

City of Alexandria

# Ex-Offender Reentry and Employment



**ECONOMIC OPPORTUNITIES COMMISSION**

# Economic Opportunities Commission

The War on Poverty was declared by President Lyndon B. Johnson in 1964. In his State of the Union Address on January 8, 1964, President Johnson said:

"Poverty is a national problem, requiring improved national organization and support. But this attack, to be effective, must also be organized at the State and local level.

"For the war against poverty will not be won here in Washington. It must be won in the field, in every private home, in every public office, from the courthouse to the White House.

"Very often, a lack of jobs and money is not the cause of poverty, but the symptom.

"Our aim is not only to relieve the symptoms of poverty but to cure it—and above all, to prevent it.

"No single piece of legislation, however, is going to suffice."

The Economic Opportunity Act of 1964 authorized the formation of local Community Action Agencies as part of the War on Poverty. The mission of the Economic Opportunities Commission is to serve as an advocate for the economically disadvantaged residents of the City of Alexandria.

Nearly half a century after President Johnson declared the War on Poverty, the United States of America still has not won the battle. The residents of the City of Alexandria continue to fight for those in need. We hope this reports is used as a guide to help our residents move closer to fulfilling their American dream. A special thanks to EOC representative Burke Brownfeld for his hard work and commitment which made this report possible.

Sincerely,

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## I. EXECUTIVE SUMMARY

Society is faced with an enormous number of people returning home from prisons and jails all across the country. One of the key elements for a successful re-entry into society is for an ex-offender to obtain stable employment. If an ex-offender is able to find gainful employment, he/she is less likely to be re-arrested. As a result, the ex-offender becomes a contributing member of the community and the community saves money associated with the cost of housing the offender in prison or jail. Unfortunately, there are various barriers in place that make the employment process difficult for re-entering ex-offenders. These barriers range from employers who are cautious and averse to hiring ex-offenders to a lack of incentives for employers who hire ex-offenders. However, elected officials and local stakeholders in Alexandria can support innovative Alexandria-specific initiatives and nationally successful initiatives to break down the barriers to employment in this City.

Currently, over 2 million people serve sentences in jails and prisons across the U.S. However, for most prisoners, incarceration is temporary, as 95% of prisoners will eventually be released from prison and will face the daunting task of re-entering society. In Alexandria alone, an average of 13 people are released every day from the Alexandria Detention Center. Unfortunately, two thirds of re-entering ex-offenders in the U.S. will be re-arrested within three years of release. Moreover, for citizens in Virginia, each person who is sent back to a State prison will cost taxpayers \$25,000 a year.

Most inmates who are preparing to be released from prison state that finding a job is critical for them to have a successful and crime-free re-entry to society. A multitude of studies also indicate that employment has a significant impact on recidivism rates. One study shows that unemployed ex-offenders are 2.1 times more likely to go back to prison than those ex-offenders who find gainful employment. Other studies indicate that 75% of ex-offenders nationwide remain unemployed up to one year after being released

from incarceration. In Alexandria, ex-offenders currently serving State probation have an unemployment rate of approximately 65%. The high level of unemployment is often due to significant barriers to ex-offender employment that exist within society.

Many post-release programs are not sufficiently funded or have not successfully created a streamlined process with local employers, which contribute to the difficulty of finding a stable job. Offenders also face serious barriers overcoming the stigma of being a “convicted criminal.” Many employers are afraid to hire ex-offenders and are either unaware of the incentives for hiring ex-offenders or feel that there are not enough incentives in place for hiring from this population. Further, ex-offenders are sometimes under pressure to pay court fines and fees, restitution, and child support, which sometimes discourages them from even trying to join the formal labor market. Additionally, the court often suspends the driver’s licenses of many offenders. All of these factors often create an insurmountable roadblock to finding and acquiring gainful employment in Alexandria.

