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Bill paves way for responsible re-entry into workforce

Hundreds of thousands of Coloradans whose opportunities are limited by past mistakes could see their job prospects improve under a bill being considered by Colorado legislators.

Introduced today, House Bill 1388 would expand Colorado's "ban the box" laws by prohibiting most employers from asking about criminal history on the initial job application. Most of the time, the question appears in a check-box commonly featured in application forms.

"Every Coloradan deserves a fair chance when applying for a job," says Rep. Beth McCann, D-Denver, who is sponsoring the legislation. "While it is an employer's right to consider criminal history, featuring 'the box' on application forms might discourage those with records from applying and could be inappropriately used as a screening device among employers. HB 1388 would allow those who have done their time to at least have a shot at gaining employment and becoming productive members of society."

The legislation was developed by the [Colorado Center on Law and Policy](#) and is endorsed by a coalition of more than 50 organizations -- including Mile High United Way, Denver Urban Ministries and local businesses.

"CCLP is concerned that people with a criminal history are unable to support themselves and their families, and are effectively sentenced to a life of poverty even though they repaid their debt to society. Under this bill, a qualified applicant who made mistakes in the past is more likely to be considered for a life-changing job," says Claire Levy, CCLP's Executive Director. While a state legislator, Levy sponsored a successful bill in 2012 that prohibits most state departments from querying about criminal records early in the recruiting process.

Evidence suggests that finding work ensures that those with records can continue their rehabilitation and contribute to their communities and the economy. One recent study concluded that employment is the most significant factor in decreasing recidivism. Another study found that job-seekers who indicate a criminal record on their applications are much less likely to get a job interview. Adding to the employment hurdle for a population whose employment rate and income

level already lags, people of color with a criminal record are less likely than whites with a criminal record to be considered for employment.

Ban the box laws increase job opportunities for people with records. For example, after enacting fair-hiring policies, the City of Atlanta hired 10 percent more people with records between. Similarly, in Durham County, N.C., the number of applicants with records who have been recommended for hire has almost tripled since the adoption of ban the box policies.

If HB 1388 is approved, Colorado would join seven states that have enacted ban the box laws in the private sector. Companies that have implemented ban the box reforms in their hiring policies include Koch Industries, Walmart, Target, Home Depot and Bed Bath & Beyond.

Ban the Box policies have been endorsed by the U.S. Equal Employment Opportunity Commission and are supported by the Colorado Society for Human Resource Management. A growing list of the country's best-known philanthropic organizations have banned the box as well. This legislation would open up job opportunities across the board.

"We have found that people with records are better workers than those from the general population," says Terri Jackson of Empowercom Inc., a Denver-based technology contractor. Jackson estimates that 20 percent of the company's 20 employees have criminal records. "Their retention, performance, productivity, attitude and career advancement is better than the average employee," Jackson adds. "They are incentivized to come to work and stay at work. In this day of a tight labor market, this is a pool of folks who are extremely motivated."

Bridget Sidner, a hardworking mother of two and a leader of the 9to5 Colorado advocacy organization, says she's struggled to find and maintain employment because most Colorado employers include a criminal history box on their application forms. Sidner carries a drug-related felony from seven years ago. She says she applies for jobs daily and attends networking events regularly.

"Once I get an interview, I can speak for myself, but I just can't get past the paperwork right now," Sidner says, adding that HB 1388 would improve her chances of landing a job because employers could get to know her better. "My crime wasn't against anybody but myself," Sidner adds. "While I've paid my debt to society for that crime I committed, I feel it's still being held against me in the job market."

HB 1388 will be heard by the House Judiciary Committee. Learn more at [CCLP's Responsible Re-Entry webpage](#).

The Colorado Center on Law and Policy is a nonprofit, non-partisan research and advocacy organization that engages in legislative, administrative and legal advocacy on behalf of low-income Coloradans.