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**Testimony Guide for House Bill 6948: An Act Concerning The Collateral Consequences Of Criminal Records On Housing Opportunities**

Thank you for supporting HB 6948, An Act Concerning The Collateral Consequences Of Criminal Records On Housing Opportunities. This bill would prevent discrimination based on criminal history and ensure that individuals with prior convictions are evaluated fairly for housing opportunities.

This packet includes:

* Instructions on how to register to testify, submit your testimony and find the speaker order on the day of the public hearing
* HB 6948 testimony template
* HB 6948 fact sheet

If you have questions about testifying on HB 6948, or any other ACLU of CT priority issues, please contact Gus Marks-Hamilton at [gmarks-hamilton@acluct.org](mailto:gmarks-hamilton@acluct.org) or (860) 961-3411.

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How to register to testify in a public hearing:

* [Go to cga.ct.gov](https://www.cga.ct.gov/default.asp)
* In **CGA Daily Records,** select [Bulletin](https://www.cga.ct.gov/asp/CGABulletin/Bulletin.asp)
* Below the [Connecticut General Assembly Bulletin](https://www.cga.ct.gov/asp/CGABulletin/Bulletin.asp) title, select **Public Hearings**

Select the Committee (for example, Housing Committee) and select **On-Line Testimony Registration Form**

* Fill in your information and submit the form
* Whether you selected to testify in-person or virtually, you will be emailed a Zoom link

How to submit written testimony:

* On the CGA homepage, select the **Committees** drop down menu at the top
* Select the Committee of the bill you are submitting testimony on
* In the **Contact** box, select **Submit Public Hearing Testimony**
* Fill in your information and upload your testimony (preferably as a PDF)

A screenshot of a computer

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How to find out where you are on the speaker list:

* On the CGA homepage, scroll to **CGA Schedule of Events**
* Select the event (a public hearing) that you are testifying in
* A pop-up window will show links to **YouTube**, **View Agenda**, and **View Testimony and Speaker Order**
* Select **View Testimony and Speaker Order**, then select **Click For Speaker Order**

A screenshot of a computer

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A screenshot of a homepage

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Legislative Testimony

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**Sample Testimony Supporting HB 6948: An Act Concerning the Collateral Consequences of a Criminal Record on Housing Opportunities**

Representative Felipe, Senator Marx, Ranking Members Sampson and Scott, and members of the Housing Committee:

1: My name is \_\_\_\_, and I am a resident of *[town]* and/or a member of *[organization].* I am here to testify in support of *[bill number],* An Act Concerning the Collateral Consequences of a Criminal Record on Housing Opportunities.

2: Explanation of how your personal values and/or personal story align with supporting housing access for people who have been involved in our criminal legal system. Some suggested value statements:

* Housing is a human right: everyone should have access to safe, affordable housing.
* Our communities are stronger when everyone has access to a safe home and the opportunity to succeed.
* I believe in a society where all people, including those who have been convicted or accused of a crime, have equal opportunity to contribute to society and build successful and fulfilling lives.
* People involved in our criminal legal system who finish their sentences have paid their debt to society. They deserve to live their lives in Connecticut’s communities without barriers to being safe, productive, law-abiding residents.
* All people in Connecticut have paid the price of mass incarceration, yet we cannot afford the cost.

**[*Tell your story in 1-5 sentences.* *Add a sentence about any advocacy or communities you represent.*]**

3: Facts and data supporting housing access: Feel free to reference the Collateral Consequences Fact Sheet in the toolkit or use some of the information below:

* In Connecticut, residents with a criminal record face over 550 legal barriers to meeting their basic needs, like access to housing, making it more difficult to reintegrate into society and support themselves and their families.[[1]](#footnote-1)
* Because people of color are disproportionately incarcerated, they similarly disproportionately face barriers ranging from background checks as part of rental and public housing applications, exclusion from fair housing law protections, eviction and housing forfeiture, and denial of rental or sale.[[2]](#footnote-2)
* *79 percent* of formerly incarcerated people have been denied housing due to a criminal conviction, and they are *10 to 13 times more likely* to experience homelessness than people who have not been incarcerated.[[3]](#footnote-3)
* 82% agreed that “people who have been convicted of a crime can turn their lives around and become productive members of our community if they can get the right kind of help.”[[4]](#footnote-4)

