

-YALE COLLEGE- DEMOCRATS

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Testimony of Yasmin Barak Eriksson

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Legislative Coordinator of the Yale Undergraduate Prison Project

In favor: H.B. No. 5237
An Act Concerning Fair Chance Employment

Bill No. 5237 introduced by the Labor and Public Employees Committee is particularly important to me as a resident of Connecticut and of New Orleans. Louisiana not only has one of the highest incarceration rates in the country, but more than 80% of defendants in New Orleans cannot afford a lawyer or do not have the means to represent themselves. Not only did one of my mom's closest friends have to wait over a month in jail before her trial, but she pleaded guilty to a crime that was out of self defense, simply because she was afraid of the potential twenty year sentence she could have been given if she did not agree to the plea. Once she is out of jail, she will have to admit to her former incarceration on job application forms. People are often coerced into taking a plea bargain despite their innocence to avoid harsher sentences that will often be carried out if someone exercises their right to trial. Innocence is therefore very difficult to prove, especially for those who cannot afford a private attorney.

From my own childhood experiences, I understand the disappointment that arises when the very institutions that are meant to protect you and operate according to constitutional law, are unreliable and unpredictable. Growing up in New Orleans, I have had friends who were incarcerated either for minor misdemeanors or for self-defense crimes. Their difficulty finding employment later has led to financial instability and often emotional distress.

One of the organizations my mom has worked with is Resurrection after Exoneration. The members' stories about what it was like living on death row for decades before being found innocent were astonishing. There are a lot of misconceptions about formerly incarcerated members of society, which lead to the unconscious bias ingrained at a systemic level. Not only are people wrongly convicted and often given harsher sentences than deserved due to the plea bargain system, but poverty, lack of access to quality education, mental health and disenfranchisement play important roles in committing crimes. In my work with the Yale Undergraduate Prison Project, I have witnessed the way all these factors contribute to incarceration here in Connecticut. The "ban the box" bill would ensure that employers don't deny an applicant due to his or her criminal background, rather than looking at other qualifications. This would ultimately give employees a second chance to prove that they can lead productive lives. The ban-the-box bill has already been implemented successfully in New Haven so it is time equal opportunity is enforced statewide.