as a resident. Also, additional language is added regarding delinquency proceedings per the suggestion of the Division of Criminal Justice (DCJ).

RESPONSE FROM ADMINISTRATION/AGENCY:

Deborah Del Prete Sullivan, Legal Counsel, Renee Cimino, Director of Delinquency Defense and Child Protection, Office of Chief Public Defender (OCPD): They testified in support of Section 16 of HB7236. They do not believe it goes far enough to protect victims of

sexual assault and human trafficking. OCPD believes that an affirmative defense should be available to both juveniles and adult victims regardless of whether they are charged with a felony or misdemeanor. They do, however, take no position for or against legislation inclusion of trafficking and sexual assault victims. They believe clarity in the application would provide for consistent protections. Affirmative defense allows a person to present evidence of why they committed a crime; it can only be raised at trial and is different from the prosecution providing evidence of guilt beyond a reasonable doubt. They also feel the protection for misdemeanors does not go far enough. Though this legislation is a positive advancement for child victims of human trafficking, again it does not go far enough to protect those most vulnerable. OCPD requests affirmative defense go beyond misdemeanor offenses, but includes affirmative defense for adults and children for both felony and misdemeanors.

Patrick Griffin, Chief States Attorney-Division of Criminal Justice, State of Connecticut:

They testified in support of Sections 1, 16, and 17 and take no position of the remainder of the bill. In Section 1 the Division supports an amendment to C.G.S. 46A-170(b) to add the Commissioner of Transportation. They view the Department of Transportation as an important partner in the strategy aimed at combatting human trafficking and value the addition to the TIP Council (Trafficking-in-Persons Council). In Section 16, for clarification and statutory consistency, they requested a language change as in Connecticut, the law states adults are "prosecuted", and juveniles are "adjudicated delinquent" in a juvenile proceeding. In the bill drafted, the words, "the prosecution of any misdemeanor offense" can only take place in adult court. The Division offers concerns as drafted, there is a risk that the purport and intent of the bill will not be recognized and does not include juvenile proceedings. They offered broad support for any change in Section 17 to C.G.S. 17a-106h(b) that would facilitate training to raise the awareness of human trafficking issues.

Tanya Hughes, Executive Director, Commission on Human Rights and Opportunities:

They testified in support of this bill. HB7236 prohibits state contractors from discriminating against individuals who are victims of sexual assault or human trafficking. The bill adds protections to victims of sexual assault and human trafficking, so they cannot be denied employment due to circumstances beyond their control. Victims often require time off to tend to issues arising out of abuse and they should not have to choose between their employment or housing. The procedural safeguards in this section does allow for employers to ask for certification in the form of a police report, court order, or other evidence in reasonable time. Employers are required to maintain the confidentiality of their employee when they are a victim of sexual assault or human trafficking; this is necessary to prevent further trauma.

Rosemary Lopez, Legislative Policy Analyst, The Commission on Women, Children, Seniors, Equity and Opportunity (CWCSEO):

They testified in support of this bill. The bill contains the recommendations of the TIP Council, which the CWCSEO serves as administrative staff. By adding a representative from the Connecticut Department of Transportation (DOT) it will synthesize the state's efforts around human trafficking, educational training, and signage. DOT is mandated to participate in the TIP Council. It is crucial that survivors of trafficking and sexual assault be protected classes under the state's anti-discrimination laws. By doing so, it will ensure equal treatment and necessary protection for these vulnerable individuals. Establishing an affirmative defense for misdemeanor crimes and crimes maintained in the juvenile court committed by juveniles who are victims of human trafficking is important to humanize context to their prosecutions or delinquency proceedings.

HB7236 contains updated and important inclusions to various sections of the state's general statutes, this will support services and protections for those vulnerable populations of survivors.

Natasha Pierre, Victim Advocate: They testified in support of the recommended changes in sections 1-15 and 17 of HB7236 as it would expand PA 22-82 to include the Department of Transportation to the Trafficking-in-Persons Council and add sexual assault and human trafficking to the Connecticut anti-discrimination statutes. PA 22-82 afforded protected class for housing, employment, public accommodations, and credit transactions to domestic violence victims. Like discrimination faced by domestic violence victims, sexual assault and human trafficking victims can also face the same. The level of discrimination can appear in all areas of their lives. The bill addresses some of the discrimination that victims face in their daily lives, it also removes the requirement that training in identification and reporting of suspected persons be presented in video form thus allowing other training modalities to be used such as in-person training and interactive on-demand training.