▫ 92% of Democrats ▫ 80% of Independents ▫ 71% of Republicans

* At the same time, policies that criminalize homelessness, like laws against loitering or panhandling, increase the likelihood that people with a criminal record will come into contact with the system yet again.[[5]](#footnote-5)
* Black women experience the highest rate of sheltered homelessness: *almost four times* *more* than white men and *two times more* than Black men.[[6]](#footnote-6)
* Stable housing is the base of ensuring successful reentry, yet our state makes it very difficult for people to actually obtain housing by constructing numerous collateral consequences related to housing.

**[*Add information about why you support this bill and why you felt the need to testify. Connect your personal story to the impact.]***

4: Conclude and ask for the committee to support the bill.

* The legislature must pass An Act Concerning the Collateral Consequences of a Criminal Record on Housing to eliminate barriers to housing for people living with a criminal record. Thank you for your time and consideration.

***[Please also send your testimony to your state representative and state senator. Find your representatives here:*** [***https://www.cga.ct.gov/asp/menu/cgafindleg.asp***](https://www.cga.ct.gov/asp/menu/cgafindleg.asp)***]***

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**House Bill 6948: An Act Concerning The Collateral Consequences Of Criminal Records On Housing Opportunities**

Prevents blanket housing discrimination based on criminal history, ensuring that individuals with prior convictions are evaluated fairly for rental housing opportunities.

**Key Requirements for Housing Providers:**

* Must not ask about criminal history or conduct background checks before making a conditional offer
* Cannot consider arrests without convictions, juvenile records, sealed/erased records, misdemeanors, or parole/probation violations that wouldn't be crimes on their own

**When Criminal History Can Be Considered:** After a conditional offer, only the following convictions can be considered:

* **Without Time Limits or Age Restrictions:** Murder, felony murder, trafficking in persons, sexually violent offenses including those against minors, and specific violent firearm offenses.
* **Felonies with Defined Time Limits and Age Restrictions:**
  + Felonies with 20+ year maximum term of imprisonment: If release was within past 5 years and the offense occurred after age 24.
  + Felonies with 5-20 year maximum term of imprisonment: If release was within past 3 years and the offense occurred after age 24.
  + Felonies with under 5 year maximum term of imprisonment: If release was within past year and the offense occurred after age 24.

**Why Use Maximum Sentences?** Using maximum sentences as a metric ensures fairness and clarity by building on the legislature’s established framework, avoiding the need to reinvent the wheel. This approach simplifies the process for housing providers, requiring only consideration of the maximum sentence for a felony offense and the release date, while eliminating the need for complex, offense-specific exceptions. It creates a consistent, objective standard for housing decisions while offering individuals a meaningful opportunity to rebuild their lives.

**Required Review Process and Individual Assessment**: If a qualifying conviction is found after conditional offer:

1. Housing provider must provide written notice that further review is needed
2. Applicant gets 5 business days to provide mitigating information
3. Housing provider must conduct individualized assessment considering:
   * Nature and severity of the crime
   * Relationship of crime to potential tenancy
   * Evidence of rehabilitation
   * Time elapsed since conviction

**Evidence and Response Opportunity:**

* Applicants can provide evidence including the facts and circumstances of the offense, age at time of offense, prior tenant history, current employment status, evidence of rehabilitation and good character, or any information showing the offense is unlikely to reoccur.
* Housing providers must issue written decision within 10 business days of receiving mitigating information.

**Unit Availability:** If unit is rented during review process and applicant is later approved:

* + Must offer any comparable available unit(s)
  + Must give applicant opportunity to lease an alternative unit

**Incentives for Landlords:** This bill incentivizes landlords to rent to formerly incarcerated individuals by granting limited immunity from liability in civil actions related to their decision to rent to such individuals or to forgo criminal background checks, while preserving tenants' protections against harmful conduct during the tenancy.

**Pathways for Remedies:** The Connecticut Commission on Human Rights and Opportunities will handle complaints related to housing discrimination based on criminal records, ensuring there are clear remedies for those who are wrongfully denied housing.

