THE CHAIRMAN'S THOUGHTS

JOBS! JOBS! JOBS! WE NEED JOBS! PEOPLE WITH CRIMINAL HISTORY NEED JOBS. WHAT DO WE EXPECT THESE INDIVIDUALS TO DO IF THEY ARE NOT ABLE TO WORK AND TAKE CARE OF THEIR FAMILIES? WE SENT 10 RETURNING CITIZENS TO THE SAME JOB SITE LAST MONTH WHO ADVERTISE THEY WERE HIRING AND NOT ONE OF THEM RECEIVED A JOB. EVERYDAY IN THE NEWS (ALL WE TALK ABOUT) IS PUBLIC SAFETY, VIOLENCE AND CRIME - WELL DOESN’T UNEMPLOYMENT LEAD TO AN INCREASE IN VIOLENCE AND CRIME? WE SEE CLEARLY WHAT INCARCERATION HAS DONE TO BLACK PEOPLE AND IMPOVERISHED NEIGHBORHOODS. WE BAN THE BOX ON APPLICATIONS ASKING ABOUT CONVICTIONS, YET UNEMPLOYMENT RATE FOR PREVIOUSLY INCARCERATED PEOPLE IS 6 TIMES THAT OF THE GENERAL PUBLIC. EMPLOYERS ARE DISCRIMINATING AND FINDING OTHER WAYS TO SCREEN US OUT OF A JOB. SOME BLATANTLY WILL TELL YOU "WE DON’T HIRE PEOPLE WITH A CRIMINAL HISTORY", BUT THEY SUPPORT AND HIRE CRIMINALS WITHOUT A CONVICTION.

WHY WE ADVOCATE!

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I HAVE BEEN REDEEMED!

"The U.S. criminal legal system is an omnipresent force that touches millions of lives in this country. Individuals who have been arrested, convicted, or incarcerated face various obstacles to living a normal life and re-integrating into society, including difficulty finding employment and experiencing social stigma. When someone has a criminal record, even finding a place to live can be a seemingly impossible feat. Many housing providers implement background check policies that make it difficult for people with criminal records to find a safe and stable home. When these policies are overly broad, they can create obstacles for many people already disadvantaged in the housing market – including people with disabilities." According to the Prison Policy Institute, people with disabilities are over-represented in every aspect of the criminal legal system, from policing to incarceration. Police officers often fail to interact appropriately with people with disabilities, especially people of color with disabilities. As a result, prisons and jails end up serving as the largest mental health hospitals in the country.

October 1, 2017, the District of Columbia Office of Human Rights (OHR) has been charged with enforcing the Fair Criminal Record Screening for Housing Act of 2016 (Ban-the-Box), which prevents unlawful screening of a housing applicant’s criminal background. The law imposes several new requirements for rental housing providers including: (1) provision of written notice of rent eligibility criteria to applicants; and (2) not making an inquiry or asking any questions related to an applicant’s criminal background or arrest history at any time prior to making a conditional offer of housing to the applicant. Applicants who believe a housing provider has violated the law may file a free complaint with OHR. All complaints must have occurred on or after the law’s effective date of October 1, 2017.

The National Reentry Network for Returning Citizens recognizes this disparity in housing for justice involved individuals. We are committed to assisting clients with locating needed housing, and providing resources that will help clients navigate the housing process.

SPOTLIGHT!!!

The National Reentry Network for Returning Citizens spotlight Vernita Greenfield for her remarkable amount of patience and perseverance in her pursuit for employment!

Ms. Greenfield came to our office July 2017 for assistance finding permanent employment. She explained her qualifications and what type of work she was seeking. She informed the staff that she was pursuing the final stages of her CDL exam, and would really prefer a Driver position, although, would be opened to other job opportunities. Ms. Greenfield applied and interviewed with various companies that our organization referred her to, but to no avail was not hired. She continued to keep a positive attitude and believed that God had something great in store for her!

"I like their energy and enthusiasm for helping. Yes, I recommend this organization to everybody who is a returning citizen!"

An opportunity for a CDL Driver position became available with USA Guided Tours, and TNRNRC referred her for the position. Ms. Greenfield interviewed and was hired on October 19, 2017, as a Tour Bus Driver. As a result of her perseverance, Ms. Greenfield continued to apply herself and was also hired with DC Circulator BUS as a Driver as well! She now has two positions that she is very proud of.

Ms. Greenfield also is active with our organization! In September 2019 we conducted video testimonials - we invited our clients whom are returning citizens to share their experiences with the criminal justice system while being video recorded by a professional film crew. Ms. Greenfield shared the challenges she faced and overcame due to her strong faith base.
A DISCUSSION ABOUT EMPLOYMENT DISCRIMINATION WITH JOANNA WASIK - THE WASHINGTON'S LAWYERS COMMITTEE

Q - Can employers discriminate based on a criminal record in the District of Columbia?

