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**Testimony of the City of New Haven
Submitted to the Judiciary Committee**

In Support of
**S.B. No. 453 (RAISED) AN ACT CONCERNING CERTIFICATES OF RELIEF FROM
BARRIERS RESULTING FROM CONVICTION OF A CRIME**

Submitted by
Amy Meek, Re-Entry Coordinator, City of New Haven
March 23, 2012

Good morning, Senator Coleman, Rep. Fox, and distinguished members of the Judiciary Committee. Thank you for the opportunity to speak before you today. My name is Amy Meek and I am the Coordinator of the City of New Haven's Prison Reentry Initiative. Launched in 2008, the Prison Reentry Initiative works with community partners, state agencies and other reentry stakeholders to support the reintegration of formerly incarcerated residents into the New Haven community.

I appear before you today in support of proposed bill S.B. 453, which proposes to make important reforms to the provisional pardon program. This bill would rename provisional pardons "Certificates of Relief from Barriers" (CRBs), clarifying their purpose and legal effect. The bill would also expedite the application process and expand CRBs to remove barriers to subsidized housing as well as to employment.

The Reentry Initiative provides information and advocacy to hundreds of individuals with criminal records each year who seek assistance overcoming the barriers they face in obtaining lawful employment, affordable housing, and other measures of productive citizenship. We help individuals compile pardons application packages and conduct trainings on the pardons system in Connecticut. Based on these experiences and on research on other states' pardons systems, I've concluded that this bill would help to remedy several deficiencies in Connecticut's current system of provisional pardons.

The reforms proposed in S.B. 453 are similar to measures that have been successfully implemented in two other states, New York and Illinois, where individuals with criminal convictions can apply for Certificates of Relief from Disabilities and Certificates of Good Conduct. In New York, courts can issue these certificates at the time of sentencing, which may prevent individuals from forfeiting licenses or employment. In both states, these certificates may be issued to reduce barriers to housing and other areas of need, as well as for employment purposes.¹

The proposed bill would remedy one major deficiency in the current provisional pardons process, which is that it takes far too long to be effective in helping returning residents to rehabilitate themselves through employment. The applications process for a provisional pardon is the same as that for a full expungement pardon, meaning that prospective applicants must spend several months obtaining official records, writing essays, and collecting letters of recommendation. The volume of these lengthy applications submitted to the Board of Pardons and Paroles means that applicants generally wait a year after submission before they receive a response. While this kind of time-consuming, deliberative process may be sensible for the weighty decision to

¹ See, e.g., The Bronx Defenders, *The Consequences of Criminal Proceedings in New York State: A Guide for Criminal Defense Attorneys and Other Advocates for Persons with Criminal Records* (February 2010).

fully expunge someone's record, these kinds of delays are counterproductive in issuing a provisional certificate that does not block anyone from viewing the criminal convictions on someone's record.

If provisional pardons are intended to assist applicants in rehabilitating themselves through employment, they should be issued as soon as possible after release, during the period when the risk of recidivism is highest and stable employment has the largest impact on reducing recidivism. For example, an October 2008 study by researchers at the Urban Institute affirmed that individuals who were employed and earning higher wages after release from prison were less likely to recidivate in their first year out.² In Connecticut, recidivism rates dramatically decline once an individual has been out for more than 6 months.³ With current processing and application times, however, it is virtually impossible for individuals to obtain provisional pardons to assist with employment in their first year after release, the period when they need it most.

The proposed bill would remedy this issue by enabling the Board to grant CRBs to applicants, where appropriate, at the time of granting parole or probation. While the CRB could be revoked for violations of probation or parole, it would help reduce recidivism by reducing barriers to employment that reentering residents face in their first year after release. The bill would also allow courts to grant CRBs at the time of sentencing for less serious crimes. These remedies could potentially reduce the volume of pardons applications before the Board, and thus the administrative burdens of processing them.

By expanding CRBs to cover subsidized housing as well as employment, the proposed bill also helps to reduce another important barrier to reintegrating formerly incarcerated residents. I work with many individuals who find it nearly impossible to obtain affordable housing, even with an income, because they are raising children, on disability, or elderly. While these individuals would normally qualify for federally subsidized housing, they face barriers because of their criminal records. I helped the Housing Authority of New Haven to develop a pilot public housing program with twelve spots for applicants who normally would be rejected on the basis of their records. Although the program has been very successful, the need for affordable housing is overwhelming, and over 100 names have been added to the waiting list.

The U.S. Department of Housing and Urban Development (HUD) has begun to recognize these barriers and the impact they have on recidivism, given the research showing that formerly incarcerated persons who cannot find stable housing are more likely to recidivate. In June 2011, HUD Secretary Shaun Donovan wrote to public housing authorities across the country to urge them to offer a second chance to applicants with criminal convictions who can show evidence of rehabilitation. CRBs issued for the purposes of reducing barriers to housing would be valuable evidence of rehabilitation for individuals seeking stable housing and would be likely to reduce recidivism rates as a result.

In conclusion, I support S.B. 453's proposal to improve the current provisional pardons system by establishing Certificates of Relief from Barriers in Connecticut.

Thank you for your time and consideration of this issue.

² Christy Visser, Sara Debus, and Jennifer Yahner, *Employment after Prison: A Longitudinal Study of Releases in Three States*, Urban Institute Justice Policy Center (Oct. 2008), available at <http://www.urban.org/publications/411778.html>.

³ State of Connecticut Office of Policy and Management, Criminal Justice Policy and Planning Division, *2010 Annual Recidivism Report* (February 2010), available at http://www.ct.gov/opm/lib/opm/cjppd/cjresearch/recidivismstudy/2010_0215_recidivismstudy.pdf.