**Comparable Laws:** New Jersey, Cook County, Illinois (Chicago), and San Francisco have passed similar laws protecting people with criminal records from housing discrimination.[[7]](#endnote-1)

***Why We Need It***

Connecticut residents with a criminal record face over 550 legal barriers to meeting their basic needs, making it difficult to reintegrate into society and to support themselves and their families.[[8]](#endnote-2) Because people of color are disproportionately incarcerated, they similarly disproportionately face barriers ranging from background checks as part of rental and public housing applications, exclusion from fair housing law protections, eviction and housing forfeiture, and denial of rental or sale.[[9]](#endnote-3)

* 79% of formerly incarcerated people have been denied housing due to a criminal conviction, and they are 10 to 13 times more likely to experience homelessness than people who have not been incarcerated.[[10]](#endnote-4)

***Connecticut Voters’ Strong Support for Reducing Collateral Consequences[[11]](#endnote-5)***

* 74% support passage of a law prohibiting formerly incarcerated people from being discriminated against due to ­­their criminal record when it comes to housing.
* 82% agreed that “people who have been convicted of a crime can turn their lives around and become productive members of our community if they can get the right kind of help.”

▫ 92% of Democrats ▫ 80% of Independents ▫ 71% of Republicans

1. National Inventory of Collateral Consequences of Conviction, <https://niccc.csgjusticecenter.org/database/results/?jurisdiction=260&consequence_category=&narrow_category=&triggering_offense_category=&consequence_type=&duration_category=&page_number=1>; *see also* Kelan Lyons, *Council Begins Study of Discrimination Against People with Criminal Records*, CT Mirror (Aug. 22, 2019), <https://ctmirror.org/2019/08/22/council-begins-study-of-discrimination-against-people-with-criminal-records/>. [↑](#footnote-ref-1)
2. *Connecticut Profile*, Prison Pol’y Initiative (last visited Nov. 23, 2021), <https://www.prisonpolicy.org/profiles/CT.html>; Emily Widra & Tiana Herring, *States of Incarceration: The Global Context 2021*, Prison Pol’y Initiative (Sept. 2021), <https://www.prisonpolicy.org/global/2021.html>; Lucius Couloute & Daniel Kopf, *Out of Prison & Out of Work: Unemployment Among Formerly Incarcerated People*, Prison Pol’y Initiative (July 2018), <https://www.prisonpolicy.org/reports/outofwork.html>; David S. Kirk & Sara Wakefield, *Collateral Consequences of Punishment: A Critical Review and Path Forward,* 2018 Ann. Rev. Crim. 171 (2017), <https://niccc.nationalreentryresourcecenter.org/resources/collateral-consequences-punishment-critical-review-and-path-forward> (surveying collateral consequences literature); Michelle Natividad Rodriguez & Maurice Emsellem, *65 Million “Need Not Apply”: The Case for Reforming Criminal Background Checks for Employment*, Nat’l Employment L. Project (2011), <https://www.nelp.org/publication/65-million-need-not-apply-the-case-for-reforming-criminal-background-checks-for-employment/> (finding that approximately 65 million American adults with criminal records experience employment-related collateral consequences). [↑](#footnote-ref-2)
3. *Who Pays? The True Cost of Incarceration on Families*, Forward Together & Ella Baker Ctr. Hum. Rts (Sept. 2015),<https://forwardtogether.org/tools/who-pays/>; Lucius Couloute, *Nowhere to Go: Homelessness Among Formerly Incarcerated People*, Prison Pol’y Initiative (Aug. 2018),<https://www.prisonpolicy.org/reports/housing.html>; *Five Charts That Explain the Homelessness-Jail Cycle—And How to Break It*, Urban Inst. (Sept. 16, 2020),<https://www.urban.org/features/five-charts-explain-homelessness-jail-cycle-and-how-break-it>. [↑](#footnote-ref-3)