A - First, under the District of Columbia’s “Ban the Box” law, D.C. employers can take into account a criminal record when making an employment decision, yes, but the specific way in which they can consider a criminal record, and at what point in the job application process they can do so, is regulated.

Employers may not inquire into an applicant’s criminal conviction(s) until after the employer makes a conditional offer of employment to the applicant. Once the employer has made a conditional offer of employment, the employer can review the applicant’s criminal history, but may only revoke the offer “for a legitimate business reason.” This means that the employer must consider specific factors, for example: the duties and responsibilities of the job the applicant applied for; the relationship of the applicant’s criminal offense to their ability to do the job; and the time that has elapsed since the occurrence of the criminal offense.

If the employer does revoke the conditional offer of employment, the job applicant has the right to ask for a copy of the records used by the employer to reach the decision. The applicant has to make this request within 30 days.

In addition, D.C. employers may not require an applicant to disclose an arrest, or a criminal accusation which is still pending or which did not result in a conviction, at any point during the application process. (There are some exceptions in the law, for example for employers with 10 or fewer employees, but the above are the generally applicable rules.)

Second, D.C. employers are subject to the federal civil rights laws, which prohibit employment discrimination on the basis of race. Employers who have policies, such as an unjustified blanket ban on hiring employees with criminal histories, that disproportionately harm individuals of color, may be violating these civil rights laws.

Q - Do justice involved individuals have any laws that protect them from employment discrimination in the District of Columbia, based on their criminal record?

A - Yes. D.C.’s “Ban the Box” law, which was enacted in 2014, regulates when employers are permitted to ask applicants about criminal record and how they may use that information in making a hiring decision, as described in the answer to the previous question. An employer that has an unjustified policy or practice of rejecting applicants with criminal histories, or terminating employees with criminal histories, may also be violating the federal Civil Rights Act, depending on the specific facts and circumstances at issue.

Q - What can we do about private contractors who are able to find loop holes to not obey the Ban-the-Box laws in DC?

A - The law is written fairly broadly to capture many types of employers and work. D.C.’s Ban the Box law applies to “any person, company, corporation, firm, labor organization, or association, including the District government, but not including the courts, that employs more than 10 employees in the District of Columbia.” It also covers employment of many types: “any occupation, vocation, job, or work for pay”, and “any form of vocational or educational training with or without pay.” The law specifically includes “contracted work” as well as “temporary or seasonal work” and “contingent work.” To be covered, the physical location of the employment must be “in whole or substantial part within the District of Columbia.”

If a private contractor fits the terms in the law, that contractor is required to obey the Ban the Box law, and any violations should be reported.

Q - What are your thoughts on how do we keep employers accountable?

A - The best way to keep employers accountable is for applicants and employees to be aware of the laws, and to speak up when they see something wrong. Job applicants may not always be aware of the exact Ban the Box protections in place in D.C., or may not think it is worth their time or effort to pursue a complaint when they encounter a violation. While this is understandable, bringing violations to light is often the best way to change employer behavior. When you report a violation, you are potentially helping yourself as well as all the job applicants who come after you.

Job applicants should utilize the provision of the Ban the Box law that allows them to request, 30 days after revocation of a conditional offer of employment, the records that the employer used when considering the application. Job applicants should also consider, if they feel comfortable, asking employers why they were not selected for a particular position, and whether/how their criminal record was used in that decision. The answers to these questions may reveal violations that should be reported to OHR or civil rights groups such as WLC.
A Discussion with Joanna Wasik - Cont’d

A - Yes. D.C.’s “Ban the Box” law, which was enacted in 2014, regulates when employers are permitted to ask applicants about criminal record and how they may use that information in making a hiring decision, as described in the answer to the previous question. An employer that has an unjustified policy or practice of rejecting applicants with criminal histories, or terminating employees with criminal histories, may also be violating the federal Civil Rights Act, depending on the specific facts and circumstances at issue.

Q - Where have you notice high rates of employment discrimination based on criminal records in the District of Columbia?

Since the enactment of DC’s Ban the Box law in 2014, employers have been required by law to adjust their hiring practices to follow the Ban the Box rules. However, the law is still relatively new, and job applicants should be aware of their rights and seek help if they believe they have encountered unlawful discrimination.

Q - Where have you notice high rates of employment discrimination based on criminal records in the District of Columbia?

A - Employers across various industries have historically used tools to screen out applicants, or take action against employees, with criminal records. Unfortunately, this is not a problem limited to a particular type of employer or industry.

Q - What are most hiring practices that companies have when deciding to hire someone with a criminal record in the District of Columbia?

