

Housing Committee JOINT FAVORABLE REPORT

Bill No.: HB-5242

AN ACT CONCERNING THE COLLATERAL CONSEQUENCES OF CRIMINAL

Title: RECORDS ON HOUSING OPPORTUNITIES.

Vote Date: 2/29/2024

Vote Action: Joint Favorable

PH Date: 2/27/2024

File No.:

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SPONSORS OF BILL:

Housing Committee

REASONS FOR BILL:

To prohibit housing providers from considering a prospective tenant's felony conviction in connection with a rental application after certain time periods. Currently, landlords can screen the criminal background of applicants. Individuals previously incarcerated have faced difficulties because of this screening, with many applicants being denied housing because of past criminal records that may no longer be reflective of the character of the applicant. This has created housing insecurity for Connecticut residents who have been or are trying to be reintegrated into society. The lack of housing is detrimental to returning populations and often leads to increased rates of homelessness or recidivism in communities.

RESPONSE FROM ADMINISTRATION/AGENCY:

[Tanya Hughes, Executive Director, Commission on Human Rights and Opportunities \(CHRO\)](#): Supports HB 5242 as it is "a desperately needed addition to the protected classes the Commission currently enforces in order to help potential tenants find housing in a rental landscape that is very challenging, even when the applicant does not have a prior criminal conviction." Barriers of reentry continue long after release, and the statutory change aims to protect the formerly incarcerated individual while providing protection to housing providers. Hughes states that "While the language in the statute may seem new, it is not...The State has offered protections to persons with criminal convictions in the area of state employment, licensing, trades, etc. for some time." CHRO recommends a few technical revisions that ensure provisions are consistent with other civil rights statutes. These specific recommended changes can be found in their written testimony.

[Werner Oyanadel, Policy Director, Commission on Women, Children, Seniors, Equity & Opportunity \(CWCSEO\)](#): Supports HB 5242 as it "is poised to address and mitigate the adverse effects that criminal records have on access to housing, ensuring that individuals are not unjustly excluded from securing a place to call home." This will allow providers to evaluate the severity of the crime, its relevance to housing opportunities, applicants' rehabilitation efforts, and time elapsed since conviction. The legislation seeks to reintegrate individuals whilst protecting public safety concerns, and Oyanadel states, "In alignment with Special Act 18-14, our efforts have been concentrated on examining housing options for those reentering society post-incarceration and promoting evidence-based policies that support this particularly vulnerable group."

NATURE AND SOURCES OF SUPPORT:

[Senator Martin Looney, President Pro Tempore, Connecticut General Assembly \(CGA\)](#): Supports the bill as it would address the "longstanding issue of an old criminal record preventing a person from attaining housing." Because a lack of housing is a "common experience for people as they work to become productive citizens after a conviction," HB 5242 would help to alleviate the issues associated with "Limiting the use of criminal records to reject applicants."

[Ray Boyd, Advocate, Next Level Empowerment](#): Supports the bill as denying housing based on past criminal records "perpetuates a cycle of poverty and marginalization for individuals who have already served their time and are seeking to rebuild their lives." This exacerbates social inequality and disproportionately affects marginalized communities, and not allowing citizens with criminal records to reintegrate into society also increases the risk of recidivism and contributes to higher crime rates in communities.

[Melat Eskender](#): Supports the bill stating that it would combat the discrimination that individuals with prior convictions currently face in the housing market. This discrimination leads to a major issue that "formerly incarcerated individuals are almost 10 times more likely to be homeless than the general public, and this risk of homelessness is at its highest post-release."

[Barbara Fair, Licensed Clinical Social Worker \(LCSW\), Stop Solitary CT](#): Supports HB 5242 because it is a small step towards combating the discrimination against African Americans seen in the housing market.

[Kathleen Flaherty, Executive Director, Connecticut Legal Rights Project](#): Supports the bill as it would assist citizens with mental health conditions who were previously incarcerated with finding housing and rebuilding their lives.

