

March 10, 2020

Delegate Shane E. Pendergrass, Chair  
Delegate Joseline A. Pena-Melnyk, Vice Chair  
House Health and Government Operations Committee – Room 241  
House Office Building  
Annapolis, Maryland 21401

**Subject: HB1524/SB858 - Procurement and Correctional Facilities – Employment Opportunities for Formerly Incarcerated Individuals**

Dear Chairwoman, Vice Chairwoman and Members of the Committee:

As the President & Chief Operating Officer of the Society for Human Resource Management (SHRM), I am happy to submit this letter in conjunction with the Committee’s consideration of HB1524, a bill designed to enhance the job opportunities for the formerly incarcerated. SHRM believes that employers and government must work together to enhance the educational, training and employment opportunities for all of our society’s untapped talents pools which include the formerly incarcerated.

By way of background, SHRM is the world’s largest HR professional society, representing over 300,000 members – nearly 7,000 of which reside and work in Maryland. For nearly seven decades, the Society has been the leading provider of resources serving the needs of HR professionals.

As you know, nearly 700,000 people are released from prison each year and are locked out of the job market in part because of their criminal record. Those who have served their time should be provided the opportunity to find gainful employment, particularly at a time when America’s businesses are experiencing a human capital crisis. Yet despite the growing need among U.S. employers for workers, applicants with a criminal record often face huge obstacles toward re-entering the workforce.

At a time when our nation has reached nearly full employment, business leaders and human resources professionals are considering these previously overlooked populations for the first time as a source for workers. In 2019, SHRM launched the [“Getting Talent Back to Work”](#) pledge with a toolkit to provide business leaders, HR professionals, and policy makers with the information and tools needed to confidently evaluate applicants with criminal records, reduce legal liability and increase inclusive hiring from this untapped labor pool. Since its release, over 200 companies have made the “pledge” to give opportunities to qualified people with a criminal record, deserving of a second chance.

While employers’ willingness to hire the formerly incarcerated is increasing, few say their company actively recruits individuals with criminal records. According to recent SHRM research, just five percent of managers and three percent of HR professionals report this type of recruitment. This is consistent across organizations of different types and sizes. Companies are understandably concerned about the safety of their workers and customers as well as their own assets and public image.

Many employers have had very positive results from providing candidates with criminal records a second chance. Johns Hopkins Medicine has hired hundreds of people with records, many for critical jobs

involving patient care. When it conducted a multiyear audit of accidents and other major negative events involving employees, Johns Hopkins found that not even one had been caused by an employee with a criminal record. This is not unusual. Other employers have reported that returned citizens now working for their organizations often are so grateful for a chance that they are the most dedicated employees in the organization and among those with the best retention rates.

As the voice of all things work, workers, and the workplace, SHRM appreciates the opportunity to share with the Committee our **Getting Talent Back to Work** pledge and toolkit, and respectfully encourage members of the Maryland House to share both with constituent business in their districts in your efforts to enhance employment opportunities for returned citizens. As the driver of social and economic change in the workplace, SHRM and its members work to foster mutually beneficial work environments that serve both business and employees.

Sincerely,

A handwritten signature in blue ink, appearing to read "Johnny C. Taylor, Jr.", is positioned below the word "Sincerely,".

Johnny C. Taylor, Jr., SHRM-SCP  
President & CEO

#### Attachments

Cc: Delegate Debra Davis  
204 House Office Building  
6 Bladen Street  
Annapolis, MD 21401



# Getting Talent Back to Work Pledge

In the immediate wake of the First Step Act becoming law, improving rehabilitation and re-entry opportunities for thousands of incarcerated men and women, leaders in the business community are uniting and **Getting Talent Back To Work**.

*Joining a coalition of diverse businesses that represents a major portion of the American workforce, I pledge to getting talent back to work. I commit to give opportunities to qualified people with a criminal background, deserving of a second chance.*

Because of this commitment, I will have access to SHRM's **Getting Talent Back to Work Toolkit** to refine and enhance our organizational hiring policies. I commit to creating opportunity and successful outcomes for everyone — including employers, all employees, customers, and our communities.



A job is the best way to find fulfillment and turn one's life around. Yet, with **1 in 3 adults in the U.S. having a criminal record**, many can't secure one.



**95% of people in prison today will eventually be released** — more than **650,000 people** every year.



U.S. employers continue to experience talent shortages at an alarming rate with **more than 7.8 million jobs that must be filled by 2020**.



More than **82%** of hiring managers indicated **workers with a criminal history are at least as effective** in their jobs as those without a criminal history.



**74%** of those same hiring managers went even further, indicating that **diminished costs associated with hiring from this population — coupled with effective risk mitigation — provide extreme value** for their organizations.

Photographs are not intended to imply that the models pictured have a criminal record.

[www.GettingTalentBackToWork.org](http://www.GettingTalentBackToWork.org)

## Problem

Whether an individual has completed a period of incarceration or just has a criminal record, unnecessary barriers persist and create a societal problem where productive citizens are deprived of employment opportunities and organizations are deprived of qualified talent, creating harmful downstream consequences for millions of people's lives.

## Opportunity

Historic commitments to criminal justice reform – particularly with the recent passage of the First Step Act – provide the business community with an opportunity to help people re-enter society by joining the Getting Talent Back to Work movement.

By embracing best practices, employers can identify a diverse pool of qualified applicants, improve opportunities for those deserving of second chances, and have a direct positive impact on their communities – strengthening them and keeping them safe.

## Hiring managers and HR professionals see 3 benefits of hiring workers with a criminal background:

- 1 the hiring of most-qualified candidates from a truly diverse pool
- 2 the intrinsic value of giving people second chances at employment
- 3 the opportunity to improve the community around them

## Guiding Principles and Insights of the Getting Talent Back to Work Toolkit

Koch Industries, Total Wine, Walmart, and thousands more have worked to advance hiring practices through voluntary measures to “ban the box” or by limiting background checks. Employers can continue to refine and enhance their hiring practices through the Getting Talent Back to Work Toolkit.

✓ Learn the research and legal factors around hiring workers with a criminal background.

✓ Apply evidence-based best practices for both hiring and integrating employees with a criminal background. This includes access to numerous sample policies, practical guides, and checklists.

✓ Get practical guidance from industry leaders in acquiring, developing, and promoting talent including workers with a criminal background.

By implementing the toolkit into existing practices, employers can be a major force for good in their communities, grow the number of opportunities for workers with a criminal background, and address talent shortages affecting key business outcomes.

**Source:** Recent research conducted by the Society for Human Resource Management (SHRM) and Charles Koch Institute (CKI)