



Testimony before the Labor Committee of the Connecticut General Assembly
Submitted by Steven Hernández, Executive Director of the
Commission on Women, Children and Seniors (CWCS) &
Commission on Equity & Opportunity (CEO)
Tuesday, February 26, 2019

Re: In support of HB6921 “An Act Concerning Discrimination Based on a Person’s Criminal History”

Senator Kushner, Representative Porter, ranking & other distinguished members of the Labor Committee: My name is Steven Hernández, Executive Director of the Commission on Women, Children & Seniors; and the Commission on Equity & Opportunity. Thank you for the opportunity to provide testimony in support of HB6921 “*An Act Concerning Discrimination Based on a Person’s Criminal History*” on behalf of CWCS and CEO.

HB6921 would prohibit discrimination in employment, housing, public education and accommodations, insurance, credit transactions, government programs and services and economic development programs, based solely on a person's criminal history.

Criminal convictions come with consequences. Those consequences are generally described as a function of time, i.e., “Time in jail,” or “Time on probation.” A time honored part of our vernacular is “*if you can’t do the time, don’t do the crime,*” or conversely, “*Do the crime, do the time, and you’ll be redeemed*”— sadly that’s not what’s happening. For so many of our reentering population, post-incarceration discrimination can convert a sentence of a time certain, to a de facto life sentence.

As we have learned through our reentry work, returning to a productive and successful life in society after incarceration is tough for many reasons, not to mention the stigma that accompanies ex-felons the rest of their lives. Each conviction is also accompanied by financial sanctions, court-imposed fees and employment and/or housing discriminatory prohibitions, just to name a few, that can – and will – permanently entangle the formerly incarcerated long after they’ve served their time. The elephant in the room – of course – was our blighted history of mass



conviction and incarceration that contributed to racial disparities at every level of the criminal justice system.

As we work to remediate some of that past harm we have seen a turn in the numbers of people serving time in prison. In Connecticut, there has been a 32 percent reduction in the prison population since 2008, when the system held nearly 20,000 inmates. In January of this year, Connecticut's total prison population dropped to 13,228 which included 9,272 sentenced inmates and 3,401 pre-trial prisoners (keep in mind that blacks in CT are 9.4 times and Hispanics 3.9 times more likely to be incarcerated), among other groups and where the pre-trial population actually continues to increase each month – Connecticut is doing an excellent job ending mass incarceration but it also means that approximately 2,000 people with felony and misdemeanor convictions are leaving prison each month that will find themselves with barriers and discrimination in their horizon, thus making reentry much more challenging than it was to enter the criminal justice system in the first place. This is why we support enhancing discrimination protections to the formerly incarcerated and removing unnecessary barriers that make it harder for individuals with criminal records to turn their lives around.

Connecticut, in our opinion, can do a better job of helping people returning from incarceration to access safe, stable and affordable housing, as our Working Group to Study Housing Options for Persons Reentering the Community after Incarceration found in its recently released report entitled *Hope for Success: Returning Home*.

These recommendations underscore that smarter policies which protect against discrimination and provide housing solutions for the reentry population are a smart investment for all of us, resulting in increased public safety, reduced recidivism, and reduced healthcare spending.

A robust re-entry support system with anti-discrimination protections as recommended by HB6921 are not merely about people's subsistence, equity and justice, but rather it would reflect a society that values productivity, honors redemption, and the supports the success of everyone willing to work. What this means is providing a meaningful second chance for those who, in some cases, were never given a meaningful first chance to succeed.



Re: In support of Proposed HB5271, “An Act Increasing Sexual Harassment Prevention Training”

CWCS supports the purpose of this bill to increase sexual harassment prevention training. 44% of Americans say they have received unwanted sexual advances or verbal or physical harassment of a sexual nature. Approximately six-in-ten women (59%) say they have experienced this in the workplace. For these reasons, it is crucial to cultivate and reinforce an environment where harassment is not tolerated.

Those who have been subjected to sexual harassment in the workplace have experienced negative effects on their mental and physical health, reduced opportunities for on-the-job learning and advancement, and forced job change, unemployment, and abandonment of well-paying careers.

The Equal Employment Opportunity Commission recommends different approaches to training including increasing bystander-intervention training, so co-workers know how and when to intervene when they witness harassment. California has led this charge by mandating that all supervisory employees of the state undergo two hours of “classroom or other effective interactive training” every two years. In addition, California mandates that employers provide an informational brochure and develop a written sexual harassment policy that meets the requirements of Title 2 of the California Code of Regulations.

CWCS/CEO recommends that Connecticut follow this model and require all employees, including temporary employees, to complete at least two hours of training every two years to ensure a culture where sexual harassment is actively prevented.