



TRANSFORMING COMMUNITIES

STRATEGIES TO CREATE JOBS AND RESTORE
OPPORTUNITY

June 2, 2011
Flint, MI

ABOUT LAD

- Legal Aid and Defender Association, Inc. (LAD) provides free civil legal services for low to moderate income clients in Oakland, Macomb, and Wayne Counties.



WORKSHOP OVERVIEW

- Michigan Prisoner Re-Entry Initiative (MPRI)
- Barriers to Employment
- Ban the Box Campaigns

MICHIGAN PRISONER RE-ENTRY INITIATIVE (MPRI)

LAD partners with MPRI in Oakland, Livingston, Macomb and Wayne Counties. The goal of MPRI is to work with communities to reduce crime by connecting former prisoners to resources they need to be successful, i.e. jobs, education, drug treatment, transportation, and housing.

MPRI AND LAD

- LAD conducts legal presentations at the Macomb Regional Correctional Facility, Huron Valley Women's Facility and to Livingston County parolees and is funded to provide direct representation whenever possible once an individual is released from prison.

STATISTICS

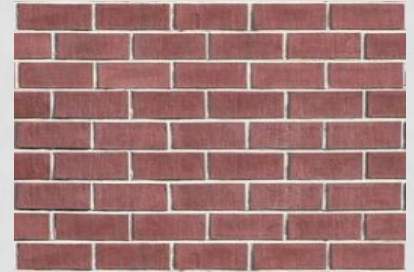
- 1.8 million people in Michigan have criminal records – nearly 1 in every 4 adults
- 1.3 million people have felonies – nearly 1 in every 6 adults



Source: MI State Police

BARRIERS TO EMPLOYMENT

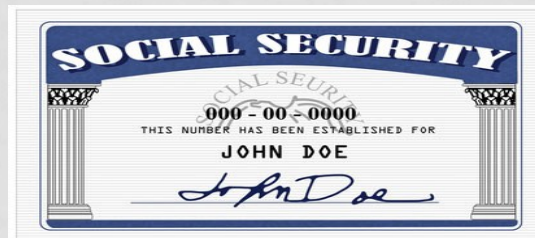
- Ex-offenders face many barriers to employment:
 - Obtaining identification;
 - Obtaining a driver's license and driver responsibility fees;
 - Owing child support;
 - Statutory barriers (i.e. occupational restrictions);
 - Checking the box on employment applications affirming a criminal conviction.



IDENTIFICATION

The Michigan Department of Corrections and the Social Security Administration entered into a Memorandum of Understanding relating to processing applications for inmates for replacement social security cards. The requirements are:

- U.S. Citizen
- Already have a social security number
- Haven't used a different social security number
- Information on application for replacement card must match SSA's records.



IDENTIFICATION (CONT'D)

- There is also a Memorandum of Understanding between the Social Security Administration and the United States Department of Justice Federal Bureau of Prisons relating to processing inmate requests for social security cards.

IDENTIFICATION (CONT'D)

The Michigan Secretary of State has agreed to allow the Michigan Department of Corrections prisoner identification cards to be used as a form of identification to obtain a driver's license. The only requirement is that the prisoner identification card is in the "real" name of the applicant.



DRIVER'S LICENSE

- Driver's license suspension: Licenses are suspended when a person fails to respond to a Michigan traffic citation or fails to comply with a court judgment. Once the tickets are paid, the suspension is cleared and upon payment of a reinstatement fee, a person can obtain their license.
- Driver's license revocation: Revocation is a termination of the driver's license and privilege to operate a motor vehicle and is required by law upon conviction of certain driving offenses (i.e. drunk driving, and substance abuse). A person is eligible to re-apply to the Secretary of State for restoration after one year following a first revocation and after five years for a subsequent revocation.

DRIVER RESPONSIBILITY LAW

- Michigan's Driver Responsibility Law calls for a monetary assessment for drivers who are convicted of specific qualifying offenses or accumulate seven or more qualifying points on their driving records.
- Once a person clears any outstanding tickets, they pay the driver responsibility fee or enter into an installment payment agreement. Under certain conditions, the driver may retain driving privileges with an approved payment arrangement.

CHILD SUPPORT

- Michigan has a statute that allows for an arrearage repayment plan and waiver of child support arrearages owed to the State.
MCLA 552.605e



STATUTORY BARRIERS

- There are statutory barriers to hiring individuals who have been convicted of certain felony or misdemeanor crimes.

BAN THE BOX ADVOCACY IN MICHIGAN

- A few cities in Michigan have banned the box on employment applications asking if a person has a criminal conviction (i.e. Battle Creek, Kalamazoo, and Detroit). There are movements to “ban the box” in Macomb County, Saginaw, and Lansing. The Statewide Working Group on Re-Entry is starting a statewide initiative.

BAN THE BOX ADVOCACY IN MICHIGAN (CONT'D)

- Some cities have also passed ordinances that prohibit city vendors from having a blanket ban on hiring people with felony records.
- There can still be a criminal background check for those positions where it is necessary to ensure safety and security at the workplace but the checks are not done until the final stages of the hiring process.

EXPUNGEMENT

- Michigan allows for an expungement of a criminal conviction but the statute is very limited. A person is only eligible for an expungement if they have only one conviction and it is more than five years old.
- Michigan legislature is considering expanding the expungement statute.

EMPLOYMENT DISCRIMINATION

- Employer policies that disqualify people with criminal records are often illegal under anti-discrimination law and keep many people of color from working – the disparate impact claim. Employers can consider convictions that are related to the job.



EMPLOYER INCENTIVES

EMPLOYMENT - FEDERAL WORK OPPORTUNITY TAX CREDIT

- Benefits to employers:
 - Employers make the hiring decision
 - No limit to the number of new hires who can qualify their employer for these tax savings
 - Minimal paperwork to claim the tax credits
 - Available for employers that hire ex-felons that have either been convicted of a felony or released from prison within one year of hire



Source: Small Business and Work Opportunity Tax Act of 2007 reauthorized the Work Tax Credit (WOTC)

EMPLOYMENT - FIDELITY BONDING PROGRAM

- Michigan Department of Labor and Economic Growth-Bureau of Workforce Transformation has a bonding program. The purpose of the program is to assist high-risk but qualified job seekers who have bona fide offers of employment to remove barriers to employment and give job seekers a second chance. The program is free of charge for six months.

Source: Michigan Works! 1-800-285-WORKS

THE END

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