

Judiciary Committee JOINT FAVORABLE REPORT

Bill No.: SB-1502

AN ACT CONCERNING SENTENCE REDUCTION OR RELIEF FOR
SURVIVORS OF DOMESTIC VIOLENCE, SEXUAL ASSAULT, STALKING OR

Title: HUMAN TRAFFICKING.

Vote Date: 4/7/2025

Vote Action: Joint Favorable Substitute

PH Date: 3/17/2025

File No.: 742

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Judiciary Committee

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REASONS FOR BILL:

This legislation aims to amend laws involving sentencing, sentence modification, commutation, and parole for defendants who are survivors of domestic violence, stalking, or trafficking of persons, and whose history of abuse is a contributing factor to the commission of their offense. The legislation would allow courts to impose more trauma-informed sentences and reduce the sentences of defendants who can show the abuse they survived was a contributing factor in the commission of their offense. The bill also allows the Board of

Pardons and Paroles (BoPP) to consider and grant commutation and parole relief for survivor-applicants who can make this showing.

SUBSTITUTE LANGUAGE:

The substitute language makes multiple technical and date changes throughout the legislation. Specifically, effective dates are changed to January 1, 2026, “preponderance of the evidence” is replaced with “clear and convincing evidence” throughout, requiring notation on the record if a sentencing is reduced in section 1, revisions to the sections on sentence modifications and commutations, and the removal of Executive Director of Court Support Services from section 5.

External Affairs Division, Judicial Branch: The Judicial Branch takes no position on this bill, but requests two small changes. In section 5, lines 692-693, they request "executive director of the Court Support Services Division" be removed. They also would ask the effective date to be changed to January 1 as opposed to October 1 to give enough time to make any computer system or form updates that will be necessary.

Deborah Del Prete Sullivan, Legal Counsel, Director, Office of Chief Public Defender, Division of Public Defender Services: They testified in support of this bill. This bill is a collaboration with advocates for trafficked persons to find a way to provide relief to persons who are charged with a criminal offense and who victims of trafficking. They explained that there is a clear link between human trafficking and violence against women, domestic violence, and the role of intimate partner violence. This bill is an important step in recognizing the duress and threat that many victims of trafficking, domestic violence, sexual assault, or stalking face in which their conduct ultimately leads to being charged with a crime.

Patrick Griffin, Chief States Attorney, Division of Criminal Justice: They understand the legislative efforts to promote fair sentencing and support survivors of domestic violence, sexual assault, stalking and human trafficking. While they understand the bills intent to provide relief to survivors, they oppose sections 1 and 2 for several reasons. Existing law already provides a framework for the courts to consider evidence and information as to whether the victim has suffered domestic violence. In Section 1, sentence reductions are not adequately reflected as to the circumstances or the varying degrees of offenses; each case is unique and a one size fits all might oversimplify the complexities of domestic violence, sexual assault, stalking, and human trafficking. The legal system should retain flexibility to impose appropriate sentences considering circumstances and the crime. The bill may also produce an unintended effect and discourage survivors from coming forward as they might fear being judged solely on their victim status rather than the context of their actions. They would like to see an approach that strengthens existing support systems and ensures that survivors have access to the resources they need instead of building a process which already exists in court sentencing.

NATURE AND SOURCES OF SUPPORT:

Bob Duff, Senator, Connecticut General Assembly: He testified in support of this bill, stating that one in four women will be victims of domestic violence and approximately 75% of incarcerated women were victims. He explained that when domestic violence victims fight back, they often end up in jail instead of the abuser or along with their abuser. This bill

recognizes that this abuse should be documented when they are facing sentencing in the judicial system. This abuse can also be considered when a victim is asking for sentence modification. It requires the courts to consider mitigating factors such as if the defendant was a victim of domestic violence, sexual assault, stalking or human trafficking. For those questioning whether this is a problem, there has been several severe cases of abuse in Connecticut, especially since the pandemic and there have been four that were especially brutal since 2024.

