



Legislative Testimony
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Written Testimony Supporting Senate Bill 1194, An Act Relieving Certain Registrants of the Requirements of the Sex Offense Registry and Clarifying the Registration Requirements for Persons Transferred Into This State and Who Reside in Congregate Care Settings

Senator Winfield, Representative Stafstrom, Ranking Members Kissel and Fishbein, and distinguished members of the Judiciary Committee:

My name is Jess Zaccagnino, and I am the policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am writing to testify in support of Senate Bill 1194, An Act Relieving Certain Registrants of the Requirements of the Sex Offense Registry and Clarifying the Registration Requirements for Persons Transferred Into This State and Who Reside in Congregate Care Settings.

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. One of the biggest injustices faced by people living with a criminal record are the myriad of collateral consequences flowing from that criminal record, which persist for years, even lifetimes, after a person finishes the punishment they were sentenced to. Collateral consequences turn any sentence into a life sentence. In Connecticut, people living with a criminal record face over 550 legal barriers to full societal participation.¹ These barriers prevent people from obtaining employment, housing, education, and long-term care services. Collateral

¹ National Inventory of Collateral Consequences of Conviction, *available at* https://niccc.csgjusticecenter.org/database/results/?jurisdiction=260&consequence_category=&narrow_category=&triggering_offense_category=&consequence_type=&duration_category=&page_number=1; see also Kelan Lyons, *Council Begins Study of Discrimination Against People with Criminal Records*, CT MIRROR (Aug. 22, 2019), *available at* <https://ctmirror.org/2019/08/22/council-begins-study-of-discrimination-against-people-with-criminal-records/>.

consequences are not just bad for the people who experience them, they are bad for children, families, and communities as well.

Connecticut is making strides toward eliminating collateral consequences of criminal records, but to achieve this goal, the state cannot continue to impose new collateral consequences on people trying to live out the last years of their lives in long-term care facilities. Unfortunately, this is exactly the effect of legislation that requires needless background and registry checks or that erects unnecessary barriers for people living with criminal records. When Connecticut established the sex offense registry, people whose convictions stretched back ten years prior to the implementation date were retroactively included and required to register for life. These are people who were rebuilding their lives in their communities after completing their sentences, who have remained sexual offense-free.² By and large, the people harmed by retroactive addition to the registry are elderly and disproportionately Black.³ In Connecticut, people who were placed on the registry retroactively have a small cumulative recidivism rate of about 6 percent.⁴

Senate Bill 1194 would remove over 800 people mandated to retroactively register for lifetime in Connecticut's 1998 expansion of the registry. Placement on the registry, even though the vast majority of people have not recidivated, imposes a life sentence on people who have served their time. As such, the ACLU-CT supports this bill, and urges this Committee to do the same.

² Fact Sheet, *Who Are the Retroactive*, ONE STANDARD OF JUSTICE (2023); *see also*, Crysanthi S. Leon, "Secondary Registrants:" A New Conceptualization of the Spread of Community Control, 2022 PUNISHMENT & SOC. 1 (2022).

³ *Id.*

⁴ *Webinar: Public Safety for Sexual Harm: Correcting the Narrative*, ONE STANDARD OF JUSTICE (2022), <https://onestandardofjustice.org/webinar-public-safety-for-sexual-harm-correcting-the-narrative/>.