

FWA HB 586 - Ban-the-Box in public safety

MARYLAND ALLIANCE FOR JUSTICE REFORM
Working to end unnecessary incarceration and build strong, safe communities



TO: Chair Luke Clippinger and House Judiciary Committee

FROM: Phil Caroom, MAJR Executive Committee

DATE: February 11, 2020

Md. Alliance for Justice Reform (MAJR-www.ma4jr.org) strongly supports HB 586, with its sponsor's amendment to delete review panels, as an important measure to eliminate collateral consequences and to offer better employment opportunities to responsible returning citizens.

It is commonly recognized that, due to the U.S. "war on crime," today [approximately 1 in 3 Americans has a record of arrest or incarceration](#) that, if demanded on an employment application, might prevent the opportunity for more meaningful consideration of the applicant. As a result, 35 U.S. states so far have "banned-the-box" to some extent, including Maryland and many "red" states. Id.

Studies suggest that the likelihood of being called for a job interview drop by 70% when the applicant has to admit to a criminal record in the application; but, when an interview is given and the record is disclosed then, one study suggests a 30% higher likelihood of employment. [See U.S. News and World Report - article 9/10/19](#). While more study may be needed to know the impact with precision, this evidence is strong enough to know that disclosure of a criminal record later in the job application process gives applicants a significantly better change.

As a public policy matter, giving returning citizens a full opportunity to explain their employment qualifications and their prior record makes good sense because employment has been shown to reduce the odds of recidivism:

- "*The probability of re-conviction for someone who is employed within two months of release and earning \$10 or more per hour is only 8 percent, one-third of the probability of an unemployed ex-offender.*" Greater Baltimore Committee - "*Opening Doors to Second Chances*" (2016) report, citing 3-state longitudinal study by Urban Inst.

- "*Statewide rates of recidivism [generally] range from about 31 to 70 percent, while the rates for those placed in jobs shortly after their release ranged from 3.3 to eight percent.*" -*Immediate Access to Employment Reduces Recidivism* (2015).

Would the employment situation of "fire department, rescue squad or ambulance service" present a public safety risk if someone with a criminal history gained employment there? MAJR suggests that, given the communal nature of this employment, the frequent involvement of law enforcement, and high degree of accountability, the risk would be minimal and any "bad apples" would be quickly discovered.

For all these reasons, Md. Alliance for Justice Reform (MAJR) urges a favorable report on HB 586 as amended.

PLEASE NOTE: Phil Caroom offers this testimony for Md. Alliance for Justice Reform and not for the Md. Judiciary.