Suzanne Adam, CEO, Domestic Violence Crisis Center (DVCC): They testified in support of this bill. SB1502 will help to prevent further harm to criminalized survivors of domestic violence, sexual assault, trafficking and stalking by ensuring that their victimization is taken into consideration to determine a fair sentence. It also allows for victims to request a sentence modification if they can prove their victimization contributed to their commission of their crime. They provided as an example the case of Nikki Addimando, who was sentenced to 19 years to life for killing her abuser in self-defense despite overwhelming evidence of the abuse. Under New York State's DVSJA her sentence was later reduced to 7.5 years. Survivors deserve to be seen, heard, and treated with fairness and this is a necessary step towards ensuring justice.

Melinda Bronson, Education Team Chair of Restorative Action Alliance (RAA): She testified in support of this bill. RAA supports policies that will meaningfully invest resources into practices and restorative and transformative justice. As a survivor of domestic violence, she knows the complexities, the trauma, and the survival. She also knows the burden of navigating the registry as it does not increase public safety, but does harm families and communities. SB1502 would allow judicial discretion when it comes to sentencing a survivor of domestic violence.

Linda Ciano, Project SAGE: She testified in support of this bill. Project SAGE provides support for survivors of domestic violence; these services include counseling, support groups, safety planning, housing options, court-based advocacy, transportation, assistance with securing basic needs, and job training. They are a member of Connecticut Coalition Against Domestic Violence (CCADV) and explained that the harm to some survivors does not stop when the abuse ends. Often, they become entangled in the criminal justice system for offences that are directly related to domestic violence. Currently in the Connecticut Judicial System these experiences are not always allowed to impact sentencing. SB1502 is the next step to ensuring criminal law reflect progress in understanding the impact of domestic violence.

Zahria Cooper, Prudence Crandall Center: They testified in support of this bill. Prudence Crandall Center is part of the Connecticut Coalition Against Domestic Violence (CCADV). They support SB1502 as it will prevent further harm for survivors of domestic violence, sexual assault, trafficking, and stalking by ensuring their victimization is considered in a fair sentence for any criminal behavior. It also will allow survivors to have a sentence modification if they can produce proof that their victimization was a contributing factor to their criminal behavior. SB1502 would not just promote fair sentencing, but also give relief to survivors as Connecticut continues to progress toward a thoughtful, evidenced-based criminal justice reform.

Shannon Coulter, Policy graduate student, Committee Co-Chair President's Council on Combating Sexual Violence and Harassment, University of Connecticut: She testified in support of this bill. SB1502 will expand judicial discretion when sentencing a survivor of domestic violence and will create more understanding using a trauma-based approach of sentencing gender-based violence survivors. This bill is not a loophole or get out of jail free card and judges will continue to have full discretion when sentencing. SB1502 does three important things: it puts gender-based violence on the record, ensures women are not left behind, and builds on Connecticut's strong record of reform. Currently bills like SB1502 are underway in Massachusetts, Georgia, Louisiana, Oregon, and Minnesota.

Cara During, Chief Program Officer, The Center for Empowerment and Education: She testified in support of this bill. SB1502 will help to prevent further harm to criminalized survivors of domestic violence, sexual assault, trafficking, and stalking as it will require consideration when sentencing a person who has been victimized by domestic violence. It would also allow the judicial system to consider the abuse when there is a request for sentence modification. Current laws in Connecticut do not allow for these circumstances to be considered when sentencing and this leads to continued harm. SB1502 is the next step to ensuring our criminal laws reflect the progress Connecticut has made regarding domestic violence.

Barbara Fair, Stop Solitary CT: She testified in support of this bill. She believes that anyone who is a victim of domestic violence, sexual assault, stalking or human trafficking and can prove that their actions were derived out of that situation should be able to have consideration when being sentenced for a criminal act resulting from the abuse. It is the right thing to do and is a no-brainer. It should be considered the harm that a survivor has endured.

