



State of Connecticut

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Testimony

Senate Minority Leader Len Fasano

Judiciary Committee

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Raised Senate Bill No. 469 An Act Concerning Nonviolent Misdemeanor Drug Violations or Convictions

Senator Eric Coleman, Representative William Tong, Senator John Kissel, Representative Rosa Rebimbas and members of the Judiciary Committee, thank you for the opportunity to testify in support of Senate Bill No. 469 An Act Concerning Nonviolent Misdemeanor Drug Violations or Convictions.

I also thank the Committee for raising this bill, which seeks to:

- 1) provide automatic erasure of drug misdemeanors once certain conditions are met to remove barriers to employment; and
- 2) eliminate bond requirements for non-violent drug offenses.

This proposal is part of a compilation of proposals I'm developing and hoping lawmakers will pursue to combat poverty and unemployment in our state and strengthen our cities so that all people, no matter where they were born and no matter where they live, can embrace their right to opportunity in this great nation. Part of this approach to improve life in our urban centers must include justice reforms, especially reforms surrounding drug usage and the state bail system which pose unique and specific problems in our cities.

I believe we need to look at drug usage as a significant public health issue before automatically treating it as a criminal issue. We also have to identify ways to help people move forward with their lives and leave dangerous habits behind them. We have to give people hope and remove barriers to recovery, which is exactly what S.B. 469 strives to do.

S.B. 469 entails providing an automatic erasure of non-violent misdemeanor drug convictions after an individual has been clean for five years and has no other arrests during said period of time. Providing a clean slate provides greater opportunity for individual employment success and should help reduce the unemployment rate for those that might be classified as undesirable by employers as a result of the label attached to convictions.

The country's drug problem has left many capable individuals unemployable or underemployed due to their previous poor decisions with regard to drug use and a record that follows them wherever they go. There is no reason why someone that has been rehabilitated for an extended period of time cannot be

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given the opportunity to obtain a clean record which will assist them and their families as they move forward. Currently, it can take as many as two years to obtain a pardon from the Board of Pardons and Paroles. Current state law requires an individual to wait 3 years after the date of disposition for a misdemeanor conviction before they can apply for a full or provisional pardon. Further, the percentage of pardons granted is low.

Having a conviction on your record hampers your ability to market yourself and get a good paying job to support yourself and your family. By erasing a non-violent drug usage record, once an individual has shown that part of their life is behind them, we can remove an obstacle to employment. Unemployment rates are significantly higher in our cities than in other parts of our state. We should be working to do everything possible to reduce unemployment in these vulnerable communities. Eliminating barriers to employment must be part of that conversation.

S.B. 469 would also eliminate bond requirements for non-violent drug offenses that are not related to the selling of drugs. This would result in a reduction of unnecessary expenditures by the Department of Corrections and would enable non-violent, non-drug-selling individuals to remain out of jail to continue supporting their families until their trial. It is conceivable that for some families securing \$300 to get their loved one out of jail for a non-violent, non-selling drug offense is simply not a possibility. As a result, an individual may wait in jail for a significant period of time for trial. This time spent in jail equates to tax dollars being spent on an individual that has little flight risk and for whom their offense may be considered minor as compared to the cost of this interim incarceration. They could end up spending more time in jail as they await trial than the actual time required for conviction of their crime.

If an individual is put in jail for not paying their bail, their entire life is put at risk. They could lose their job, their family could lose a source of income or a care provider, and they could be placed in an environment that is not conducive to recovery for an extended period of time – all because they simply could not afford to pay. For individuals who are non-violent and do not pose a flight risk, our state can do better in a cost-effective and just manner.

Thank you for your time.



Len Fasano
Senate Minority Leader