

Higher Education and Employment Advancement Committee

JOINT FAVORABLE REPORT

Bill No.: HB-6228

AN ACT PROHIBITING INSTITUTIONS OF HIGHER EDUCATION FROM INQUIRING ABOUT A PROSPECTIVE STUDENT'S CRIMINAL HISTORY DURING THE ADMISSIONS PROCESS AND ESTABLISHING A PRISON

Title: EDUCATION PROGRAM OFFICE.

Vote Date: 3/4/2021

Vote Action: Joint Favorable Substitute

PH Date: 3/2/2021

File No.: 92

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SPONSORS OF BILL:

REPRESENTATIVE PORTER, 94TH DIST.
REPRESENTATIVE HUGHES, 135TH DIST.
REPRESENTATIVE MICHEL, 146TH DIST.

REASONS FOR BILL:

To improve access to higher education for people with a criminal justice record and improve the quality of education within the Department of Correction.

SUBSTITUTE LANGUAGE:

- Adds "Postsecondary" to the name of the Prison Education Program Office
- Lines 16-17: requires the office to report directly to the Commissioner of Correction
- Lines 50-53: requires the office to prioritize approval of an institution that has experience operating prison education programs and either (1) participates in the federal Pell Grant Program or (2) provides prison education programs at no cost to students
- Lines 65-67: requires the office's complaint process to address complaints about an institution's or the department's failure to provide necessary accommodations for student disabilities
- Lines 74-75: specifies that the office may only interfere with the selection of curricula or materials if they present "a clear physical threat" to a correctional facility's safety and security
- Lines 80-81: removes the requirement that institutions must provide financial aid information to students 45 days prior to the enrollment deadline; replaces it with any time prior to the enrollment deadline

RESPONSE FROM ADMINISTRATION/AGENCY:

Eulalia Garcia, District Administrator for the Department of Correction (DOC)

Testified and provided written testimony in opposition. The DOC believes that establishing a Prison Education Program Office is "premature, unnecessary and too prescriptive." The Department says it wants to wait for clarity from the US Department of Education on whether Pell Grants for inmates will resume in all states. The Department also says that it has been successful when mediating prior complaints, that "it must be allowed" to encourage courses which it deems will make student/inmates more employable, and community college partners would be unaware that many of those student/inmates have Post-Traumatic Stress Disorder (PTSD), which may be triggered course content.

NATURE AND SOURCES OF SUPPORT:

Andrew Clark, PhD, Director, Institute for Municipal and Regional Policy (IMRP), CCSU:

Dr. Clark presented his team's findings, along with a 105-page white paper and over 11 pages of undersignatories. They state that "deprivation of liberty is sufficient punishment in itself," and that when detained people retain all other human rights, outcomes significantly improve.

Dr. Erin S. Corbett, PhD, Founder, CEO, Second Chance Educational Alliance:

Dr. Corbett testified and submitted written testimony in support of the bill. She states that this bill is "long overdue", necessary, and "that there are no data indicating that enrolling people with conviction backgrounds decreases campus safety". She continues by describing the prison education system's in her view lack of unified support and standards, and how a Postsecondary Education Office of Higher Education would benefit students by placing administration of their education in the hands of people who are better qualified for the job.

Hartford Foundation for Public Giving (HFPG):

The HFPG submitted written testimony in support of the bill as part of their efforts to dismantle structural racism and improve the economic opportunities for Black and Latinx residents of the Greater Hartford region facing barriers to employment. They state we must be equally committed to ensuring access to education for incarcerated people as we would be for any other group. To do so results in better outcomes for formerly incarcerated people, as does removing the stigma of incarceration from the application process.

Kelly McConney Moore, Interim Senior Policy Counsel, American Civil Liberties Union of Connecticut (ACLU-CT):

ACLU-CT submitted testimony in support of the bill. They believe all people should "have equal opportunity to contribute to society and build successful and fulfilling lives." They continue, saying the state has "amassed over 550 barriers impeding people living with criminal records," and provide examples. They then explain that removing these barriers benefits not just the individuals affected by them, but society as a whole.