Isabella Gilmour, Susan B Anthony Project: She testified in support of this bill. The harm does not stop for some survivors even after abuse stops. As a direct result of their victimization, they find themselves entangled in the criminal justice system. These crimes are often caused by coercion, self-defense or survival related; coercive control is often exerted by the abuser. Understanding the nature of domestic violence has evolved and Connecticut has updated their civil laws to be more survivor centered. The next step would be to ensure that criminal law also progresses.

Miriam Gohara, Clinical Professor of Law, Yale Law School: She testified in support of this bill. SB1502 would allow for judicial discretion for future cases that would require a minimum sentence. As an attorney who has represented survivors of violence for more than 25 years, she believes that the Domestic Violence Survivors Justice Act (DVSJA) is essential. A growing body of evidence currently shows that about 75% of women have experienced domestic violence in adulthood. An in-depth survey by Stanford University Criminal Justice Center of two large women's prisons reported that 74% of people had experienced intimate partner violence in the year prior to their offense. SB1502 will give survivors the opportunity to have the judicial system consider the person's victimization when sentencing or resentencing. This is fair and sensible as there are reasons that a person's experience may be minimized or obscured within the criminal justice system.

Debra Greenwood, The Center for Family Justice: They testified in support of this bill as it will help to prevent further harm to survivors of domestic violence, sexual assault, trafficking, and stalking when they are criminalized. This victimization can be considered when

determining a fair sentence for crimes they have committed. It would also allow those who are already incarcerated the opportunity to have a sentence modification if they can prove that their victimization was a contributing factor to the commission of the crime. This bill would continue to progress Connecticut's thoughtful, evidence-based criminal justice reform.

Beth Hamilton, Executive Director, Connecticut Alliance to End Sexual Violence: They testified in support of this bill. The Connecticut Alliance to End Sexual Violence (The Alliance) is the state's coalition of nine community-based sexual assault crisis services. SB1052 aims to bring a trauma-informed approach to sentencing and parole decisions to survivors of domestic and sexual violence, trafficking, and stalking. This bill would ensure that the courts consider abuse and trauma that a survivor has endured when sentencing for a crime that was committed due to their victimization. Trafficking victims who engage in criminal behavior often do so under force, fraud, or coercion; many who have a history of violence and coercion are not fully represented in court. They are often discouraged from disclosing abuse fearing it will be difficult to prove or poorly received. Survivors themselves will often remain quiet as they fear retaliation against themselves, their children or their family or facing deportation or losing custody of their children. These issues are addressed in SB1502, this legislation is critical and will help create a more just system for the gender-based violence.

Gus Marks-Hamilton, Campaign Manager, ACLU: They testified in support of this bill. This bill would allow for judicial discretion for future sentencing and sentence modification when the criminal behavior is related to the abuse or trauma relating to domestic violence, sexual assault, human trafficking, or stalking. This bill would help the law align with circumstances and lived experience of survivors of abuse.

Brittany Hayward, Director of Communications and Outreach, Connecticut Second Look Sentencing Project: She testified in support of this bill.

Amber Kelly, Ph.D, MSW, LCSW, Professor of Social Work, School of Health Sciences, Quinnipiac University: She testified in support of this bill. As a professor of Social Work with expertise in trauma and working with survivors of violence, she strongly supports this bill. This bill restores judicial discretion when mandatory sentencing currently prevents judges from considering the full context of the survivors' actions. As a person who has worked with survivors she has witnessed how trauma shapes behavior. Currently Connecticut's sentencing laws fail to consider the realities of coercion, trauma responses, and survival strategies. Connecticut has more than 70 offenses that carry minimum mandatory sentencing and courts often cannot consider actions that are directly related to abuse and trauma. Other states have started to address these concerns and if this legislation is passed in Connecticut, it would recognize the impact abuse this bill ensures that survivors receive justice-not further punishment.

Marie Kenny, Director of Client Access, and the Center for Safe Futures Project Coordinator: They testified in support of this bill. Survivors of domestic violence may become entangled in the criminal justice system due to crimes committed stemming from abuse and trauma. We must recognize the intense pressure that victims are under, and they feel they have limited choices. Domestic violence is complex and cumulative.

