Webinar

Overcoming Non-Skill Barriers to Employment: How Regions are Helping Formerly Incarcerated Workers Access Good Jobs

March 26, 2014
Today’s Presenters

1. **Jason Perkins-Cohen**  
   Executive Director, Job Opportunities Task Force

2. **Doug Ammar**  
   Executive Director, Georgia Justice Project

3. **Joshua Arce**  
   Executive Director, Brightline Defense Project

4. **Samuel Schaeffer**  
   CEO / Executive Director, Center for Employment Opportunities
Join the conversation on Twitter using hashtag #Access2Jobs

Job Opportunities Task Force
@jotfmaryland

Georgia Justice Project
@gajustice

Brightline Defense
@BrightlineDef

Center for Employment Opportunities
@ceoworks

Living Cities
@Living_Cities

Other Suggested Hashtags:
#reentry
#peoplewithconvictions
#recidivism
Mission: Help low-wage residents advance to high wage jobs.

Strategies: Advocacy, program development, research and education.
Advocacy

- Statewide policy agenda.
- 2 staff dedicated to advocacy. It takes resources that can be difficult to generate.
- 3-month session. Year-round work.
- 1 or more policy proposals each year address reentry.
- Recent successful initiatives:
  - Expungement of nuisance crimes
  - Expungement of arrests without charge
  - Ban the Box on state job applications
Biggest Challenge: Select policy when so much needs to be done

• Want to reduce barriers/stimulate opportunities – but how high to aim?

• Low-Hanging Fruit *vs.* Going Bold
  • Victories help now and solidify the coalition
  • Bigger goals attract more interest and more passion

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Coalition Building

- Can’t do it alone.
- Diversify – across state, rural/urban, race & gender, socio-economic.
- Unity!
  - Good example: All focused on expunging arrests without charge
  - Bad example: Expungement vs. shielding vs. private sector Ban the Box
- The power of the unlikely ally
Leadership of Those Directly Impacted

• First hand experience and understanding of barriers.

• *Ban the Box example:* Testimony and advocacy of those with a background was the game-changer.

• Reentry Day in Annapolis.
  • Bus loads from around the state attend a lobby day.
  • Rally & legislative meetings.
  • Grows the campaign.
Messaging, the Opposition & Compromise

• Choose your message or it will be chosen for you.
  • *Example 1:* Shielding is about redemption. Not a license to lie.
  • *Example 2:* Reduction in state owed debt in child support not dead beat dads.
• Don’t just fight the opposition. Sometimes you can flip them.
  • *Example:* shielding
• Sometimes you have to compromise.
  • *Example:* The Parole Fee example.
Don’t Forget to Monitor Implementation

• Passing bills gets headlines but effective implementation is what provides needed services.

• May even have fewer “eyes”

• *Example:* MD State Identification
JOTF Direct Job Training - JumpStart

- Pre-apprenticeship construction training
- Approx. 100 individuals per year (70% have a criminal record)
- We’ve placed about 75% of graduates in construction jobs with a starting wage of over $13 per hour
- Other services provided include: driver’s ed., child support, housing, expungement, and more.

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Jason Perkins-Cohen
Executive Director
Job Opportunities Task Force

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Georgia Justice Project
Transformative action through pragmatic solutions
GJP:
A complementary approach

- **Direct Service**
  - Rigorous Criminal Defense coupled with ongoing social services
  - Support for families as well as accused
  - Records counsel

- **Policy Work**
  - Deeply rooted in experience with clients
  - Solution-focused rather than problem-focused
  - Win-win; bipartisan
  - Aimed first at low hanging fruit

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Georgia’s Reality

- 1 in 3 have a record in Georgia (3.7 million)
- 1 in 13 under correctional supervision
- $1.2 billion spent on corrections annually
- 2nd worst state for roadblocks to reentry
- Worst possible rating for access to employment
- 1 of only 12 states that permanently ban food stamps for people with drug felonies

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Criminal Record Impact

- Employment is the biggest predictor of recidivism
- Over 90% of employers check criminal histories
- 63% consider arrests that didn’t lead to conviction

- A criminal record reduces the chances of a callback by more than 50%
- Negative effect of a record is greater for African-Americans and Latinos (Devah Pager)

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Policy Successes

- **2012** – Changed Georgia’s expungement law: expanded eligibility, eliminated onerous application and costly fees, & automatic going forward. July 1, 2013, nearly 2 million Georgians’ record restricted (HB 1176)

- **2013** – Expanded rights - new criteria to old cases (HB 349)

