

Bill Ideas to End Employment Discrimination Against Ex-Offenders

HB 757 for the 2020 legislative session covers many of the foundations of Ban the Box idea we had as an organization as outlined in the Notes file, below are alternative/additional measures we can take in writing a Ban the Box bill in Legislators of Tomorrow:

1. Mandate state and local government **contractors** Ban the box on employment forms for non-violent offenses and discriminating against said persons
 - Could survive in committee
 - Not as aggressive so pro/con pending on your beliefs
 - Few if any legal issues
2. "Go big or go home" -> Establish Ban the box laws for **private sector jobs** since federal jobs and contractors are going to be due to 2021 NDAA. Baring of course sensitive, non sex offender positions, classified jobs etc.....
 - No idea of the legal ramifications of this
 - Constitution debate on various freedoms will insue
 - Has a high chance of dying in committee if its even put on the floor

Why Ban the Box may not be so good:

- Ban the Box may contribute to employment discrimination against African American and Latino men:
<https://www.forbes.com/sites/patriciagbarnes/2020/03/01/study-says-ban-the-box-policies-hurt-not-help-young-minority-male-job-seekers/#358559e540e8>
 - We do not want to write a bill that might contribute to discrimination against people of color.
- Ban the Box does not address other restrictions on Virginia State welfare to ex-offenders:
<https://www.nbc12.com/2020/02/28/virginia-lawmakers-vote-loosen-restrictions-welfare-and-ban-assistance-drug-felons/>
- Ban the Box does not fully restore the civil rights of ex-offenders in Virginia

Moving Forward:

1. Look at other ways of preventing employment discrimination against people arrested, charged, and convicted of crimes:
 - a. Loosening employment restrictions against ex-offenders (e.g. allowing people to have access to jobs they have would otherwise be barred from due to ex-offender status → this would **not apply** to registered sex offenders in Virginia)
 - i. A lot of the men Sarah Huffman has worked with at OAR in Richmond, a re-entry organization for ex-offenders, mentioned they can only find jobs working in kitchens or washing dishes. With the pandemic, they are most likely now unemployed. Since they are unemployed, they will either be

unable to pay their rent or maybe evicted from group homes, thus resulting in these men becoming homeless. This is a crisis that is not being properly addressed. If these men have access to more stable jobs, which they are currently barred from due to their ex-offender status, they might have more job security and not be as at risk for homelessness and unemployment.

- b. Have all Virginia state criminal convictions for the sale and possession of drugs/narcotics expunged after 5 years following release from prison to increase employment opportunities
 - c. Have all Virginia state criminal convictions for certain felonies expunged after 10 years following release from prison to increase employment opportunities (similar to Danish Law)
- 2. Work to provide Virginia state welfare to ex-offenders
 - a. Overturn bans against ex-offenders receiving Virginia welfare by repealing sections of the Virginia code
 - i. More simple and can put forward several bills at once dealing with the same problem