While the City of Alexandria has extensive and high-quality post-release services available to individuals released from incarceration, there is still much work to be done for re-entering ex-offenders. To increase ex-offender employment, to lower recidivism, and to save taxpayer dollars, action must be taken to break down the barriers to employment that ex-offenders face on a daily basis. The following are some of the most important action-oriented recommendations for local stakeholders, city and State officials:

*\*The City of Alexandria can start by providing more funding for post-release programs in the city.*

*\*Alexandria can take the lead in northern Virginia by "banning the box" on city job applications that asks about criminal convictions.*

*\*State officials can be trend-setters on a national level by creating a state tax credit for employers who hire offenders and changing the fine and fee punishments assessed against offenders---which often prevent them from entering the labor force.*

*\*Those conducting post release programs and other local stakeholders should commit to establishing a cutting-edge program in the city of Alexandria that directly coordinates with local employers and provides training, job placement, job retention, and life skills services to the offender population.*

## **II. PURPOSE**

The purpose of this report is to bring attention to the needs of ex-offenders who face substantial challenges obtaining employment after incarceration in the City of Alexandria. The report (1) explains the importance of ex-offenders obtaining meaningful employment in the community, (2) identifies the current approaches to employ ex-offenders in the City of Alexandria, (3) reveals the barriers that re-entering ex-offenders face when they attempt to find employment, and (4) provides action-oriented recommendations that will serve to break down barriers to employment and improve post-release services for job-seeking offenders.

### **III. Methodology**

The information presented in this report is based on the results of over fifteen (15) interviews, including City of Alexandria elected officials, members of the City of Alexandria government, non-profit organizations, law enforcement agencies, local businesses, and citizens. This report also presents information and recommendations based on more than thirty (30) studies, reports, and articles written on the subjects of recidivism, employment, and post-release and re-entry programs.



## IV. The Links Between Re-Entry, Employment, and Recidivism

### A. Overview

Clear links have been established between offender re-entry, employment, and recidivism. A significant number of offenders leave jails and prisons every year and find themselves in the City of Alexandria. Upon release, finding employment is critical for an ex-offender to gain stability, and to successfully integrate into society. However, a formerly incarcerated individual is far less likely than a non-offender to find employment. The combination of the importance of obtaining employment and the enormous barriers ex-offenders face in finding employment leads to a vicious cycle of recidivism. To reduce this recidivism, society must assist the ex-offender in finding gainful employment. Ex-offenders who fall prey to recidivism return to a life of crime, and cost taxpayers about \$25,000 dollars per year to send them back to prison. On the other hand, those ex-offenders who find gainful employment are clearly more successful in the re-entry process and less likely to be re-arrested. Therefore, it is key to focus on ways to decrease barriers to employment in the City of Alexandria, thereby increasing the number of job placements for re-entering offenders.

### B. Quick Reference Facts

|  |   |
|--|---|
| <b>Incarceration</b>                   | *Number of persons incarcerated in United States: 2,166,260                   |
|  | *Number of persons incarcerated in Virginia prisons: 35,000                   |
|  | *Average monthly population at Alexandria Detention Center: 400               |
|  | *Cost per person per year in a Virginia prison: \$25,498                      |
| <b>Releases From Jails and Prisons</b> | *Number of prisoners released annually from Virginia State prisons: 13,000    |
|  | *Number of prisoners released in 2012 from Alexandria Detention Center: 4,887 |

\*Daily average number of prisoners released from Alexandria Detention Center: 13

\*Number of persons serving local probation as of October 2013: 281

\*Number of persons that start local probation each month in Alexandria: 25-30

\*Number of persons serving State probation in Alexandria as of October 2013: 497

\*Number of persons that start State probation in Alexandria each month: 21

**Employment**

\*Number of prisoners that have a job lined up prior to being released from prison: 1 in 5

\*Percent of offenders that will remain unemployed for up to one year after release: 75%

\*Percent of State probationers in Alexandria that are currently unemployed: 65%

**Recidivism**

\*Percent of offenders that will be re-arrested within 3 years of release (nationally): 66%

\*Percent of offenders that will be re-arrested within 3 years of release (Virginia): 53.9%

\*Percent of offenders that will be re-arrested within 1 year of release (Virginia): 26.9%

\*Percent of offenders that will be re-arrested within 1 year of release (Alexandria): 8.2%

**Effect of Employment**

\*Unemployed offenders are 2.1 times more likely to return to prison than employed offenders.

