

Government Administration and Elections Committee JOINT FAVORABLE REPORT

Bill No.: SB-256

Title: AN ACT CONCERNING RACIAL AND ETHNIC IMPACT STATEMENTS.

Vote Date: 3/9/2018

Vote Action: Joint Favorable

PH Date: 3/5/2018

File No.: 26

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SPONSORS OF BILL:

Government Administration and Elections Committee

REASONS FOR BILL:

Currently, under Joint Rule 15©(2) if a committee favorably reports a bill that would increase or decrease correctional facilities pretrial or sentenced populations, a majority of the committee members present may request a racial and ethnic impact statement. Beginning with the 2019 legislative session, this bill requires that a racial and ethnic impact statement be prepared at the request of any legislator.

RESPONSE FROM ADMINISTRATION/AGENCY:

State of Connecticut, Division of Public Defender Services, Deborah Del Prete Sullivan, Legal Counsel, Director: The Office of the Chief Public Defender supports this bill. The preparation of the racial and ethnic statements could provide valuable information as to how legislation impacts upon communities of color and identify any unintentional impact should the legislation be adopted.

State of Connecticut, Commission on Human Rights and Opportunities: Promulgating laws that do not discriminate against members of any protected groups is a laudable goal and CHRO supports this goal. Laws affecting education, the criminal code and a myriad of other topics can negatively impact one group more than others. It is important to know the impact of the laws that are passed to avoid unintentional consequences, especially when those consequences are frequently born by those with few or no resources to address them. While there may be a fiscal impact, any fiscal impact may be worth the cost to eliminate systemic discrimination.

Connecticut General Assembly’s Commission on Equity and Opportunity, Subira

Gordon, Executive Director: The commission supports SB 256 which allows any legislator to request a racial and ethnic impact statement on any bill. This would be an expansion from current and racial and ethnic impact statements that are limited in nature for pretrial or sentenced populations of the correctional facilities within matters of the Judiciary Committee. To limit this from having to be done on every single bill, we are suggesting that it is limited to the bills that have a joint favorable vote.

NATURE AND SOURCES OF SUPPORT:

Connecticut Voices for Children, Karen Siegel, M.PH. Health Policy Fellow:

Connecticut Voices for Children strongly supports this bill. Emerging evidence from the Commission on Fiscal Stability and Economic Growth suggest that racial disparities are a cause of this slow economic growth. Connecticut’s children of color experience significant disparities in school achievement, rates of involvement with the justice system and health care access and outcomes. For example, high school graduation rates are 14 percent lower for black students than for white. Further, the state’s white infants have the lowest mortality rates in the country while our Latino infants have one of the highest. It is critical to understand how changes to state policies impact communities with needs that are masked in state averages. SB 256 will help the General Assembly to create policies that expand opportunity for all families and children in our state and, in so doing bring our great state back to prosperity.

Connecticut Early Childhood Alliance, Merrill Gray, Executive Director:

The Connecticut Early Childhood Alliance supports SB 256. Decades after Elizabeth Horton Sheff and other parents sued the state about segregated schools, our schools remain largely segregated. Segregated not by explicit policies to keep children of color out of white schools, but by a structure of school systems based largely on town boundaries which, when combined with economic segregation, has the same effect. The original law that this bill modified, has had the impact of raising up the inequity in sentencing by race within our prisons. Allowing legislators to request an equity impact statement for a bill can help shed light on the many policies, intended or not, that have the effect of perpetuating inequity in Connecticut.

Alliance member organizations: AFCAMP, Alliance for Children’s Mental Health, Center for Children’s Advocacy, CHDI, Connecticut Legal Services, Connecticut Voices for Children, Connecticut Youth Services Association, Community Partners in Action, FAVOR, Life Bridge, NAMI Connecticut, Office of the Chief Public Defender, Office of the Child Advocate, RYASAP, The Village for Families and Children, True Colors

ACLU Connecticut, Kaley Lentini, legislative counsel for the American Civil Liberties Union

of Connecticut (ACLU-CT): The ACLU of Connecticut supports this bill. Providing all legislators the opportunity to seek a statement on the potential impact of their legislation on historically disadvantaged people would give elected officials the ability to better understand the nuances of the policies they are creating and to avoid unintended harms. SB 256 expands that option for legislators to any bill. This is important because many bills brought in the Judiciary Committee, may have a racial and ethnic impact of which many people are unaware. For example, bills regarding education, higher education, housing and public

safety may have a negative racial and ethnic impact on the state. This bill would enable legislators to craft better legislation that has a positive impact on all Connecticut residents.