A - An individual who has experienced a “Ban the Box” violation – for example, if the individual is asked about to disclose criminal history in an employment application prior to receiving a conditional offer of employment – may file a complaint with the DC Office of Human Rights (OHR). Complaints can be filed in various ways. For more information, see the OHR website https://ohr.dc.gov/node/965322. If an individual believes that a particular employer may have a broader policy of rejecting applicants with criminal histories, or terminating workers with criminal histories, we encourage them to get in touch with the Washington Lawyers’ Committee at 202-319-1000. Workers and job applicants may also come to the

Workers’ Rights Clinic run by the Washington Lawyers’ Committee for Civil Rights and Urban Affairs to obtain free legal advice on any employment or work issue, including potential discrimination related to criminal record. The clinic occurs on Wednesday evenings from 6-9 pm at Bread for the City, 1525 7th St. NW in Washington, DC, and you can get more information at clinic@washlaw.org

Jails & Justice Task Force

Located on Council for Court Excellence’s website it states, “In November 2019, the District Task Force on Jails and Justice’s Phase I report, Jails & Justice published: A Framework for Change, which is a combination of nine months of community engagement, correctional data analysis, research into best practices, and deliberation by Task Force Members. “The Task Force is a 26 member independent advisory body established in 2019 to evaluate elements of a new correctional plan for the city, make recommendations about who should and should not be held in D.C.’s facilities, and articulate our community’s priorities for a secure detention facility’s population, location, design, and services. ”

The site also states, “The new report has the opinions of almost 2,000 community stakeholders communicated through focus groups, community workshops, town halls, and a surveys. The report makes 17 recommendations for progress, discussing an increasing demand for alternatives to the District’s over reliance on its criminal justice system. The Task Force’s work was staffed by the Council for Court Excellence and its partners, The National Reentry Network for Returning Citizens and the Vera Institute of Justice. “It’s not just that the expectations of reform advocates have changed over the last decade; residents’ and government officials’ attitudes toward incarceration have also shifted,” says Misty C. Thomas, Executive Director of the Council for Court Excellence. “We knew it was not enough to look at a jail’s design alone. The Task Force had to carefully consider community investment, decarceration, and local control issues to fully envision a just path forward.” The report synthesizes practitioner expertise, data analysis, and public feedback to make a case for a D.C. justice system that would serve as a national model.”

Lastly the site states, “The findings are clear, Washingtonians are thinking beyond the facility,” says Shelley Broderick, Task Force Chair and Dean Emerita of UDC’s David A. Clarke School of Law. “The Task Force’s work is rooted in the lived experiences of our residents – far too many of whom, directly or indirectly, understand the devastating impact of justice involvement in the District,” says Broderick. To request a copy of the report, or to learn how to make your voice heard in Phase II of this project, please contact communications@courtexcellence.org or call (202) 785-5917.
Located on the Metro IAF website, there is an article dated for July 26, 2017, where The Washington Interfaith Network, returning citizens, and workers packed First Rock Baptist Church in Southeast, Washington, D.C. There were more than 650 faith leaders, to bring resolve to DC Mayor Muriel Bowser around key issues in the city. The article states that Mayor Bowser embraced the vast majority of Washington Interfaith Networks's asks. It also states, Mayor Bowser made a commitment to WIN's campaign to hire 5,000 returning citizens and people from high unemployment areas in D.C. The articles stops short before stating that WIN will engage 5-10 CEOs between now and November and work to deepen relationships between returning citizens and WIN's faith communities.

The National Reentry Network for Returning Citizens and other community based organizations in Washington, D.C., would like to know how much progress has been made on this commitment of 5000 jobs for returning citizens? As an nonprofit that serves justice involved individuals we know first hand that rejection of job opportunities are vast due a criminal records. We eagerly continue to build a pipeline of jobs in D.C. for our clients, with employers that have agreed to give second chance hiring - but we are far from the results we know could be possible! We believe the time is now for these commitments made by Mayor Bowers to be fulfilled in its totality. We request Mayor Bowser and leaders to revisit these commitments made, to unlock more job opportunities for the underemployed citizens. Data shows that if a justice involved person has a job, then that person is less likely to recidivate. The city needs an exit plan for people coming home from incarceration, and a part of that plan should be the ability for someone with a criminal record to work, and provide for themselves and their families. The National Reentry Network for Returning Citizens understands the urgency of this life changing need, we need jobs!!!!
On Monday, October 28, 2019 clients went to the Wilson Building as part of the Ready 4 Work 4th cohort, and met with multiple councilmembers and their staff. They engaged in meaningful conversation regarding criminal justice policy reform and legislation. The cohort was introduced to Councilmember Charles Allen, Robert White legislative staff, and Anita Bonds legislative staff to discuss their participation in our Ready 4 Work cohort, and other issues that they are experiencing in the community. The class was exposed to the governing bodies of Washington, D.C. and now have a new perspective on the legislative process.

The National Reentry Network for Returning Citizens Peer 2 Peer Program is providing a comprehensive mentoring approach. Our mentoring is a formal relationship with mutually agreed-upon goals defined by both parties. Through Peer 2 Peer mentoring relationships, we guide the returning citizen toward stability, a change in behavior and a change in thinking. The returning citizen, (the mentee), defines their direction and goals while the mentor guides the mentee through their reintegration into the community.