[Sarah Fox, CEO, Connecticut Coalition to End Homelessness \(CCEH\)](#): Supports the legislation as it is a step towards limiting individuals who were previously incarcerated from becoming homeless. CCEH states that the reentry process is grueling for citizens attempting to reintegrate into society, and in Connecticut, "returning citizens are confronted with over 550 barriers stemming from the stigma attached to their past criminal records." Barring these individuals from entering the housing market leads to increased rates of housing insecurity and homelessness in communities throughout the state.

[Maggie Goodwin, Connecticut Chapter, Social Welfare Action Alliance \(SWAA\)](#): Supports HB 5242 stating that it would limit housing providers from considering previous convictions after a certain period of time. Even after individuals have become rehabilitated and reintegrated into society, they continue to face discrimination in the housing market, and this legislation would help to address this issue.

[Adam Lytton, Interim Associate Director, Prime Time Housing Inc.](#): Supports HB 5242 stating that it would help address the problems caused by previously incarcerated individuals not reintegrating into society. Criminal records produce high rates of post-conviction poverty, and these criminal records impact housing, employment, educational, and other opportunities. If this bill doesn't move forward, individuals who are unable to reintegrate will continue to experience increased mental health stressors, hospitalizations, and recidivism.

[Lori McAdam, Alderwoman, New Britain](#): Expresses general support for the bill.

[Cindy Prizio, Executive Director, One Standard of Justice](#): Supports this bill stating that it would address the barriers that returning populations face on their path to reintegration. Prizio also asks the state legislature to avoid putting in barriers (in the form of "carve-outs") that would deny individuals the opportunity to reintegrate into society.

[Lindsay Ragsdale and Jerry Wong—Law Student Interns, Amy Eppler-Epstein and Yonatan Zamir—Attorneys at Law, New Haven Legal Assistance Association Reentry Clinic](#): Supports the legislation as it "strikes a practical balance between protecting the interests of housing providers and promoting fairness and inclusivity." HB 5242 would work to "reaffirm the legislature's commitment to Connecticut as a second chance society, while still maintaining safe and secure neighborhoods for all Connecticut residents."

[Chris Senecal, Senior Public Policy Officer, Hartford Foundation for Public Giving](#): Supports the legislation as it would help to reintegrate returning populations into society and provide them with basic rights that are afforded to others. The Hartford Foundation for Public Giving appreciates the balance between reintegrating returning populations and the ability of landlords to screen applicants in certain scenarios. The Foundation attached a report commissioned by Career Resources that highlights the barriers that returning populations face.

[Julia Wilcox, Senior Public Policy & Division Advisor, Connecticut Community Nonprofit Alliance](#): Supports the bill as those who were incarcerated and are reintegrating into their respective communities deserve the opportunity to obtain housing. Wilcox states that according to some studies, "One in three Americans have some type of criminal record, which can create lifelong barriers to opportunity for them and their families. A criminal record should not be a life sentence to poverty."

The following 32 pieces of testimony support the legislation as it creates equality and restores a right to stable housing for previously convicted individuals. Many of these testimonies explain that 79% of formerly incarcerated people have been denied housing due to a criminal conviction, and they are 10 to 13 times more likely to experience homelessness than people who have not been incarcerated. In Connecticut, residents face 550 barriers for reentry for previous offenders, and these barriers make it difficult for citizens to reintegrate into society. Marginalized communities often face the brunt of these barriers and are disproportionately

affected. These testimonies stress the importance of reintegrating these individuals and presenting a chance to overcome previous mistakes:

