

Removing Barriers to Employment & Facilitating Successful Reintegration

HB-6582 AAC THE RECOMMENDATIONS OF THE CONNECTICUT SENTENCING COMMISSION WITH RESPECT TO CERTIFICATES OF REHABILITATION

The Issue

The Connecticut General Assembly has long recognized that people with criminal records face significant barriers to successful reentry. In response to this issue, the provisional pardon was created in 2006 as a mechanism to remove barriers to employment and licensure for individuals with prior criminal convictions¹. The proposed legislation strengthens the existing provisional pardon statute and creates a companion “certificate of rehabilitation,” which may be issued to individuals on probation or parole.

The Proposed Legislation Would

- 1. Create a “certificate of rehabilitation” for parole and probation populations. The certificates would have the same purpose and legal effect as a provisional pardon.**
- 2. Provide public and private employers limited liability protection in negligent hiring lawsuits.**
- 3. Providing greater guidance to licensing agencies and state employers.**
- 4. Require the Sentencing Commission to evaluate and report on the effectiveness of provisional pardons and certificates of rehabilitation.**

Commission Overview

The Connecticut Sentencing Commission was created by Public Act 10-129 (effective February 2011). Its mission is as follows:

“to review the existing criminal sentencing structure in the state and any proposed changes thereto, including existing statutes, proposed criminal justice legislation and existing and proposed sentencing policies and practices and make recommendations to the Governor, the General Assembly and appropriate criminal justice agencies.”

¹ The standards for issuing a provisional pardon as outlined in CGS §54-130e(d) include: (1) The person to whom the provisional pardon is to be issued is an eligible offender; (2) The relief to be granted by the provisional pardon may promote the public policy of rehabilitation of ex-offenders through employment; and (3) The relief to be granted by the provisional pardon is consistent with the public interest in public safety and the protection of property.

Building Consensus

Vetted by the Connecticut Sentencing Commission since 2011, the proposed legislation has received the full endorsement of its membership.

Providing Value

The Commission has provided value to the state by creating a consensus driven platform for the deliberation of complex criminal justice policy among criminal justice professionals, policymakers, and the general public. To date the Commission has recommended legislation to: address U.S. Supreme Court decisions; integrate best practices in recidivism reduction; and improve existing statutes, while engaging the public and appropriate stakeholders.

Engaging the Public

Recognizing the importance of public input, the Commission held a public hearing on November 29, 2012, where it received testimony from—members of the public, the Connecticut Judicial Branch, Coalition for Criminal Justice Reform, university legal clinics, the Connecticut Pardon Team, Corporation for Supportive Housing, Enfield Housing Authority, and Greater Hartford Legal Aid.

Membership

The commission consists of 23 members, including judges, prosecutors, criminal defense counsel, the commissioners of the Departments of Correction, Public Safety and Mental Health and Addiction Services, the Victim Advocate, the executive director of the Court Support Services Division of the Judicial Branch, a municipal police chief, the chairperson of the Board of Pardons and Paroles, the undersecretary of the Criminal Justice Policy and Planning Division of the Office of Policy and Management and members of the public appointed by the Governor and the leaders of the General Assembly.

For more information on the commission, visit: www.ct.gov/opm/csc