



Legislative Testimony  
765 Asylum Avenue, 2nd Floor  
Hartford, CT 06105  
860-523-9146  
www.acluct.org

**ACLU-CT Written Testimony Supporting Senate Bill 909, An Act  
Establishing a Right to Housing**

Senator Moore, Representative Luxenberg, Ranking Members Sampson and Scott, 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 written testimony in support of Senate Bill 909, An Act Establishing a Right to Housing.

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 their communities and build successful and fulfilling lives. People who were previously involved in our 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.

Yet, people who are formally incarcerated are nearly ten times more likely to be homeless than any other members of the public.<sup>1</sup> Rates of homelessness are especially high among people of color and women with criminal records.<sup>2</sup> Across the country, almost 50,000 people every year enter homeless shelters directly from incarceration.<sup>3</sup>

---

<sup>1</sup> Memo to Members, *Formerly Incarcerated People Are Nearly 10 Times More Likely to Be Homeless*, NAT'L LOW INCOME HOUSING COALITION (Aug. 20, 2018), available at <https://nlihc.org/resource/formerly-incarcerated-people-are-nearly-10-times-more-likely-be-homeless>.

<sup>2</sup> Lucius Couloute, *Nowhere to Go: Homelessness Among Formerly Incarcerated People*, PRISON POL'Y INITIATIVE (Aug. 2018), available at <https://www.prisonpolicy.org/reports/housing.html>.

<sup>3</sup> Mindy Mitchell, *Homelessness and Incarceration Are Intimately Linked. New Federal Funding Is Available to Reduce the Harm of Both*, NAT'L ALLIANCE TO END HOMELESSNESS (Mar. 29, 2018), available at <https://endhomelessness.org/homelessness-incarceration-intimately-linked-new-federal-funding-available-reduce-harm/>.

For people reentering their communities after incarceration, being homeless or unstably housed heightens the risk of reoffending.<sup>4</sup>

The reasons for this appallingly high rate of homelessness among people with criminal records are complex and many, fueled by systematic racism, but discrimination by landlords, inadequate reentry services, and underfunded transition services upon a person's end of sentence are contributing factors. Connecticut needs to invest in housing programs and services specifically for people leaving incarceration. The state also needs to remove barriers that make it impossible for a person to rejoin their family at home at the end of their sentence.<sup>5</sup>

Codifying a right to housing that specifically contemplates the needs of people living with a criminal record is a great first step. People living with a record face different challenges than other populations susceptible to experiencing homelessness, and those challenges cannot be addressed if they are not included. Inclusion of directly impacted people, or advocates for them, in advising and decision-making through the right to housing committee is especially important. With these voices, Connecticut can ensure that our state is not forgetting or ignoring the housing needs of people with records.

One way that Senate Bill 168 could be further strengthened is by creating a remedy for redress when people's rights to housing are violated on the basis of their criminal record, either through administrative processes or the courts. Currently, Connecticut statutes make employment discrimination on the basis of a criminal record actionable,<sup>6</sup> but similar discrimination by landlords or home sellers is not actionable. Without such a remedy, the right to housing established by Senate Bill 909 will not exist for people living with a criminal record.

---

<sup>4</sup> Patricia McKernan, *Homelessness and Prisoner Re-Entry: Examining Barriers to Housing*, Volunteers of America (last accessed Feb. 28, 2022), available at <https://www.voa.org/homelessness-and-prisoner-reentry>.

<sup>5</sup> For example, Regs., Conn. State Agencies §§ 8-68f-12, 17b-812-12(c)(4) (2020).

<sup>6</sup> Conn. Gen. Stats. § 46a-80 (2020).

We also encourage this Committee to do even more this session and in coming years to strengthen the housing protections for people living with a criminal record. For example, the ACLU-CT believes that when people with criminal records seek housing, a housing provider should have the obligation to consider the person individually. Housing providers should not use blanket bans, and we should have laws that make clear that a person's criminal record cannot be the sole reason for denying them housing. Additionally, there are several measures before this Committee this session that would help people with records in their efforts to secure safe, stable, and habitable housing.

Codifying a fundamental right to housing is pivotal to codifying the values of fairness, justice, and public health, values that the ACLU-CT agrees with. Adding provisions to make the goals of Senate Bill 909 enforceable would go even further to making a right to housing real and tangible for the people who desperately need it. We encourage this Committee to add measures that provide real remedies for people whose rights to housing are violated. We also encourage this Committee to pick up the mantle of ensuring housing for people with a criminal record by removing other barriers to their ability to obtain housing, including improving reentry and transition services. We urge this Committee to support Senate Bill 909 with those suggested additions.