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**Testimony of Frank J. Riccio II,  
President, Connecticut Criminal Defense Lawyers Association**

**Committee on the Judiciary – March 10, 2021**

**RE: Raised Senate Bill 1019 – AN ACT CONCERNING THE BOARD OF PARDONS AND PAROLES, ERASURE OF CRIMINAL RECORDS FOR CERTAIN MISDEMEANOR AND FELONY OFFENSES, PROHIBITING DISCRIMINATION BASED ON ERASED CRIMINAL HISTORY RECORD INFORMATION AND CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION WITH RESPECT TO MISDEMEANOR SENTENCES.**

Members of the Judiciary Committee:

The Connecticut Criminal Defense Lawyers Association, a statewide organization of over 350 criminal defense attorneys, supports RAISED SENATE BILL 1019 – AN ACT CONCERNING THE BOARD OF PARDONS AND PAROLES, ERASURE OF CRIMINAL RECORDS FOR CERTAIN MISDEMEANOR AND FELONY OFFENSES, PROHIBITING DISCRIMINATION BASED ON ERASED CRIMINAL HISTORY RECORD INFORMATION AND CONCERNING THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION WITH RESPECT TO MISDEMEANOR SENTENCES.

Of particular importance to the CCDLA is Section 3 of this proposal relating to the expungement of certain criminal convictions. CCDLA expresses its strong support of this portion of the bill, as it is necessary to undo the harm done in recent decades by mass incarceration and racially biased policing, conviction, and sentencing. Nearly half of all children have at least one parent who has a criminal record. A history of incarceration has the lifelong effect of locking people out of employment opportunities, housing opportunities, and even educational opportunities. A foolish act done as a young adult can cripple a person's life.

Raised Senate Bill No. 1019 would provide automatic expungement of the criminal record for all misdemeanors and for class C, D, and E felonies (excluding sex crimes and family violence) when a person who has been released from incarceration remains crime-free for a specified period of time. For misdemeanor offenses, the erasure takes place by operation of law seven years from the date of the conviction. A C felony would be expunged after 12 years and a D felony would be expunged after 10 years.



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This proposal It would apply retroactively, and it includes anti-discrimination provisions for those whose criminal records have not yet been expunged. All of these provisions are important so as to give the benefit of a "clean slate" to as many people as possible.

Additionally, subsection (f)(1) expunges by operation of law most misdemeanor convictions for certain individuals who committed when such person was under age 18 between 1/1/1999 and 7/1/2012. Subsection (f)(2) permits for the expungement of misdemeanor convictions for certain individuals who committed when such person was under age 18 before 1/1/1999 upon the filing of a petition with Superior Court for its erasure.

This bill will mitigate devastating impact that those arrested and convicted of certain criminal convictions, especially on our younger populations, indigent and people of color. Eliminating these convictions is quite beneficial as it will clearly assist those in battling the collateral consequences of such convictions which include their inability to obtain employment, education, housing or student loans. A person should not be condemned for poor decision making in their past. This bill gives hope for the future for our communities, providing an opportunity to make something of themselves with a clear history.