\*Percent decrease in recidivism for those offenders who participated in the "Safer" post-release employment program in Chicago: 56%

### C. Offender Population and Re-Entry

A significant number of people are in jails and prisons throughout the country. In 2003, there were a total of 2,166,260 persons incarcerated in jails and prisons in the United States (1). In Virginia, it costs taxpayers \$25,498 a year to house each of the approximately 35,000 inmates in Virginia prisons (2). This is a significant burden on the State budget and the wallet of every Virginia taxpayer. However, it is important to remember that approximately 95% of the people who are sent to prison in the United States will eventually re-enter society (3). On average, over 600,000 people are released from State and Federal prisons every year (4). Annually, there are approximately 13,000 prisoners released from Virginia State prisons (5). At the Alexandria Detention Center (ADC), which functions as a local jail as opposed to a prison, there were 4,887 releases in 2012 (6). This comes to a daily average of 13 people being released from the ADC every day of the year. Those persons who are released from jails and prisons into Alexandria face a variety of challenges with regard to re-entering society, including access to employment.

### D. Employment Rates

Research has shown that employment is one of the biggest challenges facing these re-entering ex-offenders. When asked, inmates in prison have indicated that finding a job is critical to their successful re-entry into society (7). However, it is estimated that only one in five prisoners has a job prior to being released from incarceration (8). Studies also indicate that 75% of re-entering ex-offenders will remain unemployed for up to one year after being released (9). This issue is directly connected to unemployment rates in the country, as it is estimated that unemployed ex-offenders account for nearly a 0.8-0.9 percent reduction of the national employment rate (10).

At the local level, it is reported that approximately 65% of persons serving State probation in Alexandria are currently unemployed (11). While unemployment data is not available for the entire re-entering ex-offender population in Alexandria, the sample probation population indicates an alarmingly high level of unemployment when compared to the 5.7% unemployment rate among non-offenders in Virginia (12). The

high unemployment among the re-entering offender population is of particular concern because of the link that is well established by research between employment and recidivism. The reasons behind the high unemployment rate among re-entering offenders will be explored in subsequent sections of this report.

### E. Recidivism

Recidivism is costly both for society and for the ex-offender. Unfortunately, statistics show that most ex-offenders in the United States will be re-arrested at some point in time. On average in the United States, 2/3 of re-entering ex-offenders will be re-arrested within three years of release (13). Fortunately, Virginia has the sixth lowest recidivism rate in the nation (14). In Virginia, 53.9% of ex-offenders are re-arrested over a three-year period, while 26.9% of ex-offenders are re-arrested within 12 months of release (15). In Alexandria, the numbers are lower, with only 8.2% re-arrested within 12 months of release. The lower recidivism rate in Alexandria is due to the fact that the rate is a measure of recidivists within the Alexandria Detention Center and does not take into account all of the crimes that may have been committed in Alexandria that resulted in the offender being sent to a State prison. Nonetheless, the low recidivism rate in Alexandria could be directly connected to the educational and vocational programs provided at the Alexandria Detention Center, and the high quality of social services within the city. While Alexandria maintains a low recidivism rate relative to the State on the whole, it is still important to take action to continue to decrease the number of persons being re-arrested after release, because ex-offenders who find gainful employment and have higher levels of education are less likely to recidivate (16).

### Case Studies

A study in Indiana found that unemployed ex-offenders were 2.1 times more likely to return to prison than those ex-offenders who found gainful employment after release (17). Other data indicate that higher levels of ex-offender employment can lead to lower levels of drug dealing, property crimes, and violent crimes (18). While research indicates that employment lowers recidivism, finding a job alone is not sufficient. There is a high rate of success when the ex-offender gains a job that pays a living wage, and

participates in a post-release, ex-offender-focused employment program (19). Several programs across the United States focus directly on employment acquisition and retention for re-entering ex-offenders. The “*Safer*” post-release program in Chicago provides ex-offenders with training, job placement, job retention, and life skills programs. The program was able to place approximately 80% of ex-offender participants in jobs, which resulted in a 56% decrease in recidivism rate among offender clients (20).

