



Legislative Testimony
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**Written Testimony Supporting House Bill 5712,
An Act Concerning the Connecticut Clean Slate Law**

Senator Bradley, Representative McGee, and distinguished members of the Housing Committee:

My name is Anderson Curtis, and I am a Smart Justice field organizer with the American Civil Liberties Union of Connecticut (ACLU-CT). I am here to testify in support of House Bill 5712, An Act Concerning the Connecticut Clean Slate Law and encourage the committee to strengthen the bill to help additional Connecticut residents.

The ACLU-CT believes in a society where all people, including those who have been convicted of a crime, have equal opportunity to contribute to society and build successful and fulfilling lives. Pervasive discrimination against people who are living with a criminal record, however, currently makes this unattainable.

People with a criminal record in Connecticut face more than 600 legal barriers to things like earning housing, jobs, and educations; applying for insurance and credit; and participating in public programs and services. In addition to these statutory barriers, the more than 40,000 people in this state who are living with a criminal record face discrimination based solely on their previous record of conviction.

Connecticut law currently does not provide for automatic erasure of any conviction, for any misdemeanor or felony, no matter how long ago they occurred. This means that employers, landlords, educational institutions, insurance companies, and others have access to people's criminal records at any time and can discriminate against someone for their entire life, even if they only had one minor conviction decades ago. This hurts formerly incarcerated people, their families, and their local communities and economies. It also makes all of us less safe:

the stability and support that come with safe housing, employment, and opportunity make it less likely that someone will reoffend.

One way to help end a lifetime of discrimination for people with criminal convictions is to allow for the sealing of criminal records after a certain amount of time if people do not acquire a new conviction. House Bill 5712 would prevent employers, landlords, educational institutions, insurance companies, and others from viewing information about misdemeanor convictions and certain felony offenses seven years after the date of a final judgment resulting in the person's conviction, taking a step in the right direction.

Though the ACLU-CT supports House Bill 5712, we encourage the committee to strengthen the bill by including all misdemeanor and felony convictions. We believe every person who has been convicted of a crime should have an equal chance to secure the housing, education, employment, and insurance they need to be productive and safe members of our society. We therefore do not believe there should be any distinction between people living with different types of convictions when it comes to the automatic erasure of records. Having the ability to move beyond my past, stay on the right track, and support myself and my family should not depend on what type of conviction is on my record.

Additionally, someone who has earned the right to return to society has already paid their debts under the law. The law should not impose an additional sentence by allowing them to face discrimination for years after they have earned the right to try to contribute to society. We encourage the committee to eliminate the arbitrary time period after which records are sealed, which the bill currently sets at seven years. In fact, eighty-five percent of Connecticut voters, including 85 percent of Democrats, 76 percent of Republicans, and 90 percent of Independents, support allowing people convicted of misdemeanors to have their criminal record erased if they go five years without a new conviction after they have been released from prison.

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. State law should not prevent them from getting that help. Reducing discrimination against people living with a criminal record means they would be more likely to have access to housing, employment, education, and other necessities. This is not only beneficial for those individuals and their families; it is

good for the public at large, and it makes it less likely that someone will reoffend. Having equal access to basic necessities allows people to support themselves and their families, stay on the right path, and be productive members of society.

The automatic nature of record sealing called for in this bill would be an important step to close what is known as the “second chance gap.” This phenomenon occurs when only a few people who are meant to benefit from a law actually benefit from it. Even when people have the opportunity to erase their records, they often do not know they can, do not know how, or are discouraged from doing so because of the confusing, lengthy, or costly process. Automatic erasure would ensure the most people benefit.

Passing this legislation would align Connecticut with thirty-one other states, as well as the District of Columbia and the U.S. Virgin Islands, which passed fifty-nine bills just in 2018 with the goal of reducing collateral consequences for people with criminal records. Last year alone, twenty states, including nearby Pennsylvania, enacted twenty-eight laws that limit public access to criminal records.

Like the ACLU-CT, the people of Connecticut believe that people living with a criminal record deserve a second chance. Eighty-two percent of Connecticut voters, including 71% of Republicans, agree that people who have been convicted of a crime can turn their lives around and become productive members of society if they can get the right kind of help. Connecticut will be safer, stronger, and fairer if our state passes a bill to limit public access to criminal records.

We urge the committee to strengthen and support House Bill 5712 to automatically seal criminal records seven years after a conviction of a misdemeanor and some felonies in an effort to end the lifelong discrimination faced by people living with a criminal conviction.