JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

TESTIMONY IN SUPPORT OF HOUSE BILL 0244:

Disclosure of Information - Prohibited Acts

TO: Hon. Luke Clippinger, Chair, and Members of the Judiciary Committee
FROM: Derrell Frazier, Policy Advocate
DATE: January 28, 2020

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates for policies and programs to increase the skills, job opportunities, and incomes of low-wage workers and job seekers in Maryland. JOTF supports House Bill 244 as a means to ensure that a criminal record doesn't limit employment opportunities.

According to the National Employment Law Project (NELP), one in three US adults have a criminal record that will surface in a routine background check. In Maryland, it is estimated that 1.5 million residents, nearly 25% of the state's population, have a criminal record. The ability to secure stable employment and education is crucial to the successful reentry of those individuals who have experienced incarceration. Unfortunately, a criminal record can serve as an insurmountable barrier to securing gainful employment and other critical resources, even if the record did not result in a conviction, was expunged or pardoned. A 2009 study, funded by the National Institute of Justice examined more than 80,000 criminal records and found that there is a point in time when an individual with a criminal record is at no greater risk of committing another crime than other individuals of the same age. Criminal records can serve as both the cause and consequence of poverty. Workers and job seekers that have a criminal background apply for jobs for which they are well qualified, but are not considered because of a non-conviction record or for dated, and often times minor, convictions that occurred decades ago.

House Bill 244 seeks to address this issue by prohibiting certain entities from requiring the disclosure of a conviction that the Governor pardoned in an application, interview or other means; prohibiting an educational institution from refusing a person's admission solely because the person refused to disclose information about a conviction that the governor pardoned or charges which were expunged; prohibiting a private entity from disclosing information relating to a certain conviction or certain records; etc. If enacted, this bill would simply prohibit the following entities employer and educational institution from requiring a person to disclose expunged information about criminal charges in an application, interview, or other means.

Ensuring that the state support efforts to remove barriers to education and employment for workers with a criminal record enables qualified Marylanders to successfully re-enter the workforce. In an effort to ensure that individuals with a criminal record are able to obtain employment and financial security, we respectfully urge a **FAVORABLE** report of HB 244.