

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

TESTIMONY IN SUPPORT OF SENATE BILL 900 :

Disclosure of Information - Prohibited Acts

TO: Chairman. William C. Smith, and Members of the Senate Judicial Proceedings Committee

FROM: Caryn York, Policy Advocate

DATE: March 5, 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 Senate Bill 900 as a means to ensure that a criminal record doesn't limit employment or educational 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.

Senate Bill 900 seeks to address this issue by prohibiting certain entities from requiring the disclosure of a conviction that the Governor pardoned in an application. This law prohibits 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. Also, this law prohibits a private entity from disclosing information relating to a certain conviction or certain records. If enacted, this bill would simply prohibit employers and educational institutions 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. To ensure that individuals with a criminal record are able to obtain employment and financial security, we respectfully urge a **FAVORABLE** report of Senate Bill 900.