



Legislative Testimony
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**Written Testimony Supporting House Bill 6376, An Act Creating a
Respectful and Open World for Natural Hair**

Senator Kushner, Representative Porter, Ranking Member Sampson, Ranking Member Arora, and distinguished members of the Labor and Public Employees Committee:

My name is Claudine Fox, and I am the interim public policy and advocacy director for the American Civil Liberties Union of Connecticut (ACLU-CT). I am here to testify in support of House Bill 6376, An Act Creating a Respectful and Open World for Natural Hair.

To create an equitable world for people of all races, the ACLU-CT believes that we must address racism in all its forms. Discrimination against natural Black hair and protective hairstyles is as old as this country,¹ but recent years have seen a rash of discrimination against Black people for wearing such hairstyles, both in Connecticut² and across the country.³ This kind of racism often appears in workplaces⁴ and schools.⁵

¹ See, e.g., Chante Griffin, "How Natural Black Hair at Work Became a Civil Rights Issue." JSTOR Daily (Jul. 3, 2019), available at <https://daily.jstor.org/how-natural-black-hair-at-work-became-a-civil-rights-issue/>.

² See, e.g., "Wrongful Termination Suit Filed by AutoZone Employee." Linesch Firm (Dec. 2, 2014), available at <http://www.lineschfirm.com/news/wrongful-termination-suit-filed-autozone-employee/>; Ashley L. Marshall, "Hairstyle Biases: What Employers Should Know about Hair and Race Discrimination." CBIA (Mar. 1, 2019), available at <https://www.cbia.com/news/hr-safety/hairstyle-biases/>.

³ See, e.g., Chante Griffin, "How Natural Black Hair at Work Became a Civil Rights Issue." JSTOR Daily (Jul. 3, 2019), available at <https://daily.jstor.org/how-natural-black-hair-at-work-became-a-civil-rights-issue/>.

⁴ See, e.g., Jena McGregor, "More States are Trying to Protect Black Employees Who Want to Wear Natural Hairstyles at Work." Washington Post (Sept. 19, 2019), available at <https://www.washingtonpost.com/business/2019/09/19/more-states-are-trying-protect-black-employees-who-want-wear-natural-hairstyles-work/>.

⁵ See, e.g., Janelle Griffith, "When Hair Breaks Rules: Some Black Children Are Getting in Trouble for Natural Hairstyles." NBC News (Feb. 23, 2019), available at <https://www.nbcnews.com/news/nbcblk/when-hair-breaks-rules-some-black-children-are-getting-trouble-n973346>.

Make no mistake, discrimination against natural hair and protective hairstyles is racial discrimination.⁶ Despite the clear bias at play, though, the U.S. Supreme Court has held that employer bans on protective styles are not racially discriminatory employment policies.⁷ The EEOC, though, recognizes that discrimination based on physical characteristics associated with race, including hair, is illegal racial discrimination.⁸ With confusion in federal employment standards, it is incumbent upon Connecticut to act, as other states have recently done.⁹

House Bill 6376 expands the existing definition of racial discrimination in Chapter 46a of the General Statutes to make it clear that discrimination against natural hair and protective hairstyles is racial discrimination. Expanding this definition will allow the Commission on Human Rights and Opportunities to investigate and adjudicate hair-based racial discrimination in many spheres, including employment, education, housing, public services, and more. Explicitly recognizing that discriminating against Black hair is no different than discriminating against Black skin is an important step to providing equity and equality for all people in Connecticut. Accordingly, the ACLU-CT supports House Bill 6376. We urge the Committee to support this bill.

⁶ See Venessa Simpson, “What’s Going on Hair? Untangling Societal Misconceptions that Stop Braids, Twists, and Dreads from Receiving Deserved Title VII Protection.” 47 *Southwestern L. Rev.* 265, 269-70 (Dec. 2017), available at <https://www.swlaw.edu/sites/default/files/2018-02/11%20Simpson%20PUBLISH%20READY%20%2812.29%29.pdf>.

⁷ See *id.* at 267.

⁸ EEOC Compliance Manual, “Section 15: Race & Color Discrimination.” EEOC (Apr. 19, 2006), available at <https://www.eeoc.gov/policy/docs/race-color.html>.

⁹ See The CROWN Act, available at <https://www.thecrownact.com/>.