Written Testimony Supporting Senate Bill 334, An Act Establishing a Program To Make Preparing For and Taking the Commercial Learner Permit Knowledge Test Available For Incarcerated Persons

Senator Haskell, Representative Lemar, Ranking Members Somers and Carney, and distinguished members of the Transportation Committee.

My name is Jess Zaccagnino, and I am the policy counsel of the American Civil Liberties Union of Connecticut (ACLU-CT). I am writing to testify in support of Senate Bill 334, An Act Establishing a Program To Make Preparing For and Taking the Commercial Learner Permit Knowledge Test Available For Incarcerated Persons.

The ACLU-CT believes in a society where all people, including those who have been convicted or accused of a crime, have equal opportunity to contribute to society and build successful and fulfilling lives. People involved in our criminal legal system who finish their sentences have paid their debt to society. They deserve to live their lives in Connecticut’s communities without barriers to being happy, productive, law-abiding residents.

Instead of enabling people living with records, Connecticut law makes life much harder for them. Of the over 550 barriers to full civic participation that are written into our state’s law,1 the large majority are related to employment. These barriers are not relics from the distant past. New barriers are passed out of this legislature nearly every year—last year, proposed collateral consequences ran the gamut from

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prohibiting people with convictions from serving in certain government offices\(^2\) to making it harder for people with records to access business opportunities,\(^3\) have been proposed. This is how collateral consequences build up to an impenetrable barrier—slowly, one idea at a time.

This accretion of collateral consequences can create a daily nightmare for people with records just trying to find work. Because of legal barriers to employment and persistent stereotypes, in 2018, the unemployment rate among formerly incarcerated people nationwide is 27 percent\(^4\)—more than 6.5 times the overall unemployment rate in Connecticut at the same time.\(^5\) Economists estimate that the U.S. gross national product is reduced by $78 billion and $87 billion because so many formerly incarcerated job seekers are kept out of the workforce.\(^6\) This creates significant hardships: 45 percent of men released from incarceration do not have any earnings at all in the first calendar year after their release.\(^7\) Of those with earnings, the median income is just over $10,000 in their first year out of incarceration.\(^8\) Wages never recover for most people, since incarceration is linked to decreases in subsequent annual earnings of, on average, 52 percent.\(^9\)

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\(^3\) Connecticut House Bill 5761 (2021).


\(^8\) Id.

These harmful employment effects are not distributed equally across society. Racial disparities in Connecticut’s criminal legal system are also replicated when people return home from incarceration. Because Black and Latino men are disproportionately incarcerated, they are likewise disproportionately rejected when they return to the community and seek to build a life worth living. Poor chances of employment or stable housing likely have a resulting outsized impact on Black and brown people.

Every person living with a criminal record, who has served out their sentence and reentered society should have an equal opportunity to build a successful and fulfilling life. This is true for people who are just beginning their reentry process and people who have been back in their communities for decades, regardless of whether they have been convicted of a misdemeanor or a felony and irrespective of whether they have been convicted of a violent or non-violent offense.

The ACLU-CT strongly supports efforts by this legislature to remove barriers to employment for people who are living with a criminal record. Senate Bill 334 makes obtaining a commercial learner permit test easier for people as they prepare to return to their communities from incarceration. But this bill could be made stronger. Currently, Senate Bill 334 excludes those who are disqualified from driving a commercial motor vehicle due to a previous offense. The ACLU-CT strongly urges this Committee to consider a different approach, one that is individualized and rehabilitation-focused. Senate Bill 334 should be amended to include a process for people with a criminal history prohibiting them from obtaining a commercial learner permit to gain the ability to sit for the license exam if the that considers the amount


of time that has passed since the particular person’s offense and evidence of the person's rehabilitation. As such, the ACLU-CT urges this Committee to pass Senate Bill 334 with the recommended amendments to expand access to this commercial learner permit program.