Mary Lee, Kiernan, President and CEO, YWCA Greenwich: They testified in support of this bill. They are in a unique situation to understand the situational and contextual experiences of survivors and their potential entanglement with the criminal legal system. SB1502 will prevent victims from further harm and will allow the judicial system the ability to consider victimization when determining sentencing or sentence modifications. Current Connecticut laws do not always allow for these circumstances to be considered when sentencing, which further compounds a survivor's suffering. Survivors often feel uncertain and hesitate to seek help. This bill would promote fair sentencing and relief while continuing Connecticut's progress in evidence-based criminal justice reform.

Lori LeDonne, Smart Justice Leader, ACLU Connecticut: They testified in support of this bill. As a survivor of domestic violence, fearfully enduring the abuse which caused destructive behavior and addiction, she was incarcerated. She feared retaliation not only on herself, but also her loved ones, and it fueled the cycle of addiction with the desire to stay numb. It can take years, even decades to identify and navigate the lingering emotions that abuse can cause. These traumatic experiences must be considered when sentencing and considering commutations.

Michael Lyngaas, Treasurer, The Center for Family Justice: He testified in support of this bill. SB1502 will help to prevent further harm to victims of sexual assault, domestic violence, and human trafficking, when crimes are committed in self-defense. It would allow victims to receive fair sentences and provide a path for sentence modification when abuse is evident. Current scenarios in Connecticut can lead to convictions, prison terms, and other consequences which further the survivors suffering.

Taina Manick, Advocacy Coordinator, Katal Center for Equity, Health, and Justice: They testified in support of this bill. Survivors of abuse should not be further punished by a judicial system that does not recognize how trauma impacted their actions. They do not receive support or protection but are met with harsh sentencing laws that do not consider the reality of their abuse. This is a necessary step for the justice system to recognize the impact of trauma when sentencing an individual. Presenting evidence of abuse is not a privilege but a fundamental right. The rigidity of Connecticut's mandatory sentencing disproportionately impacts marginalized communities and ignores the complexities of domestic violence. Justice should be transformative and not punitive.

Kate Mogulescu, Legal and Policy Director, Professor of Clinical Law, Brooklyn Law School, The Survivors Justice Project: They testified in support of this bill. Having worked on this issue in New York and around the country, they see how critical reforms are for survivors of abuse. SB1502 ensures that the personal and complex experiences of domestic violence are taken into consideration with sentencing and parole. Connecticut will also ensure that its laws are keeping pace with understanding domestic violence, stalking, sexual assault, and trafficking.

Anjali Pathmanathan, Supervising Attorney, Kevin Chisolm, Ivetty Estepan, Claire Sullivan, Clinical Students Criminal Justice Advocacy Clinic, Jerome N. Frank Legal Services Organization: They testified in support of this bill. This bill would allow judges to use discretion during sentencing or when someone is seeking sentence modification if that person is able show their experience of surviving domestic violence, stalking, sexual assault, and human trafficking contributed to their criminal behavior. We spent the past year

gathering a coalition to present and support this legislation after they learned of some incarcerated individuals never had their abuse presented to the court and it was not factored into sentencing. We discovered research documenting the fact that many incarcerated people have a history of abuse, and women are often criminalized for protecting themselves from domestic violence. As students in the Criminal Justice Advocacy Clinic, we were able to develop relationships with women who were currently incarcerated at York Correctional Institute. It was in their conversations with these women they learned of the critical need for trauma-informed sentencing in Connecticut. With SB1502 individuals would finally have a legislatively supported opportunity to explain to a resentencing judge or members of the Board of Pardons and Paroles how the abuse they suffered impacted their criminal behavior.

