



August 17, 2016

How Should We Treat Returning Citizens?

In the United States, more than 100 million people have some form of a criminal record. According to the Brennan Center for Justice, every arrest comes with a sentence: guilty or not guilty. A 2012 survey by the Society for Human Resource Management, found that 86 percent of employers use criminal background checks on at least some candidates, with the majority - 69 percent - checking all candidates. In a similar 2010 survey by the same group, 31 percent of respondents said an arrest without conviction would at least be “somewhat influential” in their hiring decision.

People who are productive and want to continue to be productive citizens in America should not be denied their full liberty in America. Immigration, global warming, and many international issues are being debated, but we must ask our candidates running for President of the United States - who are asking for our votes - that they make issues dealing with re-entry of our returning and returned citizens a priority if our nation is to heal its wounds. So many people who have paid their debt to society still struggle to find ways to clear their names - struggling for total freedom and the opportunities they deserve.

The number of Americans with criminal records today is larger than the entire U.S. population in 1900. The number of Americans with a criminal history has risen sharply over the past three decades. Today, nearly one-third of the adult working age population has a criminal record. In fact, so many Americans have a criminal record that an accurate count of all of is nearly impossible. Today, nearly one-third of the adult working age population has a criminal record. If all arrested Americans were a nation, they would be the world’s 18th largest - larger than Canada, larger than France, and more than three times the size of Australia.

America now houses roughly the same number people with criminal records as it does four-year college graduates. Nearly half of black males and almost 40 percent of white males are arrested by the age 23, according to Matthew Friedman of the Brennan Center for Justice.

According to the National Employment Law Project, one out of every four adult Americans has a criminal record, a broad term covering everything from violent crime to arrest without a conviction. But for most employers, the devil isn’t in the details—simply having a criminal record can often be enough to have your resume dismissed by employers, leaving you without options to earn a stable income. The result is that a significant chunk of working-age adults, particularly communities of color, are barred—by law or

stigma—from contributing to the economy. According to the American Bar Association, there are 38,000 collateral consequences that accompany a criminal record. Work in certain sectors, like education and healthcare, is often off limits. Most public housing forbids residency for anyone with a criminal record. And a record can also make it impossible to receive food stamps. Last year, a Stanford University study sought to put a dollar value to the impact of these limitations. The study found that a criminal record led to \$5,760 in forgone benefits to the community annually, primarily through lost earnings and tax revenue. Extrapolated across the tens of millions of Americans with records, their findings suggest billions of dollars being locked out of the economy—a finding supported by a similar 2008 study by the Center for Economic Policy Research.

A criminal background in America is a disability that prevents citizens from living a productive life in America. Americans with criminal records should be given a second chance if they have served their time and are fully committed to obeying the laws of the land. Even those who were wrongfully convicted have to carry the burden of a negative image on their shoulders. This is causing us to see a repeated cycle in our prison system and communities. We must not turn our backs and pretend this is not an issue with our family, friends and community.

Commissioner Howard C. Medley, a veteran with a Purple Heart and a community leader, shares many of the issues that plague those with a background. “I’m a black, 89 year old man, a Democrat and role model in the community,” said Medley. “I was wrongfully convicted and jailed 28 years ago, and I still can’t live the American dream. I am trying to clear my name for a crime I did not commit in the first place. I have been suffering and have spent over a million dollars trying to clear my name, and all the while my business also suffers because of it.

As Chairman of the Illinois House Restorative Justice Committee and a Democrat, I am urging my party to advance an agenda to open the doors for the millions of people who are shut out of job opportunities as a result of a past criminal arrest or conviction record. Many job applications are discarded before the person even has a chance to show their skills and abilities or even explain what happened when they were convicted. Ban the Box was the first bill I introduced and passed in 2007, an idea that I ran on before I was elected to the General Assembly in 2006. I have also passed a law to add eight felony convictions to the sealing law which seals the records of certain offenses that represented the most common barriers: theft, retail theft, burglary, possession with intent to deliver, possession of stolen motor vehicle, deceptive practice and forgery. Sealing locks away, but does not destroy, certain criminal records. Sealing allows certain agencies, such as law enforcement, schools, park districts, child service, health care and banking to continue to have access to the records.

Public Act 098-0142 will provide possible relief for individuals looking for a chance to remove barriers because of their past criminal record. This bill will allow those who would be tax burdens to become assets to the state by working and paying taxes. President Reagan once said, “The best social service is a job”. Parents will become independent and no longer be dependent on the state for social services, which costs the state billions each year.

Let’s make America great and give everyone a chance at hope, life, liberty and the pursuit of happiness.

Sincerely,

A handwritten signature in black ink, appearing to be 'L. Ford', written in a cursive style.

La Shawn K. Ford
State Representative-Eighth District