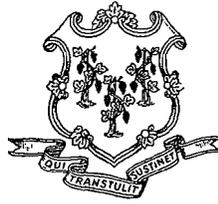


# State of Connecticut

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Testimony of  
Teresa C. Younger  
Executive Director  
Permanent Commission on the Status of Women  
Before the Judiciary Committee  
April 4, 2007

### **In support of: S.B. 398, An Act Establishing a Trafficking in Persons Council**

Good afternoon Senator McDonald, Representative Lawlor and members of the Committee. I am Teresa Younger, the Executive Director of the Permanent Commission on the Status of Women. Thank you for this opportunity to testify in strong support of S.B. 398, An Act Establishing a Trafficking in Persons Council.

Human trafficking is serious business. Traffickers are ordinarily part of large, organized crime syndicates who choose to traffic in persons, rather than drugs or weapons, because it is a high-profit, low-risk business.

For the past three years, the PCSW has had the privilege of serving on and staffing the Interagency Task Force on Trafficking in Persons chaired by Senator Stillman to study the incidence and consequences of human trafficking in Connecticut.

PA 06-43, An Act Concerning Trafficking In Persons (sS.B. 153) continued the task force for another year to develop recommendations for victim services. In January 2007, the task force submitted a report to the Legislature with the following recommendations to address victim services: (1) to establish contractual relationships with other state agencies or nongovernmental agencies

to coordinate efforts to assist victims of trafficking; (2) to establish interagency protocols and collaboration between federal, state, and local law enforcement, state and governmental agencies, child welfare agencies, and non-governmental organizations; (3) to increase public awareness and outreach by training law enforcement, social service providers, and non-governmental organizations; and, develop public awareness campaign; (4) to provide funding to assist victims; and, (5) to establish a Trafficking in Persons Council.

S.B. 940, An Act Concerning the Prevention of Human Trafficking, which has been voted out of the Public Safety Committee and sent to the Appropriations Committee, addresses the first four recommendations. The bill before you today addresses the final recommendation to establish a Trafficking in Persons Council to continue collaboration of the existing task force members through 2010.

Federal grant funding for many of the existing agencies that assist victims will expire in 2008 or 2009. An on-going Council will allow for continued collaboration and progress while federal funds are available. On-going collaboration would include, but not be limited to, providing a forum for updates and progress reports as the anti-trafficking statute is enforced, developing mechanisms to ensure that victims are provided adequate services and representation in legal matters, identifying the needs and services of children of the trafficking victims, and continue discussions of whether certain conduct of victims of trafficking should be decriminalized.

The Connecticut statute (PA 06-43, An Act Concerning Trafficking In Persons) criminalizing trafficking went into effect October 1, 2006 so there have been no cases under this statute, however we know from recent lawsuits and newspaper articles that trafficking is occurring in Connecticut. We have attached newspaper articles and the first two pages of the Complaint in Aguilar, et al v. Imperial Nurseries, et. al. for your information (if you want a copy of the 58 page complaint, please contact PCSW).

We have made a great deal of progress in Connecticut in learning about and addressing trafficking. Legislators, law enforcement personnel, community advocates, and service providers have joined together to make sure that our laws are strong and that services are available to assist victims of this crime. The bill before you is an important step forward in this process, and we urge your support.

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF CONNECTICUT

-----X  
ALEXANDER AGUILAR, CARLOS AGUILAR,  
LEOPOLDO SANTOS CATU, SANTOS CHAJCHAGUIN,  
MARVIN COTO, ESTEBAN ESPINOZA, WALTER  
HERNANDEZ, ANGEL MENDOZA, HUGO ORENO,  
CARLOS PINTO, HECTOR RODAS LOPEZ, and LUIS  
AMILCAR RODRIGUEZ,

Plaintiffs,

C.A. No. \_\_\_\_\_

-against-

IMPERIAL NURSERIES, GRIFFIN LAND & NURSERIES,  
PRO TREE FORESTRY SERVICES, WILLIAM FORERO,  
HERNANDO ARANDA, GREGORY M. SCHAAN, JIM  
WELLS, FREDERICK M. DANZIGER, and ANTHONY J.  
GALICI,

Defendants.