- **2014** – GJP reentry policy proposals included in the Governor’s re-entry legislative package (SB 365)
  - Eliminates the automatic drivers’ license suspension for drug offenses unrelated to a vehicle
  - Increases the value of the pardon by protecting employers from hiring liability based on the offense
  - Creates a Program and Treatment Completion Certificate. (Dept. of Corrections.) Negligent Hiring protection for Employers

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Education & Training 2012-2014

- Published a comprehensive manual (Understanding Criminal Records in Georgia)
- Developed Self-Help portion of our website (www.GJP.org)
- Conducted over 40 presentations for approximately 2000 folks
- Collaborated with the Georgia Crime Information Center for presentations / training
- Provided ongoing technical support to attorneys statewide for questions on expungement
- Hosted two Lobby Days at the Capitol
  - 2013 - 50 participants from the Atlanta area
  - 2014 - 125 participants (nearly half from Albany – nearly 200 miles from Atlanta)
Southern strategy-regional impact

**Georgia Justice Project**
- We have a governor focused on criminal justice for the first time in decades
- We have made legislative strides, but not without setbacks

**New Southern Strategy Coalition**
- Sharing information; convening
- Understanding it’s relevant, but must still be contextualized state to state
- Differences in approach and goals of each group are significant

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What our work means nationally

- Our blend of high accountability services and solution focused policy is a model for catalyzing change on a variety of criminal justice issues (Forces for Good)
- We aim to create replicable models that are readily adapted to realities on the ground in other environments
- And, as importantly, As the South Goes, so goes the nation (www.fcgworks.com/clients/nfg/website-files/AsTheSouthGoes-ExecutiveSummary.pdf)

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Getting People Hired and Making the Case for Local Hiring of Low-Income Residents

Joshua Arce, Executive Director
Brightline Defense Project
We Advocate
For Sustainable Communities
Local Hiring Defined

- **Local Hiring** is a job targeting strategy used to deliver employment opportunities for specified categories of workers, typically on publicly funded or subsidized projects.

- **Local Hiring** policies, particularly in the construction context, must balance the interests of:
  1. community members seeking to work on projects in their neighborhood
  2. local taxpayers who wish to see more local dollars captured in the local economy irrespective of neighborhood
  3. policy makers wishing to deliver opportunities to disadvantaged but not necessarily “project-impacted” communities
  4. regional workforce considerations

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The San Francisco Local Hiring Model

January 2010

• 2009-2010 – Unemployment shoots above 10% for first time in 40 years, with double or triple that level in city’s low-income communities of color

• Projected $27 billion to be spent on public works over ten years

• A long-standing law requiring that public works contractors demonstrate a “good faith effort” to hire a 50% local workforce

• Baby steps toward reform: Sunset Reservoir
Community-Driven Local Hiring Reform

- Mandatory and not “good faith”
- A pathway toward long-standing 50% goal based on building up the local apprentice pipeline
- Cross-sector and cross-community partnership

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San Francisco Local Hiring Policy for Construction

- Requirements for local resident employment on projects over $400,000, starting at 20% increasing to 50% over 7 years, with financial penalties for non-compliance
- Requirements for disadvantaged workers from disproportionately low-income or unemployed communities or that face or have overcome barriers to employment
- 50% local apprentices required in first year
- Conditional waivers for contractors that sponsor community apprentices into state-certified apprenticeship programs or work with
- Reciprocity agreements with Bay Area cities local hiring policies of their own
Local Hiring &
Previously Incarcerated Individuals

- Program to prioritize previously incarcerated individuals
- Redirecting existing workforce dollars to priority populations
- Increase lasting impact on community

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Impacts
Questions?

www.brightlinedefense.org

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SCALING REENTRY EMPLOYMENT NATIONALLY
Challenges and Opportunities

SAMUEL SCHAEFFER
Chief Executive Officer/Executive Director
sschaeffer@ceoworks.org
2.4 Million People Incorporated
½: Under 30

600,000: Age 18-25
7 Million Children
Cost: $64.3 Billion
CEO’s vision is that anyone with a recent criminal history who wants to work has the preparation and support needed to find a job and to stay connected to the labor force.
THE CEO MODEL

CEO provides a highly structured program model while allowing sufficient flexibility for individuals to move through each phase at their own pace.

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In 2012, MDRC released the results of a three-year random assignment evaluation of CEO, sponsored by the US Department of Health and Human Services.

**CEO’S IMPACT ON:**
- **PUBLIC SAFETY**
  - Finding: Statistically significant reductions on all measures of recidivism
  - Outcomes: Over 20% reduction in reconviction and returns to incarceration

- **EMPLOYMENT**
  - Finding: Substantial increase in employment early on & some positive impacts on long term for some populations
  - Outcomes: 1st year improvements were substantial (44%), but faded over time

- **PUBLIC SPENDING**
  - Finding: Nearly 4:1 Benefit: Cost Ratio
  - Outcomes: Up to $3.30 saved for every tax payer dollar spent

**BEST RESULTS WITH HIGHER RISK CLIENTS**
These results were driven by those recently released from incarceration.

To see the full report, visit:
10 cities in 3 states

= 4,000+ clients enrolled
= 2,000+ job placements
= $29M + client wages earned
HOW MANY PEOPLE ARE INCARCERATED IN THE UNITED STATES?

