



Legislative Testimony  
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**Written Testimony on Senate Bill 3, An Act Concerning Diverse Economic Opportunity, Worker Protections and Small Business Revitalization**

Senator Hartley, Representative Cohen, Ranking Members Martin and Buckbee, and distinguished members of the Commerce Committee:

My name is Kelly McConney Moore, and I am the interim senior policy counsel for the American Civil Liberties Union of Connecticut (ACLU-CT). I am submitting this testimony on Senate Bill 3, An Act Concerning Diverse Economic Opportunity, Worker Protections and Small Business Revitalization.

The ACLU-CT believes that all people, including people living with criminal records and incarcerated people, are entitled to the opportunity to access employment and dignity in the workplace. Senate Bill 3 could be a bill that assures such opportunities and dignity, but as it is currently before this Committee, it does not do so fully for people who are justice-impacted. To ensure that justice-impacted people are included in economic opportunities, we suggest the revisions set out below.

Section 3 of the bill creates a priority system within the Department of Economic and Community Development, wherein priority for economic development financial assistance is given to applicants who make jobs available to unemployed people, low-income people, dislocated workers, veterans, people of color, people with disabilities, and others. This is a good idea but should be expanded to include people with criminal records, another underemployed group that lacks adequate employment opportunities. Indeed, pre-pandemic, the national unemployment rate among formerly incarcerated people was more than 6 times the overall unemployment rate in Connecticut.<sup>1</sup> People living with criminal records are in dire need of employment

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<sup>1</sup> Compare Lucius Couloute & Daniel Kopf, "Out of Prison & Out of Work: Unemployment among Formerly Incarcerated People." Prison Policy Initiative (Jul. 2018), *available at*

opportunities and this bill would be stronger if it created incentives for employing them.

Section 6 of the bill does directly address barriers to employment of people with criminal records by mandating an evaluation of the provisional pardons and certificates of rehabilitation meant to demonstrate employability. We support efforts to examine these programs' effectiveness, provided that recommendations following such analysis be directed at improving employment opportunities for people living with records.

Finally, Section 9 raises concerns. The labor of incarcerated people is deeply exploited and has been for well over a century in the U.S. Connecticut should be moving away from oppressive, exploitative prison labor, which often pays a pittance<sup>2</sup> and sometimes is coercive.<sup>3</sup> We support efforts to study the current practices regarding prison labor and the state's participation in the Prison Industry Enhancement Certification Program, but caution that recommendations that entrench prison labor or fail to treat incarcerated workers with full dignity are morally wrong and bad for Connecticut. Section 9 would be greatly strengthened by clarifying that the recommendations of the Commissioner of Economic and Community Development be directed at improving wages, conditions, and humanity for imprisoned workers.

Senate Bill 3 explicitly recognizes incarcerated and formerly incarcerated people as workforce participants whose needs are important and worthy of investment. We applaud that recognition. We urge the Committee to consider the concerns we have set forth herein and take them into consideration when deciding on whether to report favorably on this bill.

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<https://www.prisonpolicy.org/reports/outofwork.html> with "Labor Market Information," Connecticut Department of Labor, *available at* <http://www1.ctdol.state.ct.us/lmi/unempratectus.asp>.

<sup>2</sup> Wendy Sawyer, "How much do incarcerated people earn in each state?" Prison Policy Initiative, Apr. 10, 2017, *available at* <https://www.prisonpolicy.org/blog/2017/04/10/wages/>.

<sup>3</sup> *See, e.g.*, German Lopez, "Slavery or rehabilitation? The debate about cheap prison labor, explained." Vox, Sept. 7, 2015, *available at* <https://www.vox.com/2015/9/7/9262649/prison-labor-wages>.