-----X

**COMPLAINT**

The twelve named Plaintiffs, citizens of Guatemala, bring this action to recover for damages inflicted by Defendant Imperial Nurseries and its principals, employees, and agents. Defendants exploited and defrauded Plaintiffs in the spring and early summer of 2006 by recruiting them on false pretenses to work in the United States and effectuating a broad scheme of psychological coercion and threatened abuse of the legal process to keep Plaintiffs in their control.

Plaintiffs had been promised work planting pine trees in North Carolina, and relying on this promise they lawfully obtained H2-B visas and plane tickets to the United States. Upon arriving in the United States, however, Plaintiffs were transported without their consent to Connecticut. In Connecticut, Defendants forced Plaintiffs to work in the

fields of Imperial Nurseries for an average of nearly 80 hours per week, paying them far below the federal and state minimum wage. Defendants confiscated Plaintiffs' passports to prevent their escape; restricted Plaintiffs' travel and communication with the outside world; deprived Plaintiffs of emergency medical care; made fraudulent claims about their ability to effectuate Plaintiffs' arrest, imprisonment, and/or deportation by U.S. law enforcement authorities; and generally perpetrated a campaign of coercion and fraud designed to keep Plaintiffs intimidated and unable to leave the Imperial fields. Isolated, disoriented, unable to speak English, and unfamiliar with their rights under American law, Plaintiffs were exploited by Defendants and felt powerless to escape. They now seek redress before this Court.

#### JURISDICTION AND VENUE

1. The Court has jurisdiction pursuant to 18 U.S.C. §§ 1595 and 1964(c); 28 U.S.C. §§ 1331, 1332, 1337(a), and 1350; and 29 U.S.C. §§ 216(b) and 1854. This Court also has supplemental jurisdiction over Plaintiffs' state and Guatemalan law claims pursuant to 28 U.S.C. § 1367.
2. Venue is proper pursuant to 28 U.S.C. § 1391(b), as a substantial part of the events giving rise to this action occurred within this district, and Defendants are located, reside, or do business in this district. Venue is also proper pursuant to 28 U.S.C. § 1391(c), as Defendants Pro Tree Forestry Services, LLC, Imperial Nurseries, Inc., and Griffin Land and Nurseries, Inc., are subject to personal jurisdiction in the state of Connecticut. Venue is also proper pursuant to 18 U.S.C. § 1965.

## NewHavenRegister.com

02/09/2007

### Yale lawsuit aids Guatemalans in human trafficking case

Mary E. O'Leary, Register Topics Editor

**A dozen Guatemalans, visas in hand, set out for the U.S. last spring to work in a nursery to earn money to send back home to their families.**

What the men found in Connecticut, according to a federal civil suit, were 80-hour work weeks for less than minimum wage, harsh living conditions, a lack of medical care and threats by managers, who prevented them from leaving by confiscating their passports.

The suit, brought by the Jerome N. Frank Legal Services Organization at Yale Law School, said the conditions amounted to human trafficking and they are seeking redress for unpaid wages, illegal deductions, fraudulent contracts and intentional emotional distress.

Paul Hughes, a Yale Law School student who worked on the suit, called it "a unique case that is shocking to find occurring in Connecticut."

"When you take someone's passport and you say 'I'm taking your passport so you have to keep working for me,' that clearly shows an intentional egregious act," Hughes charged.

The suit against Imperial Nurseries, a commercial nursery business in Granby, its parent corporation, Griffin Land & Nurseries of New York, and their labor recruiter, Pro Tree Forestry Services of North Carolina, was filed Thursday in federal court in Hartford.

It is one of the first to use a 2003 provision in the human trafficking act that allows victims to seek compensation. The suit also invokes labor law and federal racketeering statutes.

In addition to the law school, Junta for Progressive Action in New Haven, an advocacy group, helped the men after their situation became known, and several are living in the city as the case plays out in the courts.

Monte B. Lake, an attorney for Imperial Nurseries and Griffin Land, said the state Department of Labor investigated charges of human trafficking in June 2006 and found no basis for them.

A representative from the labor department could not be reached for comment Thursday, but Hughes said the labor probe is ongoing and the state has not reached a conclusion on the charges.

Lake said the department did determine that the men were not fairly compensated and Imperial and Griffin ended their contract with Pro Tree on June 30 when advised of this. Attorneys for Pro Tree could not be reached.

Marvin Coto, 33, one of the plaintiffs, called the months-long ordeal "terrifying," and said he still has to pay back the \$6,000 he borrowed to finance his trip and leave some money for his wife and three children.