Awaiting Trial (not convicted) 428,312

Local Jails 721,654

Serving a Jail Sentence 293,342

State Prisons 1,362,028

Federal Prisons 216,362

Other 353,228

Public Order 142,500

Burglary 130,000

Assault 146,800

Murder 166,700

Robbery 185,800

Drugs 237,000

Juvenile 70,792

Immigration Detention 34,000

Sources and data notes: See http://www.prisonpolicy.org/reports/pie.html
WORKING-AGE MEN BEHIND BARS
Rates of incarceration by race, age and education, 2008

<table>
<thead>
<tr>
<th></th>
<th>White</th>
<th>Black</th>
<th>Hispanic</th>
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<tbody>
<tr>
<td>18- to 64-year olds</td>
<td>1.1%, 1 in 87</td>
<td>8.0%, 1 in 12</td>
<td>2.7%, 1 in 36</td>
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<tr>
<td>20- to 34-year olds</td>
<td>1.8%, 1 in 57</td>
<td>11.4%, 1 in 9</td>
<td>3.7%, 1 in 27</td>
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<tr>
<td>20- to 34-year olds</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>without high school</td>
<td>12.0%, 1 in 8</td>
<td>37.1%, 1 in 3</td>
<td>7.0%, 1 in 14</td>
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<tr>
<td>diploma/GED</td>
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Source: Collateral Costs: Incarceration’s Effects on Economic Mobility, Pew Center on the States
<table>
<thead>
<tr>
<th>Year</th>
<th>Releases</th>
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<td>2004</td>
<td>672,202</td>
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<tr>
<td>2009</td>
<td>729,749</td>
</tr>
<tr>
<td>2012</td>
<td>637,400</td>
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43.3% of those sent home from state prison are reincarcerated within three years.

BREAKING THE NUMBERS DOWN FURTHER, 19.9% of all released individuals were reincarcerated for a new crime, and, 25.5% were returned for a technical violation of supervision.
IMPACT ON EMPLOYMENT

History of incarceration reduces hourly wages for men by approximately **11 PERCENT**, annual employment by **9 WEEKS**, and annual earnings by **40 PERCENT**.

Incarceration depresses total earnings of white males by 2 percent, of hispanic males by 6 percent and **BLACK MALES BY 9 PERCENT**.
Structural Barriers

The ABA estimates that there are 40,000 statutes and regulations presenting barriers for individuals with criminal records – 50 percent of them are employment related.

58 percent of employers in a recent survey said they were unlikely to hire people with criminal records. (But there is some good news here)
PUBLIC OPINION SHIFTING

2012 Public Opinion Polling Statement:

“Ninety-five percent of people in prison will be released. If we are serious about public safety, we must increase access to treatment and job training programs so they can become productive citizens once they are back in the community.”

87% of Americans were found to agree or strongly agree with this statement.

Including 82% of Republicans surveyed.

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POLITICAL RESPONSE CHANGING

“Another area ripe for reform is the federal government’s criminal justice and prison system. The simple fact is that in America today, we put too many people in prison for too long, with too little benefit to our society.”

Senator Mike Lee (R-Utah)

“It’s time to end business as usual in our prison system and for legislators to think and act with courage and creativity. We can make sensible and proven reforms to our criminal justice system that will cut prison costs while keeping the public safe.”

Former House Speaker Newt Gingrich (R)

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THE JUSTICE REINVESTMENT INITIATIVE

Supported state legislative responses to incarceration in 17 STATES.

SECOND CHANCE ACT

Since its passage five years ago, the SECOND CHANCE ACT has funded more than 600 grants worth over $335 million to nonprofit organizations and government agencies specializing in reentry services.

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BUT THE LINK BETWEEN EMPLOYMENT AND RECIDIVISM IS NOT CRYSTAL CLEAR:

“Research does not support the proposition that simply placing an individual in a job is a silver bullet for reducing criminal behaviors.”

Council of State Governments
Integrated Reentry and Employment Strategies

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RECOMMENDATIONS FOR PRACTICE

Service Imperatives
• Must invest in what works.
• Facilitate Scaling.

Structural Imperatives
• Government and Corporate Leadership to Hiring Community.
• Make Work Pay and Build Skills.
• Continue local advocacy.
Thank you for joining!

www.livingcities.org