## **V. Alexandria's Approach to Re-entry and Employment**

### **A. Overview**

The City of Alexandria has many services in place for the re-entering ex-offender population. Virginia CARES, Offender Aid and Restoration (OAR) and Friends of Guest House are the three primary providers of post-release and re-entry programs in the city. These non-profit programs provide life skill classes, job preparation programs, job placement assistance, support groups, and many other services for re-entering ex-offenders. There are also multiple local government agencies that provide significant support to the ex-offender population. For example, the Alexandria Sheriff's Office provides many training and educational programs for inmates inside the jail. Job Link provides job search services and also provides access to funds for educational and vocational programs. The local and State probation and parole offices also play a key role in helping ex-offenders re-enter society, with a focus on keeping people from recidivating.

Virginia on the whole has recently increased coordination of post-release services by establishing re-entry councils throughout the State. Alexandria also has a re-entry council that is comprised of various non-profits, City agencies, religious groups and others. While there are multiple sources of support for the offender population, there continues to be a lack of coordination of programs and services, along with a shortage of employment opportunities for the re-entering offender population in the City of Alexandria. This shortage is compounded by the lack of a direct and streamlined link between employers and the under-funded post-release programs for job placement and retention services.

### **B. Key Local Stakeholders/Service Providers for Re-entry and Employment**

#### **1) Alexandria Sheriff's Office (ASO)**

The ASO oversees and runs the ADC. The ADC usually has a population of approximately 400 local, State, or federal inmates at any given time (21). During the

calendar year of 2013, the inmate population was 90.43% male and 9.57% female. The average education level for the ADC inmates is eighth grade. The Sheriff and his staff have taken a proactive approach to rehabilitation within the ADC. The ADC provides multiple programs for inmates in preparation for re-entering society. Inmates have the opportunity to pursue a GED, take college classes, enroll in an English-as-a-Second Language program, earn a food handling certification, and may qualify to participate in a work-release program. For example, in September 2013, there were 19 inmates enrolled in the GED program, and 14 inmates in the ESL program. Inmates also are able to participate in a special program that helps offenders receive an official identification (“walker’s” ID) from the Department of Motor Vehicles, which plays an important role in the re-entry process. The ASO also provides a unique work opportunity for some inmates through the use of the inmate work detail, which beautifies city parks and land throughout Alexandria. Many aspects of the re-entry process actually begin inside the ADC, where inmates can take advantage of these important classes and programs aimed at re-entry.

## **2) Local Probation Office**

The local probation office is operated by the ASO and works closely with the court system in Alexandria. As of October 2013, there were 281 offenders on local probation status. There is an average of 25-30 new clients that start probation each month in Alexandria (22). These persons usually are ex-offenders who have committed a misdemeanor in the City of Alexandria, and part of their sentence is to serve a period of time on probation. Probation officers play a key role in helping offenders gain access to post-release services, and in encouraging a successful re-entry into society.

## **3) State Probation and Parole (P/P)**

The State Probation and Parole Office is a State-run agency providing supervision to approximately 46,000 felony ex-offenders who have been placed on probation/parole as part of a State sentence (23). As of October 2013 there were 497 people on State probation in Alexandria. During fiscal year 2013 there were 71 ex-offenders released from a State prison and sent to probation in Alexandria. During the same time frame,

there were 182 people placed on State probation in Alexandria, who were released from ADC or were placed on probation directly from court (24). This means that the State P/P office in Alexandria receives approximately 21 new probation clients per month. The probation officers supervise clients, which can include drug testing and the placement of other conditions of probation. However, probation officers also provide a mentoring/counseling role by offering job placement/training assistance, referrals to social service agencies, and teaching a new course called “Thinking for Change.” This course, taught to new probation clients, focuses on positive and improved decision-making skills.

#### **4) Friends of Guest House**

Friends of Guest House is a non-profit organization in Alexandria that focuses on providing post-release services to female ex-offenders in Alexandria. Up to 17 clients at a time can participate in a residential program that provides shelter and programming in support of successful re-entry into society. There is also an outreach program that serves approximately 50-70 female ex-offenders per year with various needs like job placement, emergency food, clothing, etc. Guest House is a very successful program and this is shown in the low recidivism rates of its clients. Ex-offenders who participate in the Guest House program re-offend at a rate of only 7% over a two-year period (25).

