



Criminal record shouldn't be a barrier to work **Maryland missed a chance to improve opportunities for workforce reentry**

By Melissa Broome

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On April 25, the U.S. Equal Employment Opportunity Commission (EEOC), for the first time in 25 years, updated its guidance on how employers may use criminal background checks in the hiring process. The new guidelines reaffirm that it is illegal under the Civil Rights Act for companies to exclude people from employment based on arrest or conviction records — unless the offense is directly related to the job at hand.

The need for EEOC action was dire. More than 1 in 4 Americans — 65 million people — have an arrest or conviction record, leaving a significant segment of the population largely shut out of the job market. More than 90 percent of employers report using criminal background checks in hiring, and it's no secret that many are reluctant to hire those with a blemish in their background. In one survey, more than 60 percent of employers reported that they would "probably not" or "definitely not" be willing to hire an applicant with a criminal record.

Even applicants with proper credentials and relevant experience struggle to have their applications considered if they have a record. At JumpStart, the nonprofit pre-apprenticeship construction training program my organization runs in Baltimore City, it's noticeably more difficult to place a qualified graduate in a job if he has a criminal record, compared to graduates with similar backgrounds and experience who have no record.

This long-awaited decision by the EEOC is a step in the right direction, but much more needs to be done. Several bills in Annapolis this year would have made a difference to thousands of Marylanders with criminal records. One bill, known as "Ban the Box," passed the Senate Finance Committee with bipartisan support but was killed in House Appropriations. It would have removed the question from state job applications that asks prospective employees to check a box indicating if they've ever been convicted of a crime. This would enable qualified applicants to get a foot in the door and prove their qualifications, rather than be judged based on a box they checked at the beginning of the process. The bill in no way prevents the state from conducting background checks but simply moves the point in time when the question is asked.

Studies have shown that individuals stand a much better chance of getting hired if they reach the interview stage, where they are able to explain their past in person. Passage of "Ban the Box" would show that Maryland is committed to encouraging all qualified applicants, including those with a prior conviction history, to apply for state employment. And the state is by far the biggest employer in Maryland.

This policy of discrimination places another obstacle in front of people who are working to get their lives back on track. According to a Congressional Research Service Report, helping those with criminal records to find employment and stable housing is crucial for preventing recidivism. During the legislative session, hundreds of people with criminal records marched on Annapolis to send a strong message to lawmakers: We need job opportunities and decent wages, affordable housing, and a communitywide commitment to second chances.

People with criminal records need to be able to work and earn a living, just like the rest of us. Making more than one-quarter of the American workforce unemployable is an unsustainable policy. We need programs and policies that facilitate successful reentry into society and the mainstream economy by reducing poverty and homelessness in Maryland. Without the ability to do so, everyone loses.

The EEOC did the right thing last week. Now policymakers in Annapolis need to do more.

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