



Legislative Testimony
765 Asylum Avenue, First Floor
Hartford, CT 06105
860-523-9146
www.acluct.org

Written Testimony Supporting House Bill 6528, An Act Concerning the Sealing of Eviction Records

Senator Lopes, Representative McGee, Ranking Members Polletta and Cicarella, and distinguished members of the Housing 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 in support of House Bill 6528, An Act Concerning the Sealing of Eviction Records.

As an organization that fights to ensure Connecticut residents are afforded the right to privacy, the ACLU-CT is committed to ensuring that private information that can be used to harm a person remains private absent significant countervailing public interests.

Information about unsuccessful and pending eviction suits against a person are certainly sensitive and private information. This type of information can be used to harm a person. For example, just having an eviction filed against a person, regardless of the outcome, is regularly used as a basis for denial of rental opportunities.¹ The effects do not stop at housing, but can domino to include job loss, health issues, financial difficulties, and homelessness.² This harm is not equally distributed across Connecticut renters. Instead, Black women bear the brunt of evictions, facing evictions at twice the rate of white renters.³ Evictions

¹ See, e.g., Paula A. Franzese, "A Place to Call Home: Tenant Blacklisting and the Denial of Opportunity." *Fordham Urban Law Journal*, 2018, *available at* <https://ir.lawnet.fordham.edu/cgi/viewcontent.cgi?article=2732&context=ulj>.

² Sophie Beiers, Sandra Park & Linda Morris, "Clearing the Record: How Eviction Sealing Laws Can Advance Housing Access for Women of Color," ACLU, Jan. 10, 2020, *available at* <https://www.aclu.org/news/racial-justice/clearing-the-record-how-eviction-sealing-laws-can-advance-housing-access-for-women-of-color>.

³ See Peter Hepburn, Renee Louis & Matthew Desmond, "Racial and Gender Disparities Among Evicted Americans." *Social Science*, Dec. 2020, *available at* <https://sociologicalscience.com/articles-v7-27-649>; *see also*

inflict harm on the same gender and race lines that underlie systemic misogyny and racism.⁴ In addition, up to 7.4% of Connecticut eviction records are inaccurate or misleading.⁵ When information about a person is sensitive, damaging, systemically racist, and unreliable, it just makes sense to limit the availability of that information.

In the case of unsuccessful or pending eviction suits, we believe that the public interest is, generally, not important enough to require widespread dissemination of this information to the tenant's detriment. In cases where there is a legitimate public interest, House Bill 6528 provides for unsealing upon a showing of good cause, including newsworthiness.

In our view, the exceptions provided in House Bill 6528 create sufficient opportunities for unsealing in the case of significant public interest, while the standard rules protect the privacy of people whose unproven evictions, if public or commercialized, could significantly harm them in the future. For these reasons, the ACLU-CT supports HB 6528 and requests this Committee to do the same.

Sophie Beiers, Sandra Park & Linda Morris, "Clearing the Record: How Eviction Sealing Laws Can Advance Housing Access for Women of Color," ACLU, Jan. 10, 2020, *available at* <https://www.aclu.org/news/racial-justice/clearing-the-record-how-eviction-sealing-laws-can-advance-housing-access-for-women-of-color>.

⁴ Sophie Beiers, Sandra Park & Linda Morris, "Clearing the Record: How Eviction Sealing Laws Can Advance Housing Access for Women of Color," ACLU, Jan. 10, 2020, *available at* <https://www.aclu.org/news/racial-justice/clearing-the-record-how-eviction-sealing-laws-can-advance-housing-access-for-women-of-color>.

⁵ Adam Porton, Ashley Gromis & Matthew Desmond, "Inaccuracies in Eviction Records: Implications for Renters and Researchers." *Housing Policy Debate*, Jul. 28, 2020, *available at* <https://www.tandfonline.com/doi/full/10.1080/10511482.2020.1748084>.