



Legislative Testimony  
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**Written Testimony on Senate Bill 261, An Act Concerning the  
Recommendations by the Department of Motor Vehicles**

Representative Lemar, Senator Cassano, Ranking Member Carney, Ranking Member Somers, and distinguished members of the Transportation Committee:

My name is Kelly McConney Moore, and I am the interim senior policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony regarding Section 17 of Senate Bill 261, An Act Concerning Recommendations by the Department of Motor Vehicles.

Section 17 amends an existing law that imposes a lifetime ban on motor vehicle licenses for a person who used a motor vehicle in the commission of a felony involving controlled substances. Section 17 makes two changes to this law. First, it expands the law by imposing the same ban on any person who used a commercial motor vehicle in a human trafficking felony. Second, it makes these lifetime bans permanent, with no chance for license reinstatement. While human trafficking is abhorrent, a person convicted of such a felony is sentenced by a court of law. The sentence that the court imposes is deemed, by the court and by the laws of this state, to be the punishment for the felony. This statute, though, is a collateral consequence of a criminal conviction – a punishment in addition to that imposed by the criminal legal system. In this case, the punishment is extended, without exception, for the rest of the person’s life, regardless of circumstances, specifics, or rehabilitation.

Collateral consequences are dangerous. Because of legal barriers to employment and persistent stereotypes, the unemployment rate among formerly incarcerated people

nationwide is 27 percent<sup>1</sup> – seven times the pre-pandemic unemployment rate in Connecticut.<sup>2</sup> Economists estimate that the U.S. gross national product is reduced by up to \$87 billion because so many formerly incarcerated job seekers are kept out of the workforce.<sup>3</sup> Racial disparities in Connecticut’s criminal justice system<sup>4</sup> are also reflected later when people returning home from are kept out of the job market. The majority of incarcerated people are parents<sup>5</sup> – meaning these barriers to reentry also harm children and families when formerly incarcerated people return to society and cannot find safe housing or jobs. A driver’s license is often necessary to obtain and keep a job,<sup>6</sup> meaning that laws making it harder for formerly incarcerated people to get a license compound the difficulty for formerly incarcerated people in getting work.

Given the many downsides of prolific collateral consequences, laws imposing new collateral consequences should always be viewed skeptically. Where, as here, they have no proven deterrent effect, that skepticism should be even higher. And consequences that last a lifetime, without exception, should be scrutinized very closely indeed. Here, we do not believe that lifetime driver’s license bans will reduce recidivism, make Connecticut safer, or serve any purpose except to make the lives of people living with a criminal record more difficult. Accordingly, we urge you to oppose Section 17 when considering Senate Bill 261.

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<sup>1</sup> Lucius Couloute & Daniel Kopf, “Out of Prison and Out of Work: Unemployment among formerly incarcerated people.” Prison Policy Initiative, July 2018, *available at* <https://www.prisonpolicy.org/reports/outofwork.html>.

<sup>2</sup> The February 2020 unemployment rate was 3.8% in Connecticut. State of Connecticut vs. United States Unemployment Rate, CT Dep’t of Labor, *available at* <http://www1.ctdol.state.ct.us/lmi/unempratectus.asp>.

<sup>3</sup> Cherrie Bucknor & Alan Barber, “The Price We Pay: Economic Costs of Barriers to Employment for Former Prisoners and People Convicted of Felonies” Ctr. for Econ. & Policy Research at 1, Jun. 2016, *available at* <https://cepr.net/images/stories/reports/employment-prisoners-felonies-2016-06.pdf>.

<sup>4</sup> See Racial and Ethnic Disparities in Prisons and Jails in Connecticut, Prison Policy Initiative, *available at* [https://www.prisonpolicy.org/graphs/disparities2010/CT\\_racial\\_disparities\\_2010.html](https://www.prisonpolicy.org/graphs/disparities2010/CT_racial_disparities_2010.html).

<sup>5</sup> See Special Report: Parents in Prison and Their Minor Children, U.S. Dep’t of Justice, Aug. 2008, *available at* <https://www.bjs.gov/content/pub/ascii/pptmc.txt#:~:text=Thirty%2Done%20percent%20of%20inmates,to%20report%20being%20a%20parent>.

<sup>6</sup> See Alana Semuels, “No Driver’s License, No Job.” The Atlantic, Jun. 15, 2016, *available at* <https://www.theatlantic.com/business/archive/2016/06/no-drivers-license-no-job/486653/>.