Sean Scanlon, State Comptroller: They testified in support of this bill with one amendment. The respectfully request that stalking be added to the state's anti-discrimination statutes as a protected class. In a study in 2023, it was determined that many stalking victims suffer from negative psychological impacts that include panic attacks, depression, and suicide. Stalking victims also suffer from physical symptoms.

NATURE AND SOURCES OF SUPPORT:

Beth Hamilton, Executive Director, Alliance to End Sexual Violence: They testified in support of this bill. The Alliance would like to highlight the inclusion of victims of sexual assault and trafficking as a protected class in Public 22-82; currently only victims of domestic violence are a protective class. Adding victims of sexual assault and human trafficking to the list of protected classes will support the survivors that are seeking justice and healing while promoting long-term stability and well-being. Survivors' lives are impacted in a variety of ways; they face challenges at work and are sometimes even forced to work alongside their abuser. No one should lose their job due to seeking safety and justice. The Alliance also supports adding stalking to the list of protected classes. She believes CHRO should expand the requirement to employers with 3 or more employees to post the information about resources available to victims. Publicly posting the resources available to survivors also helps those who might not want to disclose the assault with the services they need.

Stephanie Hanrahan: They testified in support of this bill. Personally, and professionally, she knows the long-term impact sexual violence can have on a person. HB7236 is not about a policy but acknowledging the life lived by victims. Currently in Connecticut, only victims of domestic violence are guaranteed basic legal protections. Victims of sexual assault and stalking are not included and forced to rely on the hope their employer or landlord will "do the right thing." Survivors require real enforceable rights, and she believes this bill will ensure that survivors can access what they need to heal without fearing they will lose their job or home. It is long overdue to have sexual assault be included in training and resource sharing.

Katie Amber MSc, Chief Visionary Officer, End Coercive Control USA

Asher Marks, Associate Professor Pediatrics, Yale University School of Medicine

Lori McAdam, Alderwoman of New Britain

Jennifer Franz

Jennifer Goldman

Marilyn Murray

Elizabeth Simonetti

Josh Stasko

Linda Wood

Elizabeth Shemitz-Smith

They testified in support of this bill. Anti-trafficking advocates have been fighting for years to ensure youth are not treated as criminals. HB7236, Section 16, will take the critical step to ensure children have an affirmative defense when they are charged with misdemeanors committed as a direct result of their victimization. Currently trafficked children can be prosecuted for misdemeanor crimes they committed under the control of a trafficker. These children should be receiving support and not fighting for their freedom. They should be treated as victims not offenders. Many other sections address the same protections legally given to domestic violence victims. This bill is logical and an extension of protections that are like the protections given to survivors of domestic violence.

Tracey Blackman: They testified in support of this bill. As a survivor of sexual assault, she has not personally experienced discrimination, but she does know that surviving is difficult enough. Trauma, PTSD, fear, mistrust, and insecurity can be overwhelming. A survivor should not face barriers because of what was done to them. Protecting survivors is a crucial step and they should not be treated unfairly regarding housing, employment, credit, and public accommodations. Regaining control and safety is a struggle. Victims did not choose to be victimized and there should not be burdened by discrimination as they work to heal.

Brian Donahue, Founder, Not Just Us: They testified in support of this bill. There is a connection between child marriage and human trafficking. Those who are students of diversity are at high risk to be exploited and trafficked and are more likely to be victims. Perpetrators will use a variety of tactics to control their victims; they include emotional, physical, and other methods. One way they control is to put pressure on victims to commit crimes and misdemeanors, then threatening to turn the victims into law enforcement. The threat of incarceration keeps the perpetrator in control. The victims stay with the perpetrator rather than risk incarceration or getting involved with the judicial system. Victims of trafficking should not be punished; we should take away the control of the perpetrator.

Debra Greenwood, President, CEO, Center for Family Justice: They testified in support of this bill. This bill adds survivors of sexual assault and trafficking as protected classes to be included in anti-discriminatory statutes. In addition to being added to anti-discrimination statutes, this bill calls for negation or reduction of criminal liability for misdemeanor offenses when committed by young survivors of trafficking by allowing affirmative defense. They would have to prove the victimization contributed to the commission of their crime. Public Act 22-82 protects victims of domestic violence but does not include victims of sexual assault or human trafficking. Victims of sexual assault also need to embark on a path of healing and justice.

Felicia Ingram: She testified in support of this bill. She wants to be clear there is no such thing as a child prostitute. Children cannot consent to having sex, they are victims of prostitution and are coerced, forced, and threatened into prostitution. Every action must be reviewed to protect these children. Training laws should be enforced so healthcare professionals and other professionals can speak to youth to determine their situation instead of arresting them. She believes that section 16 is critical. Children can be prosecuted for

misdemeanor crimes that they committed for their trafficker. Connecticut should ensure these children are treated as victims, not criminals. This bill is logical and an extension of protections that are like the protections given to survivors of domestic violence.