#### **5) Virginia CARES**

Virginia CARES is a statewide non-profit organization that is specifically dedicated to helping criminal ex-offenders with post-release needs and re-entry services. Virginia CARES has an Alexandria location, which is administered by one full-time city employee. This site of Virginia CARES received “site of the year” recognition in 2012. Virginia CARES main office delivers Alexandria’s post-release program with an annual program budget of \$2,100 dollars. The City of Alexandria does not provide an operating budget for Virginia CARES. Therefore, the lone city employee who administers the Virginia CARES services must spend a significant amount of time fundraising for Virginia CARES. Despite the financial challenges faced by Virginia CARES, the program does provide extensive services to ex-offenders in Alexandria. The program



manager maintains a client list of approximately 100 ex-offenders at any given time. There are also approximately 100 new clients each year who seek services from Virginia CARES in Alexandria. Virginia CARES provides 24 job readiness workshops annually, helps ex-offenders acquire new identifications, advises offenders on how to expunge certain eligible charges from a criminal record, provides job placement assistance, and provides clients with bus/metro fare, clothing, food, and access to various support groups (26). One of the biggest challenges faced by Alexandria's Virginia CARES location is a lack of sufficient funding for programs, transportation subsidies, and job retention services. This is compounded by the shortage of employment opportunities for Alexandria ex-offenders.

## **6) Offender Aid and Restoration (OAR)**

OAR is another statewide non-profit organization that focuses its efforts on providing services to re-entering ex-offenders. OAR has been listed in the Catalogue of Philanthropy as one of the best non-profits in the Washington D.C. area. OAR and Virginia CARES provide several overlapping services to offenders. OAR is based out of Arlington, where it serves both Arlington and Alexandria offenders with a full-time staff. As of July 2013, with the help of a City of Alexandria grant of \$24,400 dollars, OAR was able to also open a small office in Alexandria, hosted at the Downtown Baptist Church. OAR provides client services for Alexandria ex-offenders at this location every Friday.

Some of OAR's services include job placement services, individualized case management (with the use of individual assessments), group classes and discussion groups, pro-social activities, interview and resume preparation, access to vocational training, transportation subsidies, clothing, and food. In Arlington, OAR also provides classes and programs during incarceration. OAR has a full range of employees and specialists who focus specifically on the issues of re-entry for criminal ex-offenders. OAR usually provides services to about 100-150 Alexandria clients on an annual basis who travel to the Arlington office. However, with the new office open in Alexandria, there are currently 37 clients that are being given direct services at the Downtown Baptist Church in Alexandria (27). OAR staff has indicated that the Alexandria location is completely booked with appointments and that staffing and funding are a challenge for

them. Since most of OAR's services are located at the Arlington office, many Alexandria ex-offenders find it logistically challenging to make the most of what OAR has to offer, due to transportation limitations.

## **7) Job Link**

Job Link is a city agency that receives funding from multiple sources. Job Link is considered to be a "one stop" career center. Job Link provides job search/placement services to any member of the public who requests services. Therefore, Job Link is not an agency that is primarily dedicated to the re-entering ex-offender population. Several years ago, Job Link had the *Eagles Program*, which was a program designed to help ex-offenders find and keep employment in Alexandria. This program had a dedicated case manager and was deemed to be successful. However, due to budget cuts over the last several years, Job Link eliminated this program, and there is no longer a case manager dedicated to the ex-offender population. However, there are still many services that ex-offenders can, and do, use at Job Link.

Job Link has a job board where various vacancies around the city are posted. The office also contains a job search center, which provides computers and telephones for clients to use in support of the job search process. Clients can work with a case manager who will help them with developing their resume and job search skills. Beyond that, Job Link allows employers to hold job fairs and interviews on-site. One of the most critical services that Job Link provides is access to federal funding for educational and vocational programs. Job Link is the agency within the city that manages the funding from the Workforce Investment Act (WIA) (28). The WIA provides federal funding for educational and vocational programs for specific populations in the country. The ex-offender population is one of the groups that qualifies for this type of funding. Groups like OAR, Virginia CARES, and the Probation office often refer clients to Job Link for vocational training funding support. Job Link plays an important role in providing support to all citizens who are in pursuit of employment. However, due to funding challenges, Job Link is unable to devote the necessary resources to support the criminal ex-offender population in a way that would be consistent with national best practices. This was evidenced by the cancellation of the *Eagles Program*. Despite this, Job Link will

continue to play an important role in the re-entry process, particularly due to its connection to the funding from the WIA.

