

Memo

To: Judiciary Committee

From: Raymond Pech, Executive Director

Date: March 20, 2008

Re: HB 5932, ACT CONCERNING TAX CREDITS FOR BUSINESSES THAT HIRE EXOFFENDERS AND CRIMINAL HISTORY QUESTIONS IN CERTAIN APPLICATIONS FOR STATE EMPLOYMENT



The Commission on Human Rights and Opportunities (CHRO) supports HB 5932, ACT CONCERNING TAX CREDITS FOR BUSINESSES THAT HIRE EXOFFENDERS AND CRIMINAL HISTORY QUESTIONS IN CERTAIN APPLICATIONS FOR STATE EMPLOYMENT.

This proposal addresses issues that arise with respect to persons who have criminal records. The Commission on Human Rights and Opportunities supports Raised Bill 5932.

Section 1 rewards employers, through tax credits, who hire ex-offenders. It is axiomatic that the high recidivism rate among those convicted of criminal activity is in large part due to the inability of such individuals to find gainful employment upon release from a correctional institution. Often, this inability is not for want of trying on the part of the ex-offender, but rather because of an employer's reluctance to give an otherwise qualified ex-offender a chance. This bill would provide an additional incentive for an employer to take that chance.

Section 2 requires that the Department of Administrative Services examine all state application forms to determine if the forms inquire about the criminal history of an applicant for employment and, if so, to determine if such information is necessary or relevant to the position for which application is made. This is a laudable proposal for any question asked of applicants for employment. Often questions are asked simply out of a sense of habit, with no real thought given to whether the question actually has relevance to the position in question. Often such questions have the perhaps unintended, but nevertheless all too real, result of disqualifying persons from further consideration, who are in all relevant respects qualified for the position. Particularly when the question(s) deal with arrest records, such questions have a disparate impact on members of minority groups.

Thank you for the opportunity to provide input into this important proposal.