Mary Lee Kiernan, President and CEO, Jessie DiMuzio, Director of Harmony Project, Simone Quartey, Director of Center for Equity and Justice, YWCA Greenwich:

They testified in support of this bill. The challenges of exploitation continue for survivors. Employment is especially difficult as there is often a history of past criminal records, gaps in work history, or discrimination from past employers, leaving survivors at risk for re-exploitation or living in poverty. The past victimization should not be a reason to deny further opportunities. Currently protective orders are only given if a person fears for their physical well-being, often with human trafficking there is fear due to coercion, threats and long-term control that do not leave physical scars. This bill will ensure survivors do not have to wait to be physically harmed. The Harmony Project offers trauma-informed counseling, crisis intervention, legal advocacy, and connections to necessary services. While these services are crucial, there also needs to be legal protections.

Anne Malisk, Director, Sexual Assault Services, Women and Families Support Center:

They testified in support of this bill because it is crucial in addressing the continued challenges that survivors face long after they victimized. These comprehensive protections are imperative to help survivors rebuild their lives with dignity and security. It gives important employment protections to ensure that they are not punished for taking time off to recover or seek legal assistance. It also protects them if they are forced to return to employment where they were exploited and protects them from retaliation. By requiring employers to post information about available resources and training for employees, it reduces the stigma and victim-blaming, creating a safer environment where survivors feel supported. Safe housing is also a concern for survivors. They are faced with discrimination from landlords due to their victimization and financial stability. Without legal protections, they can feel unsafe and trapped or even become homeless. Trauma of sexual violence goes far beyond the initial victimization. Survivors should never face discrimination in employment, housing, or public services. This is a critical step to provide survivors of sexual assault and will allow them to rebuild their lives.

Jamie Manirakiza, LSMW, Executive Director, Partnership to End Human Trafficking (PEHT):

They testified in support of this bill. PEHT is the only dedicated adult housing provider in Connecticut for those victimized by human trafficking. In addition, they operate a social enterprise business in Fairfield called The PEHT Shop which provides in-house low barrier employment, vocational training, financial literacy, computer literacy and other economic empowerment opportunities for survivors. In 2024, PEHT served 50 individual survivors through emergency services they offer. What they see day in day out is that even when they turn 18, their victimization continues into adulthood. Many become involved in the criminal justice system before they are identified as a victim or offered services. This is especially true of those who are trafficked as children. Since survivors are frequently criminalized for actions that they did not freely choose, enduring this causes lasting harm, reinforces cycles of abuse, and undermines the ability to provide restorative services. HB7236 recognizes the experiences of victims of human trafficking and offers a just and trauma-informed response.

Krystal Rich, Executive Director, Connecticut's Children Alliance (CCA): They testified in support of this bill, as it offers critical protections for victims of sexual assault and human trafficking. They support Section 1, adding someone from the Department of Transportation to the membership of the TIP Council. They agree with replacing the designated survivor seat with a community member; survivors are essential to the council by labeling them a survivor they may feel pressured to share their story. Sections 2-15 expand the anti-discrimination laws and include victims of sexual assault and human trafficking as a protected class; this is imperative because it ensures victims of sexual assault and human trafficking are protected from discrimination in housing, employment, public accommodations, credit transactions, and state services. Under current Connecticut law, only victims of domestic violence are protected from discrimination. Section 16 creates an affirmative defense for minors charged with misdemeanors as a direct result of trafficking which acknowledges their victimization. Section 17 will remove the requirement that training in identification and reporting of suspected of human trafficking in persons be in video form. These would allow other types of training such as in-person training and interactive. More interactive training proves to have better outcomes.

Erin Williamson, Chief Programs and Strategy Officer, Love146: She testified in support of this bill, especially Section 16. This section recognizes the critical need to afford affirmative defense for children who, because of their victimization, find themselves involved with the judicial system. Traffickers exert control over their victims by control and coercion. These children often commit crimes often by way of threat, force or fraud, this bill would send the message that these children are not criminals, but victims. This would ensure that those who already endured great harm are not further punished. This is a significant step towards justice, as it recognizes the fact that human trafficking has a profound effect on children.

The following people submitted testimony in support of this bill.

Chris Bennett

Susan Bradford

Linda Delassio

Warrell Hauck

Jamie Wilson

Sarah Alfieri

Nature and source of Opposition:

Richard Clavet: He testified in opposition as he believes it is outside the DOT Commissioner's scope of responsibility.

Reported by: Bonnie Gray

Date: April 20, 2025