

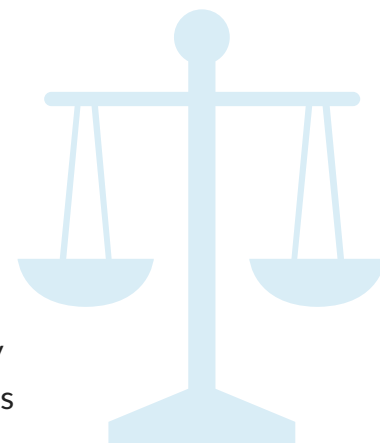
# FAQ: EXPANDING CONNECTICUT'S VACATUR LAW GIVING TRAFFICKING VICTIMS A SECOND CHANCE

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[The current vacatur statute.](#) Connecticut's statute requires courts to vacate – or set aside – a prostitution conviction if the applicant can show that "his or her participation in the offense was a result of having been a victim of [trafficking]." Although the statute has been on the books since 2013, and was expanded in 2016, only a single victim of trafficking has invoked the statute to vacate her prostitution conviction.

[What's the problem?](#) The law is still too narrow. Most trafficking victims are ineligible under the existing statute because they have convictions for crimes other than prostitution. In a National Survivor Network survey of 130 trafficking survivors, 60 percent reported being arrested for crimes other than prostitution or drug-related offenses. These criminal records prevent survivors from accessing opportunities and rebuilding their lives.

[Our proposal.](#) The proposed amendment would allow trafficking survivors to request vacatur for crimes other than prostitution. Notably, the Court would retain discretion to deny any request, even where it has been shown that the crime occurred as a result of trafficking. The proposal preserves existing procedures for prosecutorial notification and input, but adds a provision mandating victim notification and requiring the Court to consider victim input.



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NATIONAL SURVIVOR NETWORK

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## [Why do trafficking victims deserve a second chance?](#)

Trafficking victims commit crimes under duress from their traffickers, who target and isolate them based on vulnerabilities and then use force, fraud, and coercion to manipulate and control them. Traffickers often beat, rape, and torture their victims, give them drugs to get them addicted, and threaten to harm or kill their victims' family and friends if they disobey or try to leave. This process leads to trauma bonding, a destructive connection between a trafficker and victim created by ongoing cycles of abuse designed to create dependency and obedience. When victims try to resist or leave their traffickers, they know their past criminal behavior can always be used against them by the trafficker. Victims quickly learn to fear law enforcement and the system.

## [How does expanding vacatur promote justice \(and why do prosecutors support this proposal\)?](#)

The trauma that follows survivors, even after they escape their traffickers, causes many to blame themselves and stay silent as their cases wind through the criminal justice system. As a result, many are convicted in the absence of critical evidence about their victimization and its impact on their culpability in the crime. Actors in the justice system – including police, prosecutors, judges, and even defense attorneys – remain unaware of information that should factor into decisions to press charges, prosecute or defend a case, and convict and sentence. Expanding vacatur advances the integrity of the system by providing an opportunity to take a second look at these convictions.