- [Tiheba Bain, Executive Director, Women Against Mass Incarceration](#)
- [Zachary Boccarossa](#)
- [Sandra Bradford-Jennings](#)
- [Anderson Curtis, Senior Policy Organizer, ACLU-CT](#)
- [Shameil Dias](#)
- [Sean Ghio, Policy Director, Partnership for Strong Communities \(PSC\)](#)
- [Susan Glass](#)
- [LeiAndre Goodman](#)
- [Annie Harper](#)
- [Beth Hines, Executive Director, Community Partners in Action](#)
- [Diane Hoffman](#)
- [Lizzette Irizarry](#)
- [Amber Kelly, Associate Professor of Social Work, Quinnipiac University](#)
- [Breonna Levels](#)
- [Judy Lhamon, Member, League of Women Voters \(Hamden-North Haven\)](#)
- [Issac Lopez](#)
- [Luis Mattei Jr., Smart Justice Leader, ACLU-CT](#)
- [Rachel Merva, Board Member, Beth-El Center](#)
- [Samanta Morrison, Intern, Project More](#)
- [Jennifer Paradis, Executive Director, Beth-El Center](#)
- [Ann T. Percival](#)
- [Sharon Rabera, Universal Healthcare Foundation of Connecticut \(UHCF-CT\)](#)
- [Gretchen Raffa, Vice President, Public Policy/Advocacy and Organizing Planned Parenthood of Southern New England, Inc.](#)
- [Manuel Sandoval, Leader, ACLU Smart Justice Campaign](#)
- [Abraham Santiago, Smart Justice Leader, ACLU-CT](#)
- [Constanza Segovia, Connecticut for All](#)
- [SEIU District 1199 New England](#)
- [Aubrie Smith, ACLU-CT](#)
- [Tanya Smith, Member, The National Council for Incarcerated and Formerly Incarcerated Women and Girls](#)
- [Alicia Strong, Director, New Britain Racial Justice Coalition \(NBRJC\)](#)
- [Amber Vlangas, Co-Founder, Restorative Action Alliance INC.](#)
- [Jess Zaccagnino, Policy Counsel, ACLU-CT](#)

These 17 pieces of testimonies share stories about personal experiences of being denied housing themselves or someone they know:

- [Nicole \(Anonymous\)](#)
- [Tonya \(Anonymous\)](#)
- [Patti Beckett](#)
- [Tracie Bernardi-Guzman, Smart Justice Leader, ACLU-CT](#)
- [Leslie Caraballo](#)
- [Rio Comaduran, LCSW](#)
- [Anderson Curtis, Senior Policy Associate, ACLU-CT](#)
- [Luis Delgado, Smart Justice Leader, ACLU-CT](#)

- [Stephanie Delgado](#)
- [Karen Jackson](#)
- [Roger Johnson](#)
- [Nancy Kirchmyer](#)
- [Robin Ledbetter, Member, ACLU Smart Justice](#)
- [Tamarin Politis](#)
- [Terri Ricks, Smart Justice Leader, ACLU-CT](#)
- [William Roberts, Smart Justice Leader, ACLU-CT](#)
- [Tyrann Sampson, Smart Justice Leader, ACLU-CT](#)
- [Spurgin Witchard, ACLU-CT](#)

NATURE AND SOURCES OF OPPOSITION:

[Jennifer \(Anonymous\)](#): Opposes HB 5242 as the lack of screening into criminal backgrounds of tenants may create an unsafe environment for renters and other tenants. Advocates for landlords have the right to choose whom they rent their properties to.

[Mark Asnes, CEO, Freehold Real Estate](#): Opposes the legislation due to the lack of power landlords would have in determining who can live in their properties. Asnes explains how there is a complex process that landlords deal with when there are complaints from tenants against another resident, and tenants may face retaliation. Asnes believes the housing industry is already heavily governed by HUD and under their recommendations, "housing providers consider the nature, severity, and recency of the criminal conduct as well as any evidence of rehabilitation or mitigating factors, before making a housing decision. Without the ability to make that decision based on facts and history, you are taking that right for which HUD granted it."

[Craig Barletta, Landlord](#): Opposes this legislation as it is unfair to landlords and will lead them to sell properties.

