

Senator Coleman, Representative Tong and distinguished members of the committee, I am here today to voice my reservations about Senate Bill 952, an Act Concerning a Second Chance Society.

My name is Chandra Bozelko and I am a resident of Orange and a Princeton graduate. This coming Tuesday will mark one year since my release from York Correctional Institution in Niantic. I served six years, three months and eleven days in the prison for nonviolent crimes that remain on appeal. I am probably the only person with a criminal record who will speak against this bill today.

While I was at York, I authored several articles on prison life and published a book entitled Up the River Anthology. I also had a newspaper column, Prison Diaries, which is now a blog. I sent every member of the committee a postcard about the blog earlier this year. I have published several opeds on justice reform including one I am attaching here that was published last October on the R.E.D.E.E.M. Act, a federal bill similar to portions of the Act Concerning a Second Chance Society being heard today.

I disagree with an Act Concerning a Second Chance Society for several reasons but I will list four of them today.

First, a real second chance society would fold in ex-offenders regardless of their record. I am not opposed to the expedited pardons portion of the bill because it is formalized redemption.

I am opposed to it, however, because it teaches ex-offenders that they can and should hide their pasts. Public health studies have shown that a staggering number of women – and men – in prison were sexually abused as children. It is a trauma that causes them to self-medicate with drugs so that they can keep the secret of their victimization. As I wrote in my oped, for abused people, it is the secrets that are the problem, not what has been exposed.

Second, the automatic pardon relief, while questionable to me in its benefit, comes too late for most ex-offenders. According to the state's most recent recidivism report, 56% of ex-offenders were rearrested within two years. I fail to see what the

benefit of an expedited pardon and expungement after five years will do to reduce recidivism.

Third, as someone who has re-entered society, I went through the job application process with a criminal record. To conduct employee background checks, the employer retained a private company that provided a copy of my record. Under the proposed bill, there is no provision for how to handle the cottage industry of background check companies, businesses who have paid for and sell criminal histories. Will each company be court ordered not to use information that it has paid for and sells? How will this be implemented? If passed, this bill will eradicate public records of conviction for nonviolent offenders after 5 years, but the private records will remain to bar people from employment.

Fourth, the benefits of the bill are conferred mostly on non-violent offenders. When Governor Malloy repealed a portion of the parole statute in 2013 and singled out violent offenders, the effect of the bill was exactly opposite of what the Governor intended in that the law ended up practically eliminating parole supervision for violent offenders.

Governor Malloy and his Undersecretary for Criminal Justice Policy and Planning, Michael Lawlor, have touted supervision as the means to reducing recidivism. Yet, in their quest to assure that no violent offender ever gets a break, they ended up passing a law that threatens public safety by reducing parole supervision. I and another inmate, Mary Ames, penned an oped on this subject in 2013.

In my six-plus years in Niantic, I found that many women who were convicted of violent crimes had no violent tendencies at all. Their crimes were the result of extreme emotional disturbance; their recidivism rate is lower than that of non-violent offenders. Ninety-five percent of inmates will be released to society, regardless of the nature of their crimes. I doubt we want to establish an "Only Chance" society for them which is what this bill does. There is no road trip to reform that doesn't bring violent offenders along for the ride.

I think that the framers of the bill have not consulted with enough ex-offenders to formulate a policy that will work to reduce recidivism and thin out the prison population. The bill needs to be reworked.

This is not to say that I do not applaud Governor Malloy and this committee for tackling a touchy subject. Justice reform is difficult. But we will not get many chances to create a Second Chance Society. We need to do this right.

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“R.E.D.E.E.M. Act Belies Redemption” by Chandra Bozelko

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In May, the European Union's highest court made it easy for ex-offenders to continue their lives without shame. The court ordered Google to delete any online evidence of the checkered pasts of European citizens — from bank robbery to bankruptcy to beating one's wife or children — who want to exercise their "right to be forgotten." As an unemployed ex-con released back into society six months ago, I see benefits to the policy, but I think it goes too far, mostly because the right to have my past forgotten takes away my right to be redeemed.

United States Senators Cory Booker and Rand Paul are trying to introduce a form of the European right to be forgotten stateside in their new Record Expungement Designed to Enhance Employment (R.E.D.E.E.M.) Act, a bill that would effectively expunge federal non-violent criminal records by sealing them from view of employment background checks. The senators swear that sealing criminal records will untrap ex-offenders from cycles of poverty and

incarceration by enhancing their chance to get a job, thereby reducing recidivism.

The only way to help ex-offenders get jobs is to cultivate trust in employers by showing them examples of ex-offenders who succeeded even after acknowledging their pasts. Americans love to kick criminals, but more than that we love comebacks. And you can't come back unless you've gone.

Well before the European court codified the right to be forgotten, Belgium and German courts were already expunging records automatically after a three-year period for cases that resulted in prison terms of less than six months or fines under 500 euros, according to The Telegraph. They see a "fresh start" as part of the rehabilitative process. Still, after eliminating the electronic paper trail of a person's crime, approximately 44 percent of ex-cons in Germany reoffend, according to a study out of Gottingen University earlier this year. Apparently there is something else at work in an ex-cons mind that no amount of online deletions and forgetfulness can touch.

Principled society can hide criminal records from the public's gaze all day long. The senators' proposed law fails to recognize that it's the private records that remain in an ex-offender's memory that disable his or her internal compass. Remember that many criminals began their careers as victims, and then turned self-medicating with drugs to avoid confronting their traumas. In short, it's their heads, not the Web, that make ex-offenders reoffend. The secrets are the problem, not what has been exposed.

Even if ex-offenders avoided discrimination and scorn by being able to hide their pasts from either background investigation companies or TMZ, they would not only menace themselves with unresolved guilt and shame, they would also be unable to share the pride of their successes. Just like there is no rebound without a missed shot, no bounce without a backboard and no rally without a rock bottom, there can be no redemption without the

acknowledgment of the fall. A phoenix who doesn't die before he rises is just a pigeon.

Besides, deleting and sealing pasts would turn a life like mine into a secret that would rob me of my narrative. How would I account for six years of my life? Incarceration in a Connecticut prison after being convicted of 14 white collar financial crimes transformed me so profoundly that I must reference my life behind bars when I interact with people. In short, you can exonerate me, eject me or even exemplify me, but you can never expunge me or what the penal experience did to my spirit.

The proposed let's-forget-this-ever-happened law of Senators Booker and Paul is innovative, noble and seems sorely needed, as the bias against ex-offenders is extremely strong.

But the R.E.D.E.E.M. legislation is just a vanishing act that tricks people into thinking that a bad past can never be part of a future triumph.

Creating a world where the past is forgotten and everyone's track records are straight and narrow is attractive to everyone, not just the accused or the convicted. But by rejecting the R.E.D.E.E.M. Act and the right to be forgotten we might rise to another level of rights and human understanding: the right to be forgiven, even by ourselves.

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