Scott Redfern, Secretary, Board of Directors, The Center for Family Justice: He testified in support of this bill. As a father of a sexual assault survivor and the brother of a domestic violence survivor, he urges support of SB1502. It can prevent further harm to survivors and allows for their abuse to be considered if they are being sentenced for criminal behavior. It also allows for incarcerated survivors to apply for sentence modification if they can prove their abuse contributed to their crime. Connecticut law currently does not adequately allow for the impact of victims to be considered when sentencing or requesting a sentence modification. These sentences contribute to the suffering of survivors.

Dr. Brashani Reece, Executive Director, Drop LWOP New England: She testified in support of this bill. As a younger woman, she became part of a club that she never wanted to join; she survived an attempt on her life at the hands of a romantic partner. After being choked, beaten, pistol-whipped, and dragged by her hair, the only reason she survived was her assailant let her go. Two women who she met while they were incarcerated had the same stories, except the men in their stories did not survive. We do not have many examples of domestic violence where the woman survives and the man does not, it is much more likely the woman dies. SB1502 would provide the judicial latitude to support the survivors.

Terri Ricks, Smart Justice Leader, ACLU Connecticut: She testified in support of this bill. As a woman who survived every type of sexual assault imaginable, she has had to fight for everything in her life. Like her, it may take years and years to understand, process, and recover, if ever, from the abuse a person has suffered. SB1502 is crucial in allowing survivors of domestic violence who were incarcerated relate their abuse to crime and have the opportunity for sentence modification.

Alison Sanchirico: She testified in support of this bill. This bill reminds her of the story of Bresha Meadows, a 14-year-old girl who shot and killed her abusive father in 2016. After a strong campaign emphasizing self-defense in her conviction, she was released in 2018. Offenders who are victims of domestic violence should have their circumstances heard.

Olivia Sarasin, MSW student, Southern Connecticut State University: She testified in support of this bill. Instead of giving victims of domestic violence the resources they need, they must focus on navigating the legal system, which retraumatizes them and prevents their healing. This bill would allow them to focus on their mental health and working through their trauma. Due to violence, coercion, and threats, many victims are forced to participate in illegal activities, and they should not be held liable. Trauma can impact a person's behavior and alter brain functioning. This bill takes this trauma into consideration and provides

survivors with the opportunity to receive and relief and sentence reductions. This bill would give a trauma-informed approach taken into consideration for sentencing and sentence modification. Survivors would be treated with compassion and justice.

Meghan Scanlon, CEO, Connecticut Coalition Against Domestic Violence: She testified in support of this bill. She requests that the Committee supports this bill as it brings a more trauma-informed approach to sentencing and parole of survivors of domestic violence, sexual assault, trafficking, and stalking when they are entangled in the legal system. This legislation has been shaped by a dedicated group of survivor advocates, attorneys, law students, and criminal reform activists who worked together to craft a meaningful and responsible approach to sentencing of survivors of abuse. While collaborating on this bill, feedback was sought from key stakeholders in Connecticut's criminal judicial system. Research has found that incarceration is found to be a risk factor especially for women; Connecticut's 70+ mandatory sentencing minimum laws often apply regardless of the context of which the crime was committed. Due to these minimums, survivors often receive harsh punishments even if they are directly connected to their victimization. The challenge for survivors is that often judges do not know about the mitigating circumstances and defense lawyers discourage mentioning domestic violence as it might be difficult to prove in court or they fear it will have a negative impact. This bill is not a free pass, it is a bill that will make sure life experiences of gender-based violence are more consistently seen and considered in the judicial system. It would give relief only where domestic violence was a contributing factor.

Tracy Shumaker: She testified in support of this bill. This is an essential piece of legislation that would allow survivors of domestic violence, stalking, sexual assault, and trafficking who are incarcerated because of actions related to abuse a chance for sentence modification, parole, and commutation hearings. In addition, it would allow for judicial discretion in future cases that otherwise would require a mandatory minimum sentence. As a formerly incarcerated woman, I met many women whose paths to prison were directly tied to their history of domestic violence. These women did not receive support, treatment, or protection but were given lengthy sentences with little to no consideration of their abuse. This legislation is crucial as it would help countless women still incarcerated for actions tied to abuse as well as though facing sentencing in the future. She urges the Committee to vote favorably on SB1502.