[Cooper Beitman, Property Owner](#): Opposes the bill because it "would put my resident's right to quiet enjoyment of their homes at significant risk."

[Mendel Bernstein](#): Opposes the legislation due to concerns regarding its legality. Additionally, Bernstein believes it would put other tenants at risk by allowing individuals with serious criminal backgrounds near vulnerable populations. Bernstein states that if "Connecticut wishes to engage housing providers in housing high-risk individuals, it should provide them with benefits, support, and full assistance, rather than imposing unsupported forced private housing."

[Timothy Bobroske, President, Bobroske Construction](#): Opposes this bill and describes how "This experiment was tried on the federal level back in 1998 when the Department of Housing and Urban Development allowed the 'young disabled' to live in elderly housing complexes. Drug addicts, drug dealers, and those with severe emotional and mental health issues were allowed to live in these units that were built and designated as elderly units."

[Naomi Freeman](#): Opposes the legislation due to the legality of what is being proposed and the safety concerns that will arise for communities.

[Abby Garger, Owner, Abby Productions LLC](#): Opposes the legislation as the state needs to assess the ROI and the data from the recently passed "clean slate" bill. HB 5242 would unintentionally shift the responsibility of screening the criminal backgrounds of applicants onto landlords, which they are not prepared to handle. This may lead to significant legal and fiscal burdens for landlords.

[Michael Kane, Regional Vice President, Sun Communities](#): Opposes the legislation because of concerns about the safety of other tenants in communities. Kane believes that the bill does not account for the severity of crimes, and the burdens that are created for landlords will lead to higher costs for other tenants.

[Peter Kreckovic](#): Opposes the bill due to the bad behavior that tenants may be exposed to. Additionally, Kreckovic believes it is unfair that the bill would allow Public Housing Authorities to take criminal convictions into account but not landlords.

[Morgan Miller, Connecticut Apartment Association \(CTAA\)](#): Opposes the legislation and submitted a 2023 study on recidivism.

[Jim Perras, CEO, Home Builders & Remodelers Association of Connecticut, Inc. \(HBRA-CT\)](#): Opposes HB 5242 because of the unintended consequences that the bill would create. HBRA has concerns regarding the safety of properties and other tenants, the burdens and costs to homeowners, and the overall impact on the housing market.

[Carrie Rowley, Assurance Manager, Connecticut Apartment Association \(CTAA\)](#): Opposes HB 5242 due to the high rates of recidivism of individuals with prior convictions. Rowley cites "A study completed in 2012 by the State Criminal Justice Policy and Planning Division of the Office of Policy and Management found in a five year study of men released or discharged from a prison facility, 79% were re-arrested, 69% were convicted of a new crime and 50% were returned to prison with a new sentence."

[John Souza, President, Connecticut Coalition of Property Owners \(CCOPO\)](#): Opposes the legislation as it would punish landlords who act in good faith to protect other tenants. Souza also opposes the creation of a "new protected class of 'criminal conviction status,'" and recommends five specific proposals in his written testimony.

[Tony Valenti, Principal, Newport Realty](#): Opposes HB 5242 as it creates burdens on multifamily homeowners and will disincentivize development in the state.

These testimonies oppose HB 5242 due to it creating a protected class for criminals. The testimonies express worry that allowing tenants with criminal backgrounds into properties creates a high chance of recurring criminal activity:

- [Diana Bisson, Eagle Rock Management](#)
- [Solomon Lieber](#)
- [Katrina Mattern](#)
- [Marnie McKay](#)
- [August Miller](#)
- [Joseph Mollica](#)
- [Mahesh Nimmagadda](#)

- [Nancy Palmisano, Executive Director, Connecticut Manufactured Housing Association](#)
- [David Parisier, Managing Director, Paredim Partners](#)
- [Dorothy Robinson, Senior Accountant, Franklin Construction](#)
- [Lauren Tagliatela, CCO, Connecticut Apartment Association \(CTAA\)](#)

