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**Written Testimony Supporting Senate Bill 430,
An Act Concerning Employment Following An Arrest, Criminal Charge Or
Conviction And Equal Employment Opportunity Commission Guidance**

Senator Coleman, Representative Tong, and members of the Judiciary Committee. My name is David McGuire, and I am the Legislative and Policy Director for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in support of Senate Bill 430, An Act Concerning Employment Following An Arrest, Criminal Charge Or Conviction And Equal Employment Opportunity Commission Guidance with a recommendation that the committee also support sister legislation, House Bill 5327, An Act Concerning Fair Chance Employment.

The ACLU of Connecticut strongly believes in justice and equality for all. We therefore support this bill because it would require employers to adhere to recent guidance issued by the federal Equal Employment Opportunity Commission (EEOC). Many employers in Connecticut automatically screen out applicants who check the box indicating they have a criminal record on initial applications, making it extremely challenging for people with criminal records to successfully reintegrate into society. Because racial minorities are nearly three times more likely to have a criminal record than their white peers, discriminatory hiring practices based on criminal record also disproportionately harm African Americans and Latinos. To address this discrimination, the EEOC, the federal government agency that enforces anti-discrimination laws, issued guidance on the use of arrest and conviction records in employment decisions. The guidance *recommends* that employers adopt a ban the box policy. The Connecticut Commission on Human Right and Opportunities already follows the EEOC's guidance on disparate impact but the passage of this bill would be significant because it would put Connecticut employers on notice about the EEOC guidance.

We also strongly urge the committee to support House Bill 5237, the Fair Chance Employment Act, which would *mandate* that most employers ban the box. Connecticut was one of the first states to pass a ban the box law for state employment but this bill would apply to private employers, as well. Holding more employers to the same standard and pushing questions about criminal background to later in the hiring process is not only the right thing to do; it is the most effective and enforceable. If passed, The Fair Chance Act will help to mitigate racial disparities in our criminal justice system, make Connecticut safer and more prosperous, and uphold the Constitution's promise of justice and equality for all.

At a time when one in three American adults has a criminal record and 95% of people in state prisons will be released, these two proposals are far-sighted bills that could change lives. For the above reasons, the ACLU of Connecticut urges you to support Senate Bill 430 and House Bill 5237.