



Legislative Testimony  
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**Written Testimony Opposing House Bill 6529, An Act Concerning Housing Authorities and Establishing the Office of the Housing Advocate, Unless Amended**

Senator Lopes, Representative McGee, Ranking Members Polletta and Cicarella, and distinguished members of the Housing Committee:

My name is Kelly McConney Moore, and I am the interim senior policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in opposition to House Bill 6529, An Act Concerning Housing Authorities and Establishing an Office of the Housing Advocate, unless this bill is amended per our suggestions below.

The ACLU-CT believes that all people in Connecticut, including people who have a criminal record, have the right to safe and stable housing. People who were previously involved in the criminal legal system who have paid their debt to society have earned the ability to live their lives in Connecticut's communities free from discrimination that can impede their progress. Connecticut is stronger and safer when a person who is formerly incarcerated has a fair chance at accessing a job, housing, and education.

Yet at any given time, approximately 25 percent of the state's homeless population are also living with a criminal record.<sup>1</sup> The reasons for this appallingly high rate of homelessness among people with criminal records are complex and many, fueled in many ways by systemic racism, but discrimination by landlords, inadequate reentry services, and underfunded transition services upon a person's end of sentence are

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<sup>1</sup> Kelan Lyons, "Council Begins Study of Discrimination against People with Criminal Records." CT Mirror (Aug. 22, 2019), *available at* <https://ctmirror.org/2019/08/22/council-begins-study-of-discrimination-against-people-with-criminal-records/>.

contributors. Housing discrimination is particularly illogical, since recent research indicates that most criminal offenses have little to no impact on housing outcomes.<sup>2</sup> The effects of inadequate housing opportunities for people with records are significant. Without stable and safe housing, it can be difficult for people reentering society to obtain and keep employment. Lack of stable housing can also contribute to increased recidivism for people who are formerly incarcerated.<sup>3</sup> Clearly, people with records have specific and important needs around housing.

Despite that clear need, House Bill 6529 puts in place a background check provision for employees of housing authorities that is unnecessary, discriminatory, and ill-advised. Legislation that requires new background checks but does not explain what to do with that information creates a new collateral consequence to a criminal record – a barrier to full civil participation by people with records. Without guidance about what to do with background check results that include past convictions, housing authorities are likely to reject employees out of hand, even if the convictions are entirely unrelated to their work or happened many years ago. Implicitly creating this kind of blanket ban in this particular piece of legislation is not only discriminatory but actively harmful to the people that housing authorities are supposed to be serving. People with records deserve access to housing, and representation within a housing authority is one way to ensure that their unique needs are being considered and, hopefully, met. Excluding people with records from work that could help them help their peers is cruel and unnecessary.

The ACLU-CT does not take a position on the other provisions of this bill, but the background check provision and its implicit ban of people with records is both unjust and unwise. We urge this Committee to remove this requirement, especially since there is no evidence of any need to include it, before supporting this bill.

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<sup>2</sup> Cael Warren, “Success in housing: How much does criminal background matter?” Wilder Research, Jan. 2019, *available at* [https://www.wilder.org/sites/default/files/imports/AEON\\_HousingSuccess\\_CriminalBackground\\_Report\\_1-19.pdf](https://www.wilder.org/sites/default/files/imports/AEON_HousingSuccess_CriminalBackground_Report_1-19.pdf).

<sup>3</sup> See Patricia McKernan, “Homelessness and Prisoner Re-Entry: Examining Barriers to Housing.” Volunteers of America, *available at* <https://www.vo.org/homelessness-and-prisoner-reentry>.