

Higher Education and Employment Advancement Committee

JOINT FAVORABLE REPORT

Bill No.: HB-5129

AN ACT PROHIBITING INSTITUTIONS OF HIGHER EDUCATION FROM
INQUIRING ABOUT A PROSPECTIVE STUDENT'S CRIMINAL HISTORY

Title: DURING THE ADMISSIONS PROCESS.

Vote Date: 3/3/2022

Vote Action: Joint Favorable Substitute

PH Date: 2/22/2022

File No.:

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SPONSORS OF BILL:

Higher Education and Employment Advancement Committee

REASONS FOR BILL:

To prohibit institutions of higher education in Connecticut from asking about an applicant's criminal history.

Substitute language:

- Line 3: extends the prohibition to private occupational schools
- Lines 10-12: allows institutions and schools to consider prior arrests/charges/convictions for financial aid, grants, or scholarships granted for those reasons
- Section 2: adds general discrimination prohibition in education/vocational programs

RESPONSE FROM ADMINISTRATION/AGENCY:

[Commission on Human Rights and Opportunities \(CHRO\), State of Connecticut](#): The CHRO supports [H.B. 5129](#) in order to fix the "Longstanding structural issues within the criminal justice system" that have "historically meant that people of color are more likely to have criminal records than whites." Therefore, the passage of [H.B. 5129](#) "would be a significant step in removing one of the many barriers and collateral consequences encountered by those reentering their community." However, additional language should be added to the bill that allows "an aggrieved individual under its provisions to file a complaint under the CHRO's existing complaint process." With the passing of [H.B. 5129](#) into law, Connecticut can continue to move in the right direction by allowing all of its residents to "have the opportunity to better themselves through education."

NATURE AND SOURCES OF SUPPORT:

[Jess Zaccagnino, Policy Counsel, American Civil Liberties Union of Connecticut \(ACLU-CT\)](#): The ACLU "believes in a society where all people...have equal opportunity to contribute to society and build successful and fulfilling lives." [H.B. 5129](#) reaffirms this message by stating that "People involved in our criminal legal system who finish their sentences have paid their debt to society," and seeks to act as a step in the right direction for residents to overcome "over 550 collateral consequences" that Connecticut law imposes "on those living with criminal records." Because the "vast majority of Connecticut voters support" [H.B. 5129](#), the bill would help "erase the chilling effect that simply asking the question causes in addition to actual discrimination." Therefore, the ACLU supports [H.B. 5129](#), as "All people in Connecticut have paid the price of mass incarceration, yet we cannot afford the cost," and in effect, [H.B. 5129](#) will "create a more just and equitable Connecticut."

[David Acquaaah-Mensah, Resident, New Haven](#): The Department of Education has reported that "education is the most effective deterrent to recidivism," as access to higher education "lowers recidivism by a staggering 40%." Not only does attending an institution of higher education lower recidivism, but "the usage of a criminal record in determining higher education opportunity is a violation of basic civil rights and a perpetuation of systemic racial inequity." Also, because people of color are more "likely to be incarcerated than whites" in the criminal justice system, "it is impossible for the utilization of incarceration history to be a race-neutral practice." It is for these reasons that many universities across the nation have made a pledge "to increase education access for formerly incarcerated individuals," and Connecticut "has an opportunity to...lead this wave of change." Therefore, in order to "help lift the oppressive and generational effects of America's inequitable justice system," [H.B. 5129](#) must be supported and passed into law.

These people also submitted written testimony in support of [H.B. 5129](#):

- [Pia Baldwin Edwards, Resident, New Haven](#)
- [Saskia Braden, Resident, New Haven](#)
- [Chris de Santis, Resident, New Haven](#)
- [Roxana Grunenwald, Resident, New Haven](#)
- [Tioné Hoeckner, Resident, New Haven](#)
- [Kelly Li, Resident, New Haven](#)
- [Joyce Liow, Resident, New Haven](#)
- [Yaz Liow, Resident, New Haven](#)
- [Bradley Nowacek, Resident, New Haven](#)
- [Miles Quarterman, Resident, New Haven](#)
- [Ted Shepherd, Resident, New Haven](#)
- [Brook Smith, Resident, New Haven](#)

NATURE AND SOURCES OF OPPOSITION:

None Expressed for House Bill 5129

Reported by: Austin Hyatt

Date: 3/10/2022