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## Testimony Regarding H.B. 5237, An Act Concerning Fair Chance Employment

Good Afternoon Senator Gomes, Representative Tercyak and Respected Members of the Labor and Public Employees Committee,

My name is Erica Dean and I am a Policy Analyst at the Connecticut Association for Human Services (CAHS). CAHS is a statewide, nonprofit agency that works to reduce poverty and promote economic success through both policy work at the Capitol and program work in low-income communities statewide.

I am here to support H.B. 5237, otherwise known as the “Ban the Box” policy.

- **“Ban the Box” Promotes Racial Equality**

The racial disparities present in the criminal justice system are well-known. Though African American’s make up around 12.3% of the nation’s population, 40% are behind bars. African American men are 6x’s more likely to be incarcerated than white males and 2.5 times more likely than Hispanic males<sup>1,2</sup>. The cumulative effect of this disparity is that today, fifty years after the passage of the Civil Rights Act and 150 years after the ratification of the Reconstruction Amendments, more black men are in prison, jail, on probation or parole than were enslaved in 1850<sup>3</sup>.

Research has shown that at the one-year mark of being released, between 60 and 75% of previously incarcerated individuals are unemployed<sup>4</sup>. Those that are employed make around 40% less in annual earnings than they did prior to incarceration and have limited upward mobility<sup>5,6</sup>. After submitting job applications, those with criminal records are half as likely to receive an interview; for African American applicants, this reduces to 33%<sup>7</sup>. “Banning the box” will ensure that all Connecticut residents have a fair opportunity to be considered on their qualifications first, instead of being denied because of past mistakes.

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<sup>1</sup> Clemons, J.T. (2014). Blind injustice: The Supreme Court, implicit racial bias, and the racial disparity in the criminal justice system. *American Criminal Law Review*, 51, 689 – 713.

<sup>2</sup> Drake, B. (2013). Incarceration gap widens between whites and blacks. *Pew Research Center*. Retrieved from: <http://www.pewresearch.org/fact-tank/2013/09/06/incarceration-gap-between-whites-and-blacks-widens/>.

<sup>3</sup> Alexander, M. (2012). *The New Jim Crow: Mass Incarceration in the Age of Colorblindness*. New York, NY: The New Press.

<sup>4</sup> Travis, J. (2005). *But they all come back: Facing the challenges of prisoner reentry*. Washington, DC: Urban Institute Press.

<sup>5</sup> The Pew Charitable Trusts. (2010). *Collateral costs: Incarceration’s Effect on Economic Mobility*. Washington, DC: The Pew Charitable Trusts.

<sup>6</sup> Tierney, J. (2013, February 9). Prison and the poverty trap. *The New York Times*. Retrieved from <http://www.nytimes.com/2013/02/19/science/long-prison-terms-eyed-as-contributing-to-poverty.html?pagewanted=all>. “

<sup>7</sup> Pager, D. (2003). The mark of a criminal record. *American Journal of Sociology*, 108, 937 – 975.

- **“Ban the Box” Increases Public Safety by Decreasing Recidivism**

Studies have consistently showed that employment is one of the best ways to reduce recidivism. In 2011, an examination of formerly incarcerated individuals found that employment was the single most important influence on decreasing recidivism. Two years after release, nearly twice as many employed people with records had avoided another “incident” with the law when compared to their unemployed counterparts<sup>8</sup>. A separate three-year recidivism study found that formerly incarcerated persons with one year of employment had a 16% recidivism rate over three years in comparison to a 52.3% rate for all Department of Corrections releases. Just 30 days of employment lowered the likelihood of ever being re-arrested to 20%<sup>9</sup>.

The Fair Chance Act requires that all potential employees, regardless of criminal past, be treated equally. It is important that those with conviction histories are considered on their present merits instead of their past mistakes.

In closing, this decision should be easy: Connecticut has already implemented “Ban the Box” for state employees, and private companies should follow this action. By making this a universal policy throughout the state, unnecessary barriers to employment will no longer exist for past-criminals. Instead of weakening race relations and increasing economic disparities, families and communities will be strengthened.

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<sup>8</sup> Berg, M.T., & Huebner, B.M. (2011). Reentry and the ties that bind: An examination of social ties, employment, and recidivism. *Justice Quarterly*, 28, 382 – 410.

<sup>9</sup> Safer Foundation. (2008). Three-year recidivism rate: Chicago, IL. Retrieved from: <http://saferfoundation.org/files/documents/Safer%20Recidivism%20Study%20202008%20Summary.pdf>.