

JOTF JOB OPPORTUNITIES TASK FORCE

Advocating better skills, jobs, and incomes

TESTIMONY IN SUPPORT OF HOUSE BILL 1163:

Human Relations - Protections Against Discrimination - Criminal Records

TO: Luke Clippinger, Chair, and members of the House Judiciary Committee

FROM: Ioana Stoica, Policy Advocate

DATE: March 7, 2023

The Job Opportunities Task Force (JOTF) is an independent, nonprofit organization that develops and advocates policies and programs to increase the skills, job opportunities, and incomes of low-wage workers and job seekers in Maryland, and to remove barriers to employment. **JOTF strongly supports House Bill 1163 as a means of removing barriers to employment for individuals with a criminal record, and of improving reentry outcomes for formerly incarcerated individuals.**

A criminal record can be both the cause and consequence of poverty and has detrimental effects on the employment prospects for the 25% of working-age Marylanders with a record. Every year, approximately 15,000 Marylanders are released from state prisons and struggle to secure a job, find a place to live, and reenter society. Worse yet, in the state of Maryland, a criminal record is acquired upon arrest, *whether or not a person is ever convicted of a crime*. Anything that occurs after an arrest is documented on an individual's criminal record and, in Maryland, will remain publicly visible via Maryland Case Search until the charges and dispositions are expunged. Individuals with a record are also often prevented from entering into business for themselves through, for example, obtaining an occupational license. House Bill 1163 would begin addressing this undue burden by allowing individuals to seek meaningful employment in fields in which they are otherwise qualified to work.

The Department of Justice has found high rates of recidivism among returning citizens, with half of all returning citizens recidivating within 3 years and 60 percent recidivating within 5 years. One of the primary drivers of high recidivism rates is the inability of returning citizens to find a job: up to 60 percent of formerly incarcerated persons remain unemployed one year after their release. This is mainly due to the fact that more than 70% of employers perform background checks on all of their job applicants and deny employment to many returning citizens on the basis of a record. A past criminal conviction of any sort reduces job offers by half. This leaves many of the 1.5 million Marylanders with a criminal record out in the cold when trying to obtain

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gainful employment. When securing employment through traditional means becomes untenable, many opt for entrepreneurial ventures, skills training, or both, to stay afloat.

Restrictions on individuals with a criminal record disproportionately affect people of color and low-income populations. In Maryland, black individuals constitute 31% of state residents, but 52% of people in jail and 69% of people in prison. The cumulative impact of these policies poses a significant barrier to employment and affects not just directly impacted individuals and their successful reentry, but their families and communities.

The Job Opportunities Task force fully supports this bill as a step in addressing the complex web of consequences of a criminal record that disproportionately affects our low-income and black residents, and prevents them from securing stable and meaningful employment. We welcome all efforts to expand employment access to returning citizens. For these reasons, we respectfully **urge a favorable report on House Bill 1163.**

For more information, contact:

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