### **8) Re-Entry Council**

Former Virginia Governor Robert McDonnell established several important initiatives that relate to re-entry. One of the most important initiatives has been to increase the coordination among re-entry service providers throughout the State. Part of the Governor's goal was to keep communities safe and save taxpayer money by focusing on re-entry. This was accomplished in 2010 through the creation of re-entry councils. Re-entry councils do not provide direct client services or impose rules or regulations. Instead, the goal of the re-entry council is to increase collaboration and coordination among re-entry oriented service providers in a given community. There is a re-entry council in Alexandria that is comprised of non-profits, churches, city agencies, law enforcement entities, and concerned citizens. The re-entry council contains multiple work groups, one of which is the employment work group. This group focuses specifically on the issue of re-entry and employment. This work group is currently creating an action plan, highlighting four main strategies (29):

- 1) Prepare former offenders for employment
- 2) Engage and cultivate a network of local businesses for re-entry
- 3) Access and develop trade and training programs
- 4) Develop resources to support employment, including employment coaches

### **9) Local Employers**

One of the most important stakeholders in the process of finding employment for ex-offenders is the large group of employers throughout the City. There are currently about 12,000 employers in the City of Alexandria (30). Ninety-one percent (91%) of the businesses in the City of Alexandria are considered to be small businesses. Many of these businesses are in close contact with the Alexandria Chamber of Commerce and the Alexandria Small Business Development Center (SBDC). Both of these entities

have indicated that, for the most part, local employers are unaware of the incentives that exist for hiring from the ex-offender population (discussed in detail in Section V) (31). They also indicated that local businesses would likely be more receptive to the idea of hiring a re-entering ex-offender, if they knew that the ex-offender was being referred by a post-release, ex-offender-focused employment program. They also felt that it would be important to have the post-release program staff be available for mediation and job retention purposes after job placement has occurred.

### **10) Local and State Elected and Appointed Officials**

There are many advocacy issues that can be pursued by the City manager, members of City Council, and elected State officials that will increase employment opportunities for re-entering ex-offenders. The Sheriff of Alexandria has set a positive example in Northern Virginia, showing that his agency is committed to helping inmates begin the path to a successful re-entry while they are still in jail. The recommendations section of this report reveals multiple funding, policy and legislative opportunities for city and State officials to pursue in order to support the re-entry process.

## **VI. Barriers to Employment for the Re-Entering Offender Population**

### A. Overview

This report established the importance of employment for re-entering ex-offenders. Now it is important to explain why ex-offenders have a difficult time securing employment after being released from jail and prison. In a 2009 study that ranked States based on “roadblocks to re-entry,” the State of Virginia was ranked, unimpressively, as 48<sup>th</sup> (out of 51) in the United States (32). This is an indicator that ex-offenders in Virginia face many barriers when they attempt to find gainful employment during the re-entry process. While Governor McDonnell made several improvements in recent years, ex-offenders continue to experience a wide variety of barriers. Ex-Offenders often face significant court fines and fees, restitution payments, child support orders of payment, and suspensions of driver’s licenses. These expenses make it difficult to find employment that will cover all the payments.

The next barriers occur when the ex-offender seeks support services. In Alexandria, while there are many services available, ex-offenders are sometimes confused about where to seek services. Further, no streamlined process exists that connects post-release programs and employers. The barriers continue when ex-offenders begin to apply for jobs. Employers reject applications for various reasons including insufficient job skills or work experience or based on a criminal background check. The challenges are compounded by a lack of incentives offered to employers who hire ex-offenders. Employers may deny an ex-offender’s job application because the ex-offender is considered a “risky hire.” In order to overcome the employers’ reluctance, incentives and support processes should be established for employers. Given the existing barriers, it is not difficult to imagine ex-offenders feel that their criminal history ends up being a life-long punishment. Some ex-offenders feel they have no choice but to return to a life of committing crime as a means to survive. Luckily, many of these barriers can be addressed and eliminated with appropriate advocacy and change on a local and State level.

## B. Ex-Offender Snapshot

The following snapshot is based on information gathered from various ex-offenders and literature to create an example ex-offender experience.

