



Greater Hartford Legal Aid

**Written Testimony of Attorney Alexis N. Highsmith, Greater Hartford Legal Aid, Inc.  
In Support of S. B. No. 1151, An Act Concerning Pardons.**

March 21, 2011

Connecticut's Legal Services Programs support S.B. 1151, which provides that a provisional pardon issued by the Board of Pardons and Paroles ("Board") shall automatically become an absolute pardon if a person is not convicted of another crime during a specified time period.

I am an attorney at Greater Hartford Legal Aid, a legal services program providing free legal services to low-income residents in and around Hartford County. My office represents formerly incarcerated persons in a variety of civil matters. One of my core responsibilities is to represent ex-offenders applying for an absolute pardon (expungement) of their criminal record. My clients are individuals who have stayed out of trouble for some time and made positive contributions to their families and communities. The primary reason that most of my clients apply for a pardon is to help secure employment. The use of criminal background checks has become an increasingly common practice amongst employers during the hiring process. A criminal record often serves as an insurmountable obstacle to obtaining employment. As a result, many ex-offenders remain unemployed for extended periods of time, unable to provide financially for themselves and their families.

While some ex-offenders are able to find work, many are left with no employment options. For those who are not employed, they may choose to enroll in school or participate in other licensing or certification programs. Whether employed or not, many ex-offenders rely on the pardons process as an avenue to fully leave their criminal history behind and secure a bright future. For some pardons applicants, not enough time has passed since their criminal history while others have not demonstrated enough rehabilitation in the form of employment, education, or other contributions to the community. In these cases the Board may award a provisional pardon.

A provisional pardon is an initial step in moving forward from one's criminal history. While a provisional pardon does not erase one's record, it does demonstrate the Board's recognition that the individual has made efforts to rehabilitate herself and move beyond her criminal history. The Board awards provisional pardons in circumstances where it believes the individual applicant will further achieve their rehabilitation through employment. The Board considers the interest in public safety and the protection of property when granting an applicant a provisional pardon, confirming that the Board would not grant a provisional pardon to someone with the potential to harm others or property. By converting a provisional pardon to an absolute pardon, the Board asserts its satisfaction that the individual has fully rehabilitated themselves.

Currently, the Board may accept an application for a pardon, three years after an applicant's conviction of a misdemeanor or violation and five years after an applicant's conviction of a