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Testimony of
Teresa C. Younger, Executive Director
The Permanent Commission on the Status of Women
Before the Judiciary Committee
April 5, 2013

Re: S.B. 1155, AAC Revisions to Statutes Relating to Dissolution of Marriage, Legal Separation and Annulment
H.B. 5666, AAC the Forfeiture of Moneys and Property Related to Sexual Exploitation and Human Trafficking
H.B. 6636, AAC the Collection of Sexual Assault Evidence from an Intoxicated or Incapacitated Victim
H.B. 6688, AAC Revisions to Statutes Relating to the Award of Alimony

Senators Coleman and Kissel, Representatives Fox and Rebimbas, and members of the committee, thank you for this opportunity to provide testimony on behalf of the Permanent Commission on the Status of Women (PCSW) regarding several bills before you today.

H.B. 5666, AAC the Forfeiture of Moneys and Property Related to Sexual Exploitation and Human Trafficking

Impact on CT Women¹

- Between 2008 to 2011, 100 human trafficking victims were identified by State agencies. Of the 100 victims, 82 were children.
- Between 2009-2010, 109 human trafficking victims were identified by non-governmental entities.
- 100% of the above victims were female.

Since 2004, PCSW has convened the Trafficking in Persons Council (Council) to study the issue of human trafficking and make recommendations to the state Legislature. The Council has made recommendations

¹ PCSW, *Trafficking in Persons Council Annual Reports*, 2008-2011; Department of Children and Families, *Welcome to DCF's Response to Human Trafficking and Sexually Exploited Children and Youth*, August, 2011.; Paul and Lisa Program; International Institute of Connecticut, Inc.

that resulted in the establishment of criminal penalties and civil remedies; victim-friendly curriculum for training of providers, state agencies, and law enforcement, and; funding for housing and public awareness and education.

Public Act 10-112 established a civil forfeiture procedure to seize tainted funds and property from several sexual offenses, including human trafficking. However, CGS § 53a-82 which allows a trafficking victim who is arrested for prostitution to claim human trafficking as an affirmative defense, was not included. PCSW urges passage of H.B. 5666 which would expand the forfeiture procedures to charges made under CGS § 53a-82 as well.

H.B. 6636, AAC the Collection of Sexual Assault Evidence from an Intoxicated or Incapacitated Victim

Impact on Women:

- Twenty-six percent of Connecticut women and 10% of Connecticut men are sexual assault survivors.²
- People with disabilities are sexually assaulted at twice the rate of people who do not have a disability.³
- The Centers for Disease Control reports that the health care costs of intimate partner violence –physical assault, rape and stalking – exceed \$5.8 billion each year, nearly \$4.1 billion of which is for direct medical and mental health services.⁴

H.B. 6636 would require the Commission on the Standardization of the Collection of Evidence in Sexual Assault Investigations (Commission) to study whether to amend the sexual assault evidence collection protocols to allow the collection of evidence from a victim of sexual assault who is unable to provide consent due to intoxication or incapacitation.

The PCSW has been an active member of this Commission since its inception and has been deeply involved in the careful creation and consequent updates of the State's sexual assault evidence guidelines. Currently, the Commission is already looking into matters regarding evidence collection in situations where a victim cannot provide informed consent. A subcommittee of the commission has met several times and has another meeting scheduled for later this month with the goal of finalizing revisions to the guidelines around the delicate issue of consent.

Therefore the proposed bill is not necessary because the work is already being done. PCSW applauds the committee for your commitment to issues around sexual assault and we would be happy to provide you with an update from the Commission once the revised guidelines are finalized.

S.B. 1155, AAC Revisions to Statutes Relating to Dissolution of Marriage, Legal Separation and Annulment

H.B. 6688, AAC Revisions to Statutes Relating to the Award of Alimony

H.B. 1155 would make revisions to several laws regarding family law by changing the provisions relating to property division, legal separation, arbitration, alimony, modification of alimony, child support, and cohabitation, and; including alimony guidelines with percentages and formulas.

These proposed changes are made without analysis as to the impact of such changes. PCSW urges rejection of S.B 1155 because it contains arbitrary, capricious and random formulas that have not been studied or

² Connecticut Sexual Assault Crisis Services (CONNSACS). *Sexual Assault in Connecticut Fact Sheet*.

³ Connecticut Sexual Assault Crisis Services (CONNSACS), March 22, 2013 Press Release on H.B. 6641.

⁴ Center for Disease Control. *Costs of Intimate Partner Violence Against Women in the United States*, March, 2003 <http://www.cdc.gov/ncipc/pub-res/ipv_cost/04_costs.htm>.

approved by the Family Law Section of the Connecticut Bar Association or the Chapter of American Academy of Matrimonial Lawyers.

The issue of conducting a study or analysis is addressed in H.B. 6688, which would require the Legislative Program Review and Investigations Committee to conduct a study into the fairness and adequacy of State statutes relating to the award of alimony. In conducting the study, the Committee would collect empirical data and make recommendations by February 1, 2014. PCSW urges passage of H.B. 6688 to ensure that any changes made to the alimony structure are done thoughtfully and fairly.

We look forward to working with you to address these important issues. Thank you for your consideration.