



## State of Connecticut

### DIVISION OF PUBLIC DEFENDER SERVICES

Office of Chief Public Defender  
30 Trinity Street, 4th Floor  
Hartford, Connecticut  
(860) 509-6405 Telephone  
(860) 509-6495 Fax

Christine Perra Rapillo  
Chief Public Defender  
Christine.Rapillo@jud.ct.gov

Deborah Del Prete Sullivan  
Legal Counsel, Director  
deborah.d.sullivan@jud.ct.gov

#### Testimony of Christine Perra Rapillo, Chief Public Defender

#### Committee Bill 691, AN ACT CONCERNING THE ERASURE OF CRIMINAL RECORDS Committee on the Judiciary – March 29, 2019

The Office of Chief Public Defender supports *Raised Bill 691, An Act Concerning the Erasure of Criminal Records*. This proposal would provide for the automatic erasure of all conviction records three years after the completion of an individual's last sentence for a misdemeanor or five years from the completion of the last felony sentence. This would put the onus on the court system to identify individuals eligible for erasure and provide notice to all relevant law enforcement or other keepers of such records, including any entity who had purchased records from the Judicial Department. Erasure would not be granted to any one with pending charges in any jurisdiction or to individuals with convictions for serious offenses, such as murder, manslaughter, sexual assault, most first and second degree crimes, stalking and harassment.

This proposal is a bold move, designed to recognize that individuals who have previously been convicted of a crime are able to rehabilitate and successfully integrate in to communities. Individuals from our poor communities are the most impacted by the criminal justice system. Convictions make it difficult to find housing, jobs or to climb out of poverty. Providing for automatic erasure after a set period of time, gives a person the opportunity to live, work and flourish unimpeded by the stigma of a past criminal record. The Office of Chief Public Defender supports the idea of automatic erasure of criminal records and would welcome the chance to work with this Committee and other stakeholders to create a fair and workable process to help individuals avoid recidivism in exchange for an opportunity to restart a better life with a clean record.

The Office of Chief Public Defender also joins with the Connecticut Sentencing Commission to suggest additional language for this bill. The Commission is comprised of all the relevant criminal justice stakeholders. The language proposed by the Sentencing Commission would automatically erase most misdemeanor records of 16- and 17-year-olds prior to the effective dates of the Raise the Age legislation. These are records from minor cases that would have gone to the juvenile court and created no records for the youth after 2010 or 2012. This proposal is consistent with the provisions and goals of the Raise the Age legislation and has the support of the members of the Commission. It is fair and just that the benefits of that legislation should be extended to those youths who committed their offense prior to that law's passage.