




**TESTIMONY OF THE CONNECTICUT FAIR HOUSING CENTER  
REGARDING H. B. 6921**

Members of the Committee, thank you for allowing me to provide testimony regarding H.B. 6921. My name is Fionnuala Darby-Hudgens. I work for the Connecticut Fair Housing Center (“the Center”), a statewide organization whose mission is to ensure that all Connecticut residents have access to the housing of their choice. In 2018, I served as an active member on the Reentry Working Group for the Connecticut Commission for Equity and Opportunity. While the Center supports prohibiting discrimination in housing based on a person’s criminal history, we cannot support this bill in its current form. The Center asks that this Committee look at H.B. 5712 and 5713, and S.B. 54 when deciding how to move forward. Those bills recommend that a housing provider be prohibited from looking at an applicant’s criminal record until after income and credit screening is complete. After all other tenant screening is complete, those bills recommend limiting the “look-back” period to 7 years since research shows that if someone has not reoffended in that time period, their likelihood of reoffending is the same as someone who has never had a criminal record.<sup>1</sup> The Center is happy to work with the Committee to draft appropriate language which addresses these concerns.

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<sup>1</sup>Alfred Blumstein and Kiminori Nakamura, “Extension of Current Estimates of Redemption Times: Robustness Testing, Out-of-State Arrests, and Racial Differences” (Washington: National Criminal Justice Reference Service, 2012), available at <https://www.ncjrs.gov/pdffiles1/nij/grants/240100.pdf>. 

In Connecticut, and across the country, individuals of color are disproportionately represented in our criminal justice system. The statistics from the Sentencing Project reveal that Black and Latino individuals are overrepresented in Connecticut's prison population when compared to white inmates by a margin of 10:1 for Blacks and a margin of 4:1 for Latinos.

Unfortunately, these disparities are reaching younger populations at alarmingly higher rates. In 2016, Connecticut Voices for Children reported that black students are arrested in school at a rate over four times higher than white students, and for Hispanic and Latino students at rates nearly three times higher than white students. These disciplinary arrests often lead to entry into the juvenile justice system, which increases the chances of recidivism into the adult criminal justice system.

The effects of arrest, conviction and incarceration do not end when the person is released from jail. A criminal record can follow someone for the rest of their lives. In a case currently being handled by the Center, a man in his twenties who is currently a quadraplegic was rejected from housing because of an arrest for a misdemeanor when he was in his teens and able-bodied. After the Center's intervention, this man was able to leave the nursing home where he was living and move in with his mother, a move that saved the State money and improved his physical and emotional health. If the landlord had simply taken the time to get additional information about our client's criminal history, he would not have spent months in a nursing home at great expense to the State of Connecticut and at considerable cost to his and his mother's emotional health.

Since, criminal records-based barriers to housing have a disproportionate effect on Black and Latino individuals and families, the U.S. Department of Housing and Urban Development released guidance in 2016 that requires housing providers to do an individual case-by-case assessment of all applicants' criminal background checks. The Center's recent investigations

into landlord screening criteria in communities throughout Connecticut revealed that this case by case screening does not always take place. In addition, the tenant selection policies of housing providers often create additional barriers to applicants with a criminal background. Specifically:

1. Housing providers often pay large data warehouse companies to screen applicants, and the information returned to the housing provider often does not include the nature of the criminal history, but simply suggests that there is a history of a criminal activity. This does not provide the housing provider with enough information to do a sufficient case by case analysis;

2. Recent fair housing testing in which a person who is African-American and a person who is white contacted housing providers both representing that they had similar criminal records revealed that the African-American tester was denied housing or treated differently than the White tester 56% of the time.

Prohibiting a housing provider from considering a criminal record before an offer of housing is made, will assist more Connecticut residents of color in obtaining the housing they need for them and their families.

Thank you for your consideration.