

Council on Collateral Consequences of a Criminal Record

Meeting Minutes

Tuesday November 12th, 2019
Room 2D of the LOB

Members Present: *Co-Chair Porter, Rep. Fishbein, Senator Miner, Arulampalam, Bain, Cho, Clark, Eppler-Epstein, Fox, Giles, Gordon, Jones, Medina, Murphy, Palache, Pelka, Sementilli, Thompson (for Corbett)*

Members Not Present: *Co-Chair Kushner, Hernandez, James, Lewis*

WELCOME BY CO-CHAIRS AND INTRODUCTIONS

Co-Chair Porter called the meeting to order shortly after 10:00 AM. She read aloud safety procedures and announced that Co-Chair Kushner would not make it due to her husband having surgery. She opened the meeting to allow members to give brief introductions

EMPLOYMENT SUBCOMMITTEE REPORT OUT

Pelka reported that the subcommittee met the previous Friday. This was the second subcommittee meeting and the focus of the meeting was reviewing the table that was shared at the previous meeting. Below were the three larger topics that were discussed (taken from the table). Pelka stated that the third section is a list of policy ideas that the group would like to move forward on. He stated that subcommittee members had been assigned to work on each of those policy recommendations and suggested language.

1. Increase Job Readiness And Retention & Lower Recidivism

- A. Increase access to workforce development programs prioritizing people in the criminal justice system and specialized based on their risks and needs.
- B. Help people gain stable, long-term employment; engage with them after job placement to promote retention; help with reemployment if a position is lost; and assist with career advancement opportunities.
- C. Focus public and foundation funding, such as the Workforce Innovation and Opportunity Act (WIOA) and Adult Reentry and Employment Services (ARES), on job readiness and placement for people with criminal records.
- D. Further criminal justice system efforts to connect people to identification, transportation, and job training and placement during reentry
- E. Analyze any potential unintended consequences of court, supervision, and program requirements on employment and job retention.

2. Engage Employers

- A. Identify growth industries in the state, prioritize training to help the population develop the needed skills to fill those positions, and consult with employers from various sectors to develop programs and pathways to jobs.

- B. Increase employers' timely access to the Workforce Opportunity Tax Credit (WOTC) for hiring people with barriers to employment, including those with felony records.
- C. Provide information to employers on vocational training, education, supervision, and services that people in the criminal justice system are eligible for.
- D. Train human resource professionals and employers on considering criminal record in the totality of the application.
- E. Help employers reduce liability for hiring, including access to fidelity insurance bonds through the US Department of Labor's Federal Bonding Program that indemnifies employers for loss of money or property through dishonest acts of employees.
- F. Hold second-chance-hiring forums with business leaders and associations as well as employers to elevate the advantages of hiring people with criminal records and help reduce stigma.

3. *Lower Barriers to Employment*

- A. Prohibit discrimination on the basis of a criminal record.
- B. Revise statutory and administrative policies to provide individualized assessments of applicants instead of blanket policies barring all applicants with criminal histories.
- C. Make certain indefinite collateral consequences time-limited, and restore discretion to certain collateral consequences that currently are mandatory.
- D. Pursue clean-slate legislation providing automatic record clearance for eligible offenses after a designated time has passed following completion of the sentence.
- E. Revise the sex offender registry to make it

Miner had concerns with the word 'prohibit' in sub-bullet A of the third section. He stated that there are many issues with regard to risk and where people are on the curve to reentry. He did feel overall that the conversation was robust and productive at the subcommittee meeting.

Medina said that there seems to be an appetite to look at what other states have done in regards to these same policies. He is hoping that all proposals are studied so that Council can learn the most.

HOUSING SUBCOMMITTEE REPORT OUT

Cho gave a report from the Housing Subcommittee and stated that their work to develop recommendations was made a little easier because of the Supreme Court ruling in 2015 in the case of *Texas Department of Housing and Community Affairs v. Inclusive Communities*. In this case, the court defined what 'discrimination' in housing means. He further stated that HUD has since followed up by providing guidance to both HUD housing and all housing owners and managers when conducting individualized assessments.

At the last meeting, they were joined by two officials from New York State's Homes of Community Renewal. Through administrative policy, this agency recently was able to enforce that any housing owner receiving any state financial assistance would be required to use a common template when looking at criminal records. They also made an attempt at creating a personalized assessment. They decided what an appropriate look back period is and how to determine evidence of good

conduct. Cho said that at the next meeting, the subcommittee would be exploring all of these components further and determining if they could be adopted in Connecticut.

RESEARCH SUBCOMMITTEE REPORT OUT

Clark gave a report from the Research Subcommittee and stated they have met twice since the second Council meeting. They are focusing on how to deal with the balance of the collateral consequences when there are nearly 500 on the state level alone. They are using the NICC database and the US Commission on Civil Rights Report that was produced earlier this year as tools for assessment.

He also said that the subcommittee developed a survey on how people could prepare for release and be successful. This survey was administered to seventy individuals, many of whom are at the end of their sentencing and ready for release.

DISCUSSION: Q&A, FEEDBACK & FINAL SUBCOMMITTEE REPORTS

There was various discussion on each of these reports, but the focus became next steps for the forums and how the logistics would be handled. Porter indicated that some conversations had already taken place and that details would be reviewed by her and the Department of Corrections staff.

ANNOUNCEMENT OF NEXT MEETING

Porter announced that the next meeting would be held on Tuesday December 10th at 10:00 AM.

The meeting was adjourned.