CBA LPRC POSITION REQUEST FORM

The CBA Committee on Human Trafficking's **position request** is as follows:

1) Proposed legislative concept:

The CBA Committee on Human Trafficking requests authorization to support legislation that would expand the existing vacatur statute in Connecticut to cover crimes other than prostitution—see Connecticut General Statutes § 54-95c (2016).

2) Explanation and rationale for advancing this position:

This legislation would, in the court's discretion, vacate any other judgement of conviction under CGS 54-95c and dismiss any charges related to the vacated offense, if the defendant proves that he/she was a victim of trafficking in persons under said section or a victim of a criminal violation of said chapter at the time of the offense. (*Rationale and proposed language attached*)

3) Is draft legislation or a proposed bill included? yes

4) What is the date of any legislative hearing, if known?

No hearing date has been scheduled.

5) Was this position previously approved by the CBA? If so, when does/did it expire?

No previous request has been made.

6) Is the CBA section/cmte seeking to join a previously approved CBA section/cmte position?

To my knowledge, this proposal has not been made previously.

7) Potential or actual CBA opposition from another CBA section or committee?

We are currently seeking support from two CBA Sections, Human Rights and Responsibilities and Child Welfare and Juvenile Section.

8) Strength of section position (including process and results of section vote taken on issue):

After spending over 6 months discussing what language would be appropriate and debating multiple versions of the legislation, the Committee on Human Trafficking voted overwhelmingly to support this proposal at its November 2019 meeting. Of the fifteen members who were in attendance, there was not a single "no" vote. (There were four abstentions, one from a Connecticut Legal Services fellow and from the three prosecutors on the Committee.)

9) Fiscal impact (on the state):

NEGLIGIBLE TO NONE. A vacatur process already exists, but thus far has never been used. Our hope is that this amendment will result in at least handful of new victims coming forward to have their vacatur applications heard by a judge—see attached Q&A.

10) Are you seeking "fast-track" approval?[1] **YES.**

[1] A "fast track" recommendation will be submitted to the House of Delegates (HOD) or Board of Governors (BOG) at its next scheduled meeting (or, if between meetings of the HOD or BOG and during the legislative session, to the Executive Committee), and is warranted only when the Legislative Policy & Review Committee concludes that further analysis and study is necessary and where there is legitimate time pressure to address pending legislation.