The following oppose the bill because the proposed time periods are too short:

- [Debbie Esposito](#)
- [Stephanie Esteves](#)
- [Paul Rescsanski](#)

These two testimonies oppose the bill as it would make finding an apartment more difficult:

- [Mo Levenberg](#)
- [Michael Munk](#)

These 29 testimonies oppose the bill due to the risks to tenant safety and health, as well as to the property. Allowing landlords to evaluate the criminal history of a prospective tenant allows them to evaluate and consider the risk that the tenant may pose to the community:

- [Joseph Braunstein, CEO](#)
- [Simon Brecher](#)
- [April Conquest, Member, Connecticut Apartment Association \(CTAA\)](#)
- [Bob De Cosmo, Manager, Connecticut Property Owners Alliance](#)
- [Jason DiZenzo](#)
- [Nicolas Furlotte, Owner, Arlington Acres](#)
- [Luis & Martha Giraldo](#)
- [Dani Harrington](#)
- [Esther Herman](#)
- [Levi Judqin](#)
- [Judy Kechejian](#)
- [David Klein](#)
- [Mary Lakota](#)
- [David Landau](#)
- [Menachem Magalnic](#)
- [Phil Marasco](#)
- [David Marasow](#)
- [Nicole Mckenzie](#)
- [Marion Pierce](#)
- [Melissa Pomeroy](#)
- [Dovid R.](#)
- [Dondre Roberts, Connecticut Apartment Association \(CTAA\)](#)
- [Steve Rots](#)
- [Stephen Tagliatela](#)
- [Craig Silver](#)
- [Susan and Mike Vacca](#)
- [John Wilson](#)

These 21 testimonies oppose the bill due to the reduction in a landlord's right to screen tenants and the risks that that would cause. Testimonies express concerns that landlords will be unable to protect other tenants from dangerous individuals:

- [Judy Januszewski](#)
- [Paul Januszewski](#)
- [Jan Maria Jagush, Owner, JMJ CT Property Management](#)
- [Sonja Murphy](#)
- [Tara O'Keefe, Property Manager, Bridgeport Crossing](#)
- [Veronica Perez](#)
- [Nick Postovoit](#)
- [Larry Potvin](#)
- [Tara Ramlal](#)
- [Cheryl Reynolds](#)
- [Richard Sadlon, Owner, Sadlon Properties](#)
- [Helen Schaefer](#)
- [Jack Shapiro, Property Manager, CK Management](#)
- [Karen Silver](#)
- [John Svedrovic](#)
- [Todd Thurston](#)
- [Rosa Toledo](#)
- [Better Vanderbush](#)
- [Tara Varghese](#)
- [Robert Wiedenmann](#)
- [Lin Yang](#)

These 20 pieces of testimony express general opposition:

- [Ross Adams](#)
- [Mayer Behrend](#)
- [Adam Bonoff](#)
- [Susan Bradford](#)
- [Mendel Bronner, Managing Officer, Horizon Management](#)
- [Ashley Chaia, Realtor](#)
- [William Collins, WCTD Investments](#)
- [Linda Dalessio](#)
- [Menachem Deitsch, Owner, Breit Realty](#)
- [Frank Festini](#)
- [Jeffrey Friedman, COO, SRK Management](#)
- [Shim Handlesman](#)
- [Lisa Jolley](#)
- [Joseph Levin](#)
- [Steven Lopes, CFO, Franklin Communities](#)
- [Vira M.](#)
- [Julio Oquendo](#)
- [Michelle Reckmeyer, COO, Reckmeyer and Reckmeter Law](#)
- [Alison Rivera](#)
- [John Walker](#)

There were five additional pieces of anonymous testimony written in opposition to H.B. 5242.

Reported by: Mario Volpe

Date: 3/19/2024