Tonishia Signore, Policy Director, She Leads Justice: She testified in support of this bill. She Leads Justice is a leader in advocating for marginalized women in Connecticut and often works with women in our state that have experienced domestic violence. Domestic violence is pervasively underreported and mostly affects women. Those individuals who are incarcerated for crimes related to abuse deserve to tell their stories and have their circumstances considered during sentencing and sentence modifications. Our understanding of domestic violence is constantly evolving; the legal system needs to recognize this and create policies which will adjust and allow survivors to heal, rehabilitate, and safely re-join society with tools for their future. Mandatory minimums can be cruel as many survivors fear retaliatory actions from their abusers, those who were unable to process their abuse and those who were discouraged to bring up their experiences or advised to take a plea deal.

Anna VanCleave, Associate Professor & Director of the Criminal Defense Clinic, University of Connecticut, School of Law: She testified in support of this bill. As a criminal defense attorney for over 20 years, her experience includes pretrial cases, post-conviction,

juvenile, misdemeanor, felony cases that include death penalty cases, and cases carrying a sentence of life without the possibility of parole. In the clinic, she teaches her students about the complex work of mitigation, the challenges they face as lawyers, the need to learn critical information about clients that could help a judge better understand their circumstances. SB1502 is crucial as domestic violence has unique challenges when presenting evidence to a sentencing court or parole board. Due to the challenges, it is imperative that there be a procedure in place to allow courts and the Board of Pardons and Paroles to consider such evidence after sentencing. In her work with death penalty cases and life without parole, she has been fortunate to have a team that can investigate a client's backgrounds and a small caseload. The standards of mitigation in serious cases even with low caseloads and dedicated resources attorneys can fail to uncover critical information about client's experiences with domestic violence while the case is in pretrial. She has seen cases that the attorney did not uncover mitigating circumstances that have gone years and decades after a person has been sentenced.

Katherine Verano, Chief Executive Officer, Safe Futures, Inc: They testified in support of this bill. For more than thirty years of, she has listened to survivors talk about the tremendous pressure they are under and the threats from their abusers. It is that force and those threats that keep the victim compliant and out of fear, they do things such as commit crimes. This legislation will address cases when the pressure is unrelenting, and the victim commits a crime that they otherwise would not commit. The knowledge about domestic violence has evolved and this legislation is the next step to ensuring criminal law makes progress. They urge the Committee to vote favorably on this bill.

Erin Williamson, LCSW, MPA, Chief Program and Strategy Officer, Love146: She testified in support of this bill. SB1502 should be supported as it recognizes the urgent need to address the unique circumstances that cause survivors to become entangled in the criminal justice system. The reality is that courts should be allowed to consider survivor's victimization when sentencing and ensure that those who have endured harm are not further punished by the legal system. This is a significant step towards justice. It also aligns human trafficking and the criminal justice system. This legislation is just and necessary, as it ensures that survivors can access trauma-informed legal pathways.

Jess Zaccagnino, Policy Counsel, ACLU CT: They testified in support of this bill. They strongly believe a person's life experience with domestic violence, sexual assault, stalking and human trafficking should be considered when survivors are in the criminal legal system. According to a large Stanford University study, incarcerated persons are 74% more likely to be victims of domestic violence. Many survivors are coerced by their abuser to commit crimes. In Connecticut, over 70 crimes require a minimum mandatory sentence without regard to traumatic circumstances. This bill would also allow people who are incarcerated the opportunity to have a sentence modification if they can prove their abuse contributed to the crime. This bill is long needed and would provide survivors a trauma-informed approach to explain resentencing to a judge or Board of Pardons and Paroles. New York, Illinois, and Oklahoma have successfully implemented similar legislation with successful outcomes for many.

NATURE AND SOURCES OF OPPOSITION:

None expressed.

Reported by: Bonnie Gray

Date: April 15, 2025