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TESTIMONY OF THE CONNECTICUT JUSTICE ALLIANCE

JUDICIARY COMMITTEE

S.B. 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.

IN FAVOR OF S.B. 1019 Requesting amendment to include erasure of juvenile records as outlined by Center for Children’s Advocacy in their testimony.

March 10, 2021

Senator Winfield, Representative Stafstrom, and members of the Judiciary Committee, my name is Christina Quaranta; I am the Executive Director of the Connecticut Justice Alliance. The Connecticut Justice Alliance (CTJA), formerly known as the Connecticut Juvenile Justice Alliance, is a youth/adult partnership, advocacy and public policy organization that works hand in hand with young people closest to the problem, as they are the ones closest to the solution. We refer to them as our Justice Advisors. Our Justice Advisors are young people primarily 18-25 that bring their lived, first or second hand experience, to our advocacy, and to our work.

Raised bill 1019 looks to automatically expunge the criminal records of returning citizens. We fully support this legislation as it will eliminate barriers to success individuals currently face in securing jobs, housing and education. Making expungement automatic will economic and class barriers people currently face (access to an attorney, understanding of the system, money to pay court and lawyer fees) when working to get their records expunged. The racial justice implications of mass incarceration are well understood. Automatic record expungement is one way Connecticut can take a positive racial justice step and eliminate life-long stigma faced by those with criminal records.

While this bill is a positive step, the Alliance asks the committee to consider an amendment developed by our colleagues at the Center for Children’s Advocacy, which would include expungement for juvenile records. Currently, although records of juvenile adjudications are confidential in the state of Connecticut, they may only be erased upon petition. We don’t want to see Connecticut inadvertently make it easier for a person to overcome an adult criminal record than it is to overcome a juvenile court record. Records of juvenile delinquency like criminal records, though confidential, still negatively impact youth. They are often accidentally or inadvertently reported, resulting in negative outcomes and the exclusion of these youth from educational or employment opportunities that would otherwise be open to them.ⁱ

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Connecticut currently has Youthful Offender status for some youth under 18 years old who have their cases transferred to the adult court. One benefit of Youthful Offender status is automatic erasure of their record when they reach age 21 (provided they have not re-offended). Yet, youth convicted of much less serious juvenile offenses whose cases are handled exclusively by the juvenile court do not have their records expunged. This is an oversight the legislature must address through the suggested amendment.

Such an amendment would update the juvenile record erasure statute, Conn. Gen. Stat. § 46b-146 to reflect automatic erasure in accordance with the petition criteria of the existing statute (2 year waiting period for juvenile adjudications and a 4 year waiting period for serious juvenile offenses.) *Please see testimony of the Center for Children’s Advocacy for language.*

CTJA would also like the legislature to examine the fact that people with an intellectual disability are more likely to be a crime victim of certain crimes and are less likely to get help. Connecticut’s background check system is not perfect in certain areas, and there is the possibility of complete erasure of convictions for people who committed crimes against a vulnerable person and then seeking employment serving vulnerable people. Again, we support the concept of erasure, but the legislature should examine the complications that may arise for organizations that serve vulnerable people and rely on background checking. *Please see testimony of the Office of the Child Advocate for more information.*

Clean Slate will automatically expunge the records of people who have served their time, returned to our communities, and remained crime-free. A criminal record should not be a lifetime sentence. With S.B. 1019, Connecticut can **strengthen our economy, improve public safety, and advance racial justice.**

Christina Quaranta, *Executive Director*

Connecticut Justice Alliance

ⁱ Models for Change: Systems Reform in Juvenile Justice, “Avoiding & Mitigating the Consequences of a Juvenile Adjudication,” Innovation Brief, December 2013.