Cindy Prizio, Executive Director, One Standard of Justice:

Director Prizio submitted written testimony in support of the bill; identifying "as a member of a justice impacted family on both sides of the sexual offending issue." Her organization believes that educational opportunities provide people the chance to reach their potential,

while shedding shame, stigma, and an "'us vs them' mentality." She suggests changing bill language to remove "dehumanizing labels, ie. Inmate" in favor of "person-first language." She believes an independent administrator of the Prison Education Program Office will ensure that education is the priority, and if you "ban the box" it will level the playing field

Dieter Tejada, Founding President, Executive Director, National Justice Impact Bar Association (NJIBA) (1) (2) (3): Mr. Tejada presented and submitted written testimony in support of the bill. Item (1) is a white paper from NJIBA and the Law School Admission Council (LSAC), titled "Justice-Impacted Individuals in the Pipeline: A National Exploration of Law School Policies and Practices," which describes the results of a 2020 survey exploring how a criminal record impacts the law school admissions process. Item (2) is an infographic answering frequently asked questions posed to the Justice Impact Movement. Item (3) is Mr. Tejada's personal written testimony, discussing his support for the bill, barriers for people living with criminal records, and the results of item (1).

Mary Valdovinos:

Mary Valdovinos submitted written testimony in support of the bill. Mary is a resident of CT and formerly incarcerated person who has returned to school and is now a full-time student on the Dean's List. She believes her criminal record and experiences with addiction serve as both "stressor and motivator." She speaks highly of a mentor who also has a criminal past but succeeded in obtaining a law degree. She emphasizes that they are the kind of people whom you should consider could be missing out by not passing the bill, and that education leads to lower recidivism. By passing this bill, she says, you will also combat systemic racism and grant young people the chance to grow and learn from their mistakes. She concludes by explaining that passing this bill will not make campuses less safe.

Tiffany Williams:

Tiffany Williams submitted written testimony in support of the bill. Her fiancée is currently incarcerated, and access to higher education through Second Chance Education Alliance and Yale Prison Education Initiative. His ambition to achieve has not only improved his own life but is positively influencing those around him. Tiffany believes that education reduces recidivism and combats racial discrimination; however, criminal history inquiries during the admissions process discourage, and offer opportunity to discriminate against, people like her fiancée. "It can feel like being punished all over again."

Yale Justice Impact Movement:

The members of the Yale Justice Impact Movement submitted a list of frequently asked questions concerning justice-impacted people and higher education policies.

Additional Testimony

Testimony was offered by the following people in support of the law citing access to education as a critical component of reintegration for justice impacted people, and a counter to recidivism and systemic racism.

Eliya Ahmad

Tiheba Bain

[Richard Cardoso](#)

[Claire Chang, Student, Yale](#)

[Sherry Chen](#)

[Leah Cogguillo](#)

[Willa Ferrer](#)

[Grace Freedman](#)

[Timothy Gabriele](#)

[Zoe Hsu](#)

[Eui Young Kim](#)

[Alessandra Kim-Panero](#)

[Andrew Kornfeld](#)

[Eliza Kravitz](#)

[Isabella Marin](#)

[Grace Parmer](#)

[Eleanor Roberts, Student, Yale](#)

[Eli Roche](#)

[Reed Schwartz, Policy Director, Wesleyan Democrats](#)

[Natalie Smith](#)

[Crystal Wang](#)

[Danielle Wong, Member, Bloomfield Town Council](#)

[Alison Zerbib](#)

[Mirilla Zhu](#)

[Sydney Zoehrer, Student, Yale](#)

NATURE AND SOURCES OF OPPOSITION:

None expressed.

Reported by: Jeremy Salyer

Date: 03/12/21