

Eliminating Barriers to Reentry: Positive Steps for Families



Georgia Justice Project

Direct Service

- ▶ Holistic Criminal Defense
 - ▶ Social service support, during case, after case, and after release
- ▶ Criminal Records
 - ▶ Record restriction, corrections, First Offender, Housing, Private Background Issues, Pardons

Advocacy & Education

- ▶ Grounded in Direct Service
- ▶ Began with focus on employment
- ▶ Established subject matter expertise
- ▶ Formed unlikely partnerships



Families and Incarceration

- ▶ Number of children with a father in prison rose 500 percent between 1980 and 2000
- ▶ Over 5 million American kids have had a parent incarcerated during their lives
- ▶ 45 percent of individuals incarcerated in state and federal prisons age 24 and younger are fathers
- ▶ In Georgia, 8 percent of all children, or 189,000 kids, have experienced parental incarceration
- ▶ See Annie E. Casey Foundation policy report “A Shared Sentence: The Devastating Toll of Parental Incarceration on Kids, Families, and Communities”

Families, Race, and Incarceration

- ▶ 1 in 9 African American children have an incarcerated parent
- ▶ 1 in 4 blacks live in poverty
- ▶ 1 in 2 (50%) black men (20-24) are unemployed
- ▶ The leading cause of death for blacks (ages 10-24) is homicide
- ▶ African Americans are 6 times more likely to be incarcerated

A Parental Criminal Record is a Roadblock to Families

Employment

Licensing

Housing

Education

Benefits

Adoption

Immigration

Voting

Impact of a Criminal Record On Employment

The barriers people face

- ▶ 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)

Impact of a Criminal Record on Housing

- ▶ Many local public housing authorities impose blanket bans on individuals with criminal records
- ▶ Private landlords have discretion to deny housing on the basis of a criminal record
 - ▶ New HUD guidelines

Scope of the Problem in Georgia

- ▶ **1 in 3** have a record
- ▶ **1 in 12** under correctional control
- ▶ **2nd** hardest state for reentry
- ▶ Worst possible score for employment
- ▶ Allow employers to use arrests when there was no conviction



Toward Reform in Georgia: Process

- ▶ **Georgia Council on Criminal Justice Reform: Three Phases**
 - ▶ **Alternatives to prison**
 - ▶ **Drug/veterans courts, etc.**
 - ▶ **In prison**
 - ▶ **Programming, training, parole, release**
 - ▶ **Juvenile reform**
 - ▶ **Reentry**

Toward Reform in Georgia: Achievements

- ▶ 2012
 - ▶ Record Restriction Law
- ▶ 2013
 - ▶ Mugshot removal
- ▶ 2014
 - ▶ Reinstatement of driver's licenses for non-vehicle offenses
 - ▶ Prohibition on law enforcement publishing mugshots online
 - ▶ Negligent hiring liability: employer protection
- ▶ 2015
 - ▶ Ban the Box executive order
 - ▶ Retroactive First Offender
 - ▶ Georgia Fair Business Practices Act

What is “Ban the Box” ?

A Fair Hiring Policy that:

1. **Postpones questions** about criminal history until after interview
2. Gives applicants the **chance to explain** criminal history before denial
3. Allows only **relevant convictions** to be used to deny

“Ban the Box” Policies in Georgia

Public Employers

- State of Georgia
- City of Atlanta
- City of East Point
- City of Albany
- Fulton County
- Macon-Bibb County

Private Employers

- Home Depot
- Walmart
- Target
- Bed Bath & Beyond
- Koch Industries

Toward Reform in Georgia: 2016 Achievements

- ▶ SB 367
 - ▶ First Offender Act reform
 - ▶ Occupational licensing reform
 - ▶ Driver's license suspension and fee reform
 - ▶ Lifting/modifying Georgia's lifetime ban on food stamps for people with felony drug convictions
- ▶ HB 936
 - ▶ Tax credit to encourage hiring of people on parole

Toward Reform in Georgia: Looking Forward

- ▶ Georgia Council on Criminal Justice Reform Areas of Focus
 - ▶ Mandatory minimum reform
 - ▶ Parole reform
 - ▶ Support from Council of State Governments (CSG)
- ▶ Housing