



State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

OFFICE OF CHIEF PUBLIC DEFENDER
30 TRINITY STREET - 4th Floor
HARTFORD, CONNECTICUT 06106
(860) 509-6405 Telephone
(860) 509-6495 Fax

DEBORAH Del PRETE SULLIVAN
LEGAL COUNSEL/
EXECUTIVE ASSISTANT PUBLIC DEFENDER
deborah.d.sullivan@jud.ct.gov

Testimony of
Deborah Del Prete Sullivan
Legal Counsel/Executive Assistant Public Defender

Raised Bill No. 6640
An Act Concerning the Penalty for Human Trafficking

Public Hearing - Judiciary Committee
April 4, 2011

The Office of Chief Public Defender opposes *Raised Bill. No. 6640, An Act Concerning the Penalty for Human Trafficking* which would require a mandatory minimum sentence of 2 years to be imposed for violating C.G.S. 53a-192a, Trafficking in persons: Class B felony. Under current law, a person can be sentenced up to 20 years for violating this law.

By requiring a mandatory minimum sentence to be imposed, the court has no discretion to sentence a person after consideration of all the facts including the offense and mitigating information pertaining to the defendant. Prosecutors have, not only the power to charge a person with the commission of an offense, but also the discretion to charge a person with a crime for which mandatory sentence of incarceration would be required. Pursuant to this bill, the court would not have the discretion to depart from imposing a mandatory minimum sentence.

In addition, the requirement that a mandatory minimum sentence be imposed can act coercively to induce a person to plead to the commission of a crime, even if a person pleads to a crime of a lesser degree. A person might even plead guilty to a lesser offense even if not guilty just to avoid a mandatory sentence. This coercive power can actually reduce the number of cases that ultimately go to trial and increase the number of *plea bargains*.

In conclusion, this Office requests that the Committee reject this bill.