In a reversal of the usual immigrant experience, Coto said he and the others had to wire Guatemala for money for food to support themselves in Hartford.

Coto said he was able to get help after going to a Pentecostal church where the congregation gave him food, clothing and collected money to send home. Eventually, the law clinic got word of their circumstances.

The dozen men were granted work visas to plant pine trees in North Carolina, but upon arriving in the U.S., they were taken by van without their consent to Connecticut.

Advertisement



Hughes said they were told they would be arrested if they tried to take buses, as their visas applied only to work.

When four men did escape, Coto said the others were told they had been arrested and their stories were in the newspaper, neither of which was true. Not knowing the language or their rights, they stayed out of fear, Hughes said, some for as long as four months.

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*Mary E. O'Leary can be reached at 789-45731 or [moleary@nhregister.com](mailto:moleary@nhregister.com).*

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**Man Charged With Sex Slavery**  
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By EDMUND H. MAHONY  
Courant Staff Writer

March 17, 2007

Federal authorities have indicted a New York man, charging him with kidnapping young women - including a 12-year old - and forcing them to work 12 hours a day performing sex acts at private parties and in seedy barrooms, including two notorious strip clubs in the Bridgeport area.

Corey Davis, a 35-year-old alleged pimp from Queens, is accused of beating the girls into submission and, with the help of an older prostitute he used as an enforcer, collecting whatever the girls made from the sex trade.

Davis, according to an indictment unsealed Thursday, liked to spend the money on ostentatious baubles. When the FBI arrested him in December, Davis was wearing a \$91,000 diamond-studded Jacob & Co. watch. He had a \$500 earring stuck in his ear, \$14,000 in diamond-studded silver rings on his fingers and a \$4,500 silver-and-diamond necklace around his neck.

There was \$4,200 in folding money in his pants pocket and another \$25,000 in his white, two-seat Mercedes-Benz. According to the indictment, Davis, who liked to call himself "Magnificent," also kept a second Mercedes, which was silver.

Davis is charged with eight prostitution-related offenses, which range from transporting minors for immoral purposes to kidnapping. He faces a sentence up to life in prison if convicted.

Shamere McKenzie, his alleged assistant pimp or head prostitute, also has been indicted on a variety of prostitution-related charges and is looking at as much as five years in prison.

According to the indictment, Davis and McKenzie forced the girls to earn as much as \$1,000 a day, then took whatever they made. They are accused of controlling the girls through physical and psychological coercion, including beatings, rapes, confinement, threats, intimidation and humiliation. Davis is accused of victimizing a number of girls in the indictment, but only two - the 12-year-old and a 17-year-old - are referred to specifically.

Federal prosecutors and FBI agents said the investigation is continuing and they expect to identify additional victims.

Davis is accused of holding the girls virtual prisoners in a house he owned in Queens - even controlling what they ate. He is accused of driving them to Connecticut, where they worked, among other places, at strip clubs called the Bishop Corner Caf- and Pleasant Moments in Bridgeport. Both establishments are regular targets of police activity; each has been raided at least once over the past two years.

The indictment asserts that Davis found the 12-year-old at a New York strip club and recruited her to work for him in late 2004 or early 2005. He is accused of essentially kidnapping the 17-year-old after luring her to his house in Queens on the pretext of renting her a basement apartment. He is accused of buying both girls fancy hairdos,

manicures and skimpy dancing costumes before putting them to work. The 12-year-old managed to run away in May 2005.

The investigation leading to Davis' arrest was made by a special law enforcement task force paid for by the U.S. Department of Justice and created to crack down on the trafficking of people for sexual purposes.

"We will prosecute these crimes vigorously," U.S. Attorney Kevin O'Connor said, "especially when minors are alleged to have been abused, and the penalties are appropriately severe."

Kimberly Mertz, who runs the FBI's Connecticut office, said: "The FBI is committed to investigating sexual slavery and trafficking, and we encourage any women and girls who are trapped in similar situations to come forward, because help is available."

Davis has been imprisoned without bail since his arrest. McKenzie has been released on \$100,000 bail.

Contact Edmund H. Mahony at [emahony@courant.com](mailto:emahony@courant.com)

Visit [www.courant.com](http://www.courant.com) to read the entire federal indictment.  
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