4. *Who Pays? The True Cost of Incarceration on Families*, Forward Together & Ella Baker Ctr. Hum. Rts (Sept. 2015),<https://forwardtogether.org/tools/who-pays/>; Lucius Couloute, *Nowhere to Go: Homelessness Among Formerly Incarcerated People*, Prison Pol’y Initiative (Aug. 2018),<https://www.prisonpolicy.org/reports/housing.html>; *Five Charts That Explain the Homelessness-Jail Cycle—And How to Break It*, Urban Inst. (Sept. 16, 2020),<https://www.urban.org/features/five-charts-explain-homelessness-jail-cycle-and-how-break-it>. [↑](#footnote-ref-4)
5. Lucius Couloute, *Nowhere to Go: Homelessness Among Formerly Incarcerated People*, Prison Pol’y Initiative (August 2018), <https://www.prisonpolicy.org/reports/housing.html>. [↑](#footnote-ref-5)
6. Lucius Couloute, *Nowhere to Go: Homelessness Among Formerly Incarcerated People*, Prison Pol’y Initiative (August 2018), <https://www.prisonpolicy.org/reports/housing.html>. [↑](#footnote-ref-6)
7. Justin Dorazio, *Strengthening Access to Housing for People with Criminal Records is Key to Successful Reentry*, Ctr. Am. Progress (Apr. 17, 2023), <https://www.americanprogress.org/article/strengthening-access-to-housing-for-people-with-criminal-records-is-key-to-successful-reentry/>. [↑](#endnote-ref-1)
8. *February 11, 2020 Meeting Minutes*, Council on the Collateral Consequences of a Criminal Record (Feb. 11, 2020), <https://www.cga.ct.gov/lab/tfs/20190827_Council%20On%20The%20Collateral%20Consequences%20Of%20A%20Criminal%20Record/20200211/CCCOaCR%20Minutes%2002.11.2020.pdf>; Duke Chen, *Felony Convictions and Employment*, Office of Legislative Research (Feb. 5, 2021), https://www.cga.ct.gov/2021/rpt/pdf/2021-R-0049.pdf?t=1637693662794. [↑](#endnote-ref-2)
9. *Connecticut Profile*, Prison Pol’y Initiative (last visited Nov. 23, 2021), <https://www.prisonpolicy.org/profiles/CT.html>; Emily Widra & Tiana Herring, *States of Incarceration: The Global Context 2021*, Prison Pol’y Initiative (Sept. 2021), <https://www.prisonpolicy.org/global/2021.html>; Lucius Couloute & Daniel Kopf, *Out of Prison & Out of Work: Unemployment Among Formerly Incarcerated People*, Prison Pol’y Initiative (July 2018), <https://www.prisonpolicy.org/reports/outofwork.html>; David S. Kirk & Sara Wakefield, *Collateral Consequences of Punishment: A Critical Review and Path Forward,* 2018 Ann. Rev. Crim. 171 (2017), <https://niccc.nationalreentryresourcecenter.org/resources/collateral-consequences-punishment-critical-review-and-path-forward> (surveying collateral consequences literature); Michelle Natividad Rodriguez & Maurice Emsellem, *65 Million “Need Not Apply”: The Case for Reforming Criminal Background Checks for Employment*, Nat’l Employment L. Project (2011), <https://www.nelp.org/publication/65-million-need-not-apply-the-case-for-reforming-criminal-background-checks-for-employment/> (finding that approximately 65 million American adults with criminal records experience employment-related collateral consequences). [↑](#endnote-ref-3)
10. *Who Pays? The True Cost of Incarceration on Families*, Forward Together & Ella Baker Ctr. Hum. Rts (Sept. 2015), <https://forwardtogether.org/tools/who-pays/>; Lucius Couloute, *Nowhere to Go: Homelessness Among Formerly Incarcerated People*, Prison Pol’y Initiative (Aug. 2018), <https://www.prisonpolicy.org/reports/housing.html>; *Five Charts That Explain the Homelessness-Jail Cycle—And How to Break It*, Urban Inst. (Sept. 16, 2020), <https://www.urban.org/features/five-charts-explain-homelessness-jail-cycle-and-how-break-it>. [↑](#endnote-ref-4)
11. ACLU of Connecticut, *Criminal Justice Poll*, Benenson Strategy Group (Sept. 25, 2018),<https://www.acluct.org/sites/default/files/field_documents/9.25.2018_aclu-ct_criminal_justice_topline_memo_9-25-18.pdf.> [↑](#endnote-ref-5)