



Legislative Testimony  
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**Written Testimony with Concerns on House Bill 5123, An Act Concerning  
the Use of Certain Animals in Traveling Animal Acts**

Senator Lopes, Representative Gresko, Ranking Members Harding and Callahan,  
and members of the Environment Committee:

My name is Jess Zaccagnino, and I am the policy counsel of the American Civil Liberties Union of Connecticut (ACLU-CT). I am writing to testify expressing concern on House Bill 5123, An Act Concerning the Use of Certain Animals in Traveling Animal Acts.

The ACLU-CT is dedicated to ending mass incarceration. That effort includes examining all aspects of the criminal and civil legal systems, including fees and fines. The General Assembly must continue to make progress towards reducing the number of people who have contact with the criminal legal system and reducing the financial burdens that we place on people. Mass incarceration over the past four decades has also been driven in large part by increasing the lengths of prison sentences.<sup>1</sup> No animal should be abused or harmed for human entertainment, but incarceration is not a solution.

Longer prison sentences have persisted, despite strong evidence that “lengthy prison terms are counterproductive for public safety as they result in incarceration of individuals long past the time that they have ‘aged out’ of the high crime years, thereby diverting resources from more promising crime reduction initiatives.”<sup>2</sup>

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<sup>1</sup> JEREMY TRAVIS, BRUCE WESTERN & STEVE REDBURN, *THE GROWTH OF INCARCERATION IN THE UNITED STATES*, 70 (2014), available at <https://www.nap.edu/read/18613/chapter/5>.

<sup>2</sup> Marc Mauer, *Long-Term Sentences: Time to Reconsider the Scale of Punishment*, SENTENCING PROJECT (Nov. 5, 2018), available at <https://www.sentencingproject.org/publications/long-term-sentences-time-reconsider-scalepunishment/>.

Moreover, longer sentences do not appear to have any significant deterrent effect.<sup>3</sup> Systems that have reduced sentences—notably, the federal criminal system—have not noticed any effect on public safety.<sup>4</sup> The lack of evidentiary support demonstrates that creation of this new criminal charge is neither needed nor wise.

Fines and fees in the criminal justice system are a practice that traps people into cycles of debt. The financial burden of fees and fines disproportionately harms people of color and people living in poverty, often trapping them in cycles of debt and incarceration. Nationwide, experts estimate that these costs total billions of dollars.<sup>5</sup> People who are unable to pay these fines face spiraling collateral consequences, like the immediate economic harms of debt and also increased involvement in the criminal justice system.<sup>6</sup> The harms of fixed fines and fees are not theoretical. Fixed fines disproportionately harm families of color, both due to discrimination by the police and the criminal legal system in issuing fines and because of systemic racism that results in stark income and wealth inequities.<sup>7</sup>

Accumulated fines can rapidly derail a household's financial instability. If a person pays a fine late, which they are likely to do if they do not have available savings, that fine will be compounded by late fees. The collections process will turn a one-time \$1,000 fine into a long-term leech on a household's financial health.<sup>8</sup> Because we know that the government disproportionately fines people of color, we also know that the financial consequences of these fines will disproportionately harm people of color, too. Fines can easily snowball, leading to further interaction with the criminal legal system: failure to pay a fine can quickly evolve into a failure to appear in court for

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<sup>3</sup> *Id.*

<sup>4</sup> *Id.*

<sup>5</sup> Matthew Shaer, *How Cities Make Money by Fining the Poor*, N.Y. TIMES (Jan. 8, 2019), <https://www.nytimes.com/2019/01/08/magazine/cities-fine-poor-jail.html>.

<sup>6</sup> Chris Mai & Maria Rafael, *The High Price of Using Justice Fines and Fees to Fund Government*, VERA INST. (Dec. 2020), <https://www.vera.org/publications/the-high-price-of-using-justice-fines-and-fees-to-fund-government>.

<sup>7</sup> Kathryn Zickuhr, *Applying a Racial Equity Lens to Fines and Fees in the District of Columbia*, D.C. POLY CTR. (Apr. 22, 2019), <https://www.dcpolicycenter.org/publications/racial-equity-fines-fees/>.

<sup>8</sup> *Id.*

proceedings related to that fine, then into warrants for arrest and, ultimately, incarceration.

This cycle is doomed to repeat itself when the collateral consequences stemming from a criminal record make it nearly impossible for a person to simply live their lives and experience financial success. This accretion of collateral consequences can create a daily nightmare for people with records just trying to find work. Because of legal barriers to employment and persistent stereotypes, in 2018, the unemployment rate among formerly incarcerated people nationwide is 27 percent<sup>9</sup>—more than 6.5 times the overall unemployment rate in Connecticut at the same time.<sup>10</sup> This creates significant hardships: 45 percent of men released from incarceration do not have any earnings at all in the first calendar year after their release.<sup>11</sup> Of those with earnings, the median income is just over \$10,000 in their first year out of incarceration.<sup>12</sup> Wages never recover for most people, since incarceration is linked to decreases in subsequent annual earnings of, on average, 52 percent.<sup>13</sup>

No animal should be abused or harmed for human entertainment. But rather than create a new misdemeanor, this Committee should consider enforcement mechanisms that focus on penalizing the corporations and businesses behind the traveling animal acts. Connecticut puts more people in prison at rates that exceed any other democracy.<sup>14</sup> There is no need to add another crime to our statutes that will contribute towards increasing mass incarceration in this state. Consider methods that penalize the traveling animal act business itself, like the loss of a license or civil

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<sup>9</sup> Lucius & Daniel Kopf, *Out of Prison & Out of Work: Unemployment Among Formerly Incarcerated People*, PRISON POL'Y INITIATIVE (July 2018), available at <https://www.prisonpolicy.org/reports/outofwork.html>.

<sup>10</sup> *Labor Market Information*, CONN. DEPT LAB. (last accessed Mar. 2, 2022), <https://www1.ctdol.state.ct.us/lmi/unempratectus.asp>.

<sup>11</sup> Adam Looney & Nicholas Turner, *Work and Opportunity Before and After Incarceration*, BROOKINGS INST. (Mar. 14, 2018), available at <https://www.brookings.edu/research/work-and-opportunity-before-and-after-incarceration/>.

<sup>12</sup> *Id.*

<sup>13</sup> Terry-Anne Craigie, Ames Grawert, Cameron Kimble & Joseph E. Stiglitz, *Conviction, Imprisonment, and Lost Earnings: How Involvement with the Criminal Justice System Deepens Inequality*, BRENNAN CTR. FOR JUSTICE (Sept. 15, 2020), available at <https://www.brennancenter.org/our-work/research-reports/conviction-imprisonment-and-lost-earnings-how-involvement-criminal>.

<sup>14</sup> *Connecticut Profile*, PRISON POL'Y INITIATIVE (accessed Feb. 25, 2023), <https://www.prisonpolicy.org/profiles/CT.html>.

fines, rather than incarceration, in addition to methods like public education campaigns to discourage people from supporting businesses that participate in the harm of wild animals for entertainment. Unless amended, the ACLU-CT cannot support this bill and urges this Committee to do the same.