State of Connecticut

DIVISION OF PUBLIC DEFENDER SERVICES

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COMMITTEE ON THE JUDICIARY
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H.B. No. 5019
An Act Concerning Fair Futures Following Erasure of Criminal Records.

Testimony of Christine Perra Rapillo, Chief Public Defender

The Office of Chief Public Defender supports *Bill 5019, An Act Concerning Fair Futures Following the Erasure of Criminal Records.* This proposal is a reasonable first step to eliminate the stigma that follows individuals with criminal convictions long after they have served their sentence.

This proposal provides for erasure of criminal records for most misdemeanor offenses after 7 years. Convictions for cannabis possession would also be erased. The Office of Chief Public Defender is, however, concerned that all family violence cases are exempted from this proposal. An individual would only be eligible for erasure 7 years after their last felony or misdemeanor convictions. An individual who is able to go seven years without a conviction should be presumed rehabilitated, regardless of the nature of their past misdemeanor convictions.

This proposal also allows the Commissioner of the Department of Emergency Services and Public Protection to waive the fee for criminal record information for individuals who are applying for a pardon. Difficulty in obtaining records is often cited as an issue by people trying to apply for a pardon. A fee waiver would remove a significant barrier for our indigent former clients as they seek a pardon.

Bill 5109 mandates education of the collateral consequences of a criminal conviction for the Board of Pardons and Paroles and establishes a reentry employment advisory committee within

the Department of Corrections. Individuals with criminal records, whether reentering from prison or finishing a term on probation face great hurdles s they try to integrate in to their communities. Everyone involved in the criminal justice system should be educated on these issues and work to alleviate the barriers that make it difficult for returning citizens to be successful.

This is significant legislation. It recognizes that individuals who have previously been convicted of a crime are able to rehabilitate and successfully integrate in to communities. Individuals from our poor communities are the most impacted by the criminal justice system. Convictions make it difficult to find housing, jobs or to climb out of poverty. Providing for automatic erasure after a set period of time, gives a person the opportunity to live, work and flourish unimpeded by the stigma of a past criminal record. The Office of Chief Public Defender supports the idea of automatic erasure of criminal records and would welcome the chance to work with this Committee and other stakeholders to create a fair and workable process to help individuals avoid recidivism in exchange for an opportunity to restart a better life with a clean record.