Connecticut Juvenile Justice Alliance, Christina Quaranta, Director of Policy and Community Connections of the Connecticut Juvenile Justice Alliance: The Alliance supports SB 256. Juvenile justice is a racial justice issue and we feel strongly that the use of racial and ethnic impact statements for evaluation of a bill will help to view legislation in a racial and social justice lens. In Connecticut, black and brown youth are incarcerated at a much higher rate than their white peers. We are hopeful that with the use of REIS, when legislation is being examined, potentially harmful effects to youth of color can be avoided.

Health Equity Solutions, Tekisha Dwan Everette, Executive Director: Health Equity Solutions supports SB 256. Racial Equity Impact Statements (“REIS”) are useful and vital tools for evaluating how different racial and ethnic groups will likely be affected by a proposed action or decision and are used to minimize anticipated adverse consequences of policies. They are critical for preventing institutional racism and for identifying new options to remedy long-standing inequities. Legislators having the ability to request racial and ethnic impact statements for legislation, especially health legislation, can play a critical role in crafting and modifying legislation to address health disparities and health inequities, as well as addressing disparities in education, housing, employment and criminal justice.

Educators For Excellence-Connecticut, Justin Boucher, Executive Director: Educators For Excellence-Connecticut strongly supports SB 256. This bill would allow legislators to consider the ramifications of potential policies on communities of color to inform their decision making. It is essential that Connecticut lawmakers have this tool to evaluate the hidden impact of policies on our state’s most vulnerable populations. SB 256 has the potential to save the time and resources necessary to reverse the immediate and long-term consequences of those uninformed decisions.

Radical Advocates For Cross Founder of Radical Advocates -Cultural Education Clubsupports SB 256. PA 08-143 was passed. It had little impact on Connecticut because it was never used forcefully or effectively. Since then, the rate of incarceration for Connecticut’s African American citizenry has increased despite the rate of decarceration CT has experienced. Our schools have been unable to plan for and produce more equitable educational experiences for Black and Hispanic students because the laws that prescribe funding and the laws that mandate teacher and school district evaluation have failed to focus on or provide tailored solutions for minority students across the state. The racial inequity in our schools has not been addressed because a funding formula has not been created to address the issue. SB 256, to be effective will require funding, enforcement and a rigorous implementation plan.

Connecticut Citizen Action Group,(CCAG), Tom Swan, Executive Director: CCAG supports SB 256. It will strengthen legislator’s ability to demand an analysis of various proposals impact and is a constructive proposal to give us the tools to ensure we are not perpetuating our history of racism and moving towards a more just society.

Stratford, CT South End Club, Rene’ Marie Gibson, President: The Stratford South End Club supports SB 256 because it makes Racial Ethnic Impact Statements (REIS) a permanent part of the legislative process in our state. REIS will help lawmakers from making

unwarranted prison sentencing disparities against people of color. In addition, it is one more tool that legislators can use to help them make better decisions on behalf of their constituents, especially Black and Hispanic or people of color.

Elizabeth Brown, President Board of Education, Waterbury: Supports SB 256. She observes firsthand the existing inequities in education funding as well as the disproportionate impact of rules and regulations concerning chronic absenteeism, truancy and other laws related to discipline and criminalization of other types of altercations in school. The disproportionate number of people of color in the prison system is testimony to this fact. The fundamental question will be asked and answered, does the bill reflect our democratic values of fairness, equality and equity for all our citizens.

NATURE AND SOURCES OF OPPOSITION:

None Expressed.

Maureen O'Reilly

April 5, 2018