



Legislative Testimony  
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**Written Testimony Supporting House Bill 5208, An Act Concerning  
Housing Opportunities for Justice-Impacted Persons**

Senator Lopes, Representative Williams, Ranking Members Polletta and Cicarella,  
and distinguished members of the Housing Committee:

My name is Jess Zaccagnino, and I am the policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony in support of House Bill 5208, An Act Concerning Housing Opportunities for Justice-Impacted Persons, with a suggested amendment to the lookback period component of the bill.

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 who were previously involved in the criminal legal system who have paid their debt to society have earned the ability to live their lives in Connecticut's communities free from discrimination that can impede their progress. Connecticut is stronger and safer when a person who is formerly incarcerated has a fair chance of accessing a job, housing, and education.

All people in Connecticut, regardless of whether they have a criminal record, have the right to safe and stable housing. Yet at any time, approximately 25 percent of the state's homeless population has a criminal record.<sup>1</sup> This results directly from unfounded discrimination on the part of housing agencies and landlords. When

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<sup>1</sup> 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/>.

affordable housing is insufficient, as it is in this state,<sup>2</sup> strict admissions policies on the basis of criminal records are one way to decrease the number of qualified applicants.<sup>3</sup> These often appear as complete bans on people with a criminal record.<sup>4</sup> Unfortunately, these blanket bans do not bear a rational relationship to safety or landlords' financial interests. To the contrary, recent research indicates that most criminal offenses have little to no impact on housing outcomes.<sup>5</sup> For that reason, HB 5208 represents a significant step forward with its rejection of blanket bans and focus on individualized assessments.

For the few offenses that impact a person's future success as a tenant, that impact declines rapidly over time until it is statistically insignificant within two to five years.<sup>6</sup> House Bill 5208, though, proposes a three- or seven-year window for disqualification for people with convictions for misdemeanors and particular felonies, respectively. This bill could be vastly improved by shortening the seven-year lookback period to a much shorter period of time in conformity with recent research. Overall, we applaud the individualized assessment's narrowed focus on finding a nexus between the person's individual characteristics and details about the offense in their record before denying them housing.

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<sup>2</sup> "In Connecticut in 2018, 140,531 households were deemed 'extremely low income' . . . but only 51,050 affordable rental units were available. That's less than one affordable unit for every three extremely low-income households." Emily Munson, Justin Papp, Mary O'Leary & Hannah Dellinger, *Connecticut's Affordable Housing Shortage Hits Hard*, AP NEWS (Dec. 26, 2018), available at <https://apnews.com/article/b5f3b99cdef84211a8043add0a6e984b>.

<sup>3</sup> *No Second Chance: People with Criminal Records Denied Access to Public Housing*, HUMAN RIGHTS WATCH (Nov. 2004), available at <https://www.hrw.org/report/2004/11/17/no-secondchance/people-criminal-records-denied-access-public-housing>.

<sup>4</sup> Reed Canaan, *Applicants with Criminal Record Not Welcome at Some Rentals and Advocates Say It's Discrimination*, NPR NEWS (Sept. 11, 2019 at 3:21AM), available at <https://vpm.org/news/articles/6820/applicants-with-criminal-record-not-welcome-at-some-rentals-and-advocates-say>.

<sup>5</sup> Cael Warren, *Success in Housing: How Much Does Criminal Background Matter?*, WILDER RES. (Jan. 2019), available at [https://www.wilder.org/sites/default/files/imports/AEON\\_HousingSuccess\\_CriminalBackground\\_Report\\_1-19.pdf](https://www.wilder.org/sites/default/files/imports/AEON_HousingSuccess_CriminalBackground_Report_1-19.pdf).

<sup>6</sup> *Id.* at 15.

Because homelessness and housing insecurity are linked to higher recidivism rates,<sup>7</sup> public safety dictates that we should try to encourage stable housing for people with criminal records, rather than discourage it by codifying permissible discrimination. House Bill 5208 would be much strengthened by lowering the seven-year lookback provision. The ACLU-CT asks this Committee to support House Bill 5208 with the amendment suggested in this testimony.

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<sup>7</sup> Patricia McKernan, *Homelessness and Prisoner Re-Entry: Examining Barriers to Housing*, Volunteers of America, VOLUNTEERS OF AM. (last accessed Mar. 1, 2022), available at <https://www.voa.org/homelessness-and-prisoner-reentry>.