



Legislative Testimony
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**Written Testimony Supporting
House Bill 6921, An Act Concerning Discrimination
Based on a Person's Criminal History**

Senator Kushner, Representative Porter, and distinguished members of the Labor and Public Employees 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 6921, An Act Concerning Discrimination Based on a Person's Criminal History. We strongly encourage the committee to support this groundbreaking and critical bill in its full form.

The ACLU-CT believes 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 justice system who have paid their debt to society deserve to be able to live their lives in Connecticut's communities with the resources they need to live life to the fullest and to be law-abiding residents. Furthermore, when someone who is formerly incarcerated has a fair chance at earning a job, housing, and education, they are less likely to commit another crime. That makes us all safer and stronger.

When someone has earned the chance to be part of society, they have already completed their sentence and punishment. They have earned the right to try to be a productive part of our communities and to be judged based on who they are, not something that happened in their past. This bill would help to make that vision a reality for our state.

The best policy decisions are those based on evidence about what will make Connecticut stronger. Today, I am asking you to listen to the evidence and to listen to me, a justice-impacted person, when I tell you that this bill is good for people, communities, and the state of Connecticut as a whole. The evidence shows that when people who are living with a criminal record are given a fair chance to earn a job, find housing, get insurance, and

reintegrate into society, we can and will succeed. The nation's largest employer, the United States military, has found that enlistees with felony records are more likely to be promoted to sergeant than those with no conviction history, irrespective of other factors, including educational background. The problem is that most of us never get that fair chance to try for success.

Ninety-five percent of people who are incarcerated will return to society. When they do, in Connecticut, they will face more than 600 legal barriers to building a life for themselves and their families. Public and private landlords, educational institutions, insurance companies, most licensure boards, and other gatekeepers to society generally have the right to discriminate against prospective tenants, students, policyholders, and workers solely because of their criminal record. Some of us are even prevented from buying life insurance.

The consequences of this discrimination are bleak for individuals, our families, and our state as a whole. In a study by the state, formerly incarcerated people in Connecticut between the ages of 20 and 29 were 8 times more likely than average to die within a year of leaving prison. Because of legal barriers to employment and persistent stereotypes, the unemployment rate among formerly incarcerated people nationwide is 27 percent – six times the general unemployment rate in Connecticut. Economists estimate that the U.S. gross national product is reduced between \$78 billion and \$87 billion because so many formerly incarcerated job seekers are kept out of the workforce. Racial disparities in Connecticut's criminal justice system are also reflected later when people returning home from incarceration reenter the community. With Black and Latino men disproportionately incarcerated, we are disproportionately rejected when we return to our communities and seek to build a life worth living. The majority of incarcerated people are parents – meaning these barriers to reentry also harm our children when we return to society and cannot find safe housing or jobs to support our families. Despite the success I have experienced in the twelve years since I was released from prison, I dread having to explain my criminal record. As soon as I reveal my criminal history, I have experienced doors closing in housing and employment, and that experience does not dissipate with time.

The Connecticut General Assembly has taken steps toward stopping discrimination against formerly incarcerated people, but this bill presents the legislature with the opportunity to take a holistic approach. The Fair Chance Employment Act was an important step forward

for employment, but it did not address discrimination in areas like housing or insurance. The 2017 law to allow formerly incarcerated people to earn licenses to become barbers and hairdressers was a positive change, but people can still be denied licenses for things like veterinary work, nursing, dental health, substance abuse counseling, or funeral work, based solely on their criminal record. Despite progress in some housing areas, Connecticut still bans elderly people from being eligible to apply for or continue to live in public housing if they have been convicted of possessing certain drugs in the past two years, and there are no protections for formerly incarcerated people who are seeking private housing.

With this bill, Connecticut has a chance to do more. Rather than using a whack-a-mole approach toward stopping discrimination against the more than 40,000 people in our state who are living with a criminal record, Connecticut should take a proactive, bold step by passing this anti-discrimination bill. H.B. 6921 is the opportunity for Connecticut to prevent discrimination against someone based solely on their criminal record in employment, housing, public education and accommodations, insurance, credit transactions, government programs and services, and economic development programs.

Passing bills that reduce collateral consequences for people with criminal records is the right thing to do, and the vast majority of Connecticut voters support it. Fully 74% of Connecticut voters support the legislature passing a law that prohibits formerly incarcerated people from being discriminated against due to their criminal record in things like housing, employment, and insurance. This support includes 55% of Republican voters, 73% of Independents, and 88% of Democrats. Connecticut residents know that redemption is possible, and a person's record of arrest or conviction alone does not tell you whether they will be a good neighbor, employee, or insurance policyholder.

Like the ACLU of Connecticut, 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 protects people from being discriminated against solely based on their criminal record.

We all want safe communities, and this is a public safety bill. When someone who is formerly incarcerated has a fair chance at earning a job, housing, and education, they are less likely to commit another crime. That makes us all safer and stronger. Some people say, “don’t do the crime if you can’t do the time.” How does that time mean anything when you can still face punishment after you have completed it? Perpetual punishment is counterproductive to public safety and community health and well-being.

Every person living with a criminal record, who has earned the chance to be part of society, should have an equal opportunity to build a successful and fulfilling life. This includes people who have been convicted of a misdemeanor or a felony, people who have been convicted of a violent or non-violent offense, people who are just beginning their reentry process, and people who have been in society for decades.

All people in Connecticut have paid the price of mass incarceration, yet we cannot afford the cost. On behalf of the ACLU of Connecticut, I strongly urge you to pass H.B. 6921, a critical bill to create a more just and equitable Connecticut.