John grew up in Alexandria, in a single parent household, and his mother worked 2 full-time jobs to support the family. Eventually, John got in with the wrong crowd. He started to sell crack cocaine to make ends meet. He was charged and convicted for possession of drugs with the intent to distribute. John was sentenced to some jail time, a period of probation, court fines and fees, and received an automatic suspension of his driver's license for a period of six months (required under Va. Law for certain drug offenses). John spent several months in jail, and while in jail, committed himself to a new life. He decided to enroll in a food handling certification class in jail, and wanted to avoid any affiliation with his old group of friends.

When John was released, he decided to immediately start applying to jobs. However, one of his first limitations was that, due to his suspended driver's license, he had difficulty getting around the northern Virginia area to complete job interviews. John also felt pressured to find a job as soon as possible because his court fines and fees were accruing interest, and they would soon become insurmountable if he did not find a source of income. John saw several entry-level job openings at large chain restaurants. John was worried that the minimum wage jobs may not be enough to pay his rent and bills after his wages would be garnished for the court fines, fees, and his child support payment. However, he was committed to living an honest and crime-free life, so he decided he would take any job he could find.

John began to fill out applications, but was always intimidated by the question on the application: "Have you ever been convicted of a felony?" John checked "YES" and hoped for the best. However, he noticed that almost none of the employers would call him back for an interview, despite having restaurant work experience and his food-handling certificate. When he was called in for an interview, John noticed that the person interviewing him talked down to him, kept harping on his criminal history, and told him, "I'm not sure my company can handle the liabilities that you bring to the table." John applied to a countless number of jobs, but no one would make him a job offer. Eventually, John began to lose hope, feeling that he was forever going to be labeled as a "criminal" and that no one would ever give him a second chance, despite his interest in making positive changes in his life.

## C. Specific Barriers to Employment

## **1) Lack of Coordinated/Streamlined Ex-Offender-Focused Employment Program in Alexandria**

While Alexandria has an array of services for offenders, there is no single program that is consistent with best practice programs in the United States (*Safer in Chicago*, *CEO* in New York) (33). Alexandria service providers each pursue job placement activities independently from one another. This causes a duplication of efforts and creates a disorganized piecemealed roster of ex-offender-friendly employers in Alexandria. With multiple service providers offering various options, ex-offenders leave jail feeling unsure about which services to utilize. The post-release services currently available do not have sufficient funding to provide full-scale job training, job placement and retention services in Alexandria.

## **2) Stigmas Surrounding the Offender Population Impact Employer Attitudes**

Many employers do not feel comfortable with hiring re-entering ex-offenders because of the negative image of a criminal. A study conducted in four major U.S. cities found that only 12.5 percent of employers would definitely offer a job to a person with a criminal record. Another 25.9 percent of employers said they would probably accept an application from a person with a criminal record (34). Another study found that 80 to 90 percent of employers said they would definitely or probably hire: former welfare recipients, applicants with little work experience, and other “negative” attributes. However, only 40 percent of employers said they would definitely or probably hire a person with a criminal record (35). Employers who are afraid of employing ex-offenders may be unaware that most ex-offenders have not been convicted of violent crimes. In fact, in 2010, the crime rate in Alexandria showed that property crimes (e.g. shoplifting) were reported to police about 11 times more often than violent crimes. Even drug arrests were much more common than violent crimes in Alexandria (36). Therefore, the average Alexandria ex-offender is not a violent criminal.

Despite the data proving otherwise, the stigma of being a “dangerous criminal” is strongly felt by re-entering ex-offenders in the job market. The process of feeling pre-

judged begins at the point of filling out most job applications. Many employers ask about an applicant's criminal history on job applications, and use this as an initial weeding out tool in the hiring process (37). If the ex-offender does actually receive a call for an interview, employers may be hesitant to hire a person viewing at the length of some criminal records, even though many criminal records often include charges that were dropped or dismissed. During a focus group at the State P/P office in Alexandria, one offender stated that during job interviews, he felt like employers looked at him and treated him like an "animal" (38). Beyond the stigmas associated with ex-offenders, another reason for this fear of hiring offenders is based on a concern about legal liability in case the ex-offender does something to jeopardize the business (39).

### **3) Lack of Sufficient Incentives for Employers to Hire Offenders**

While Virginia has made progress in recent years with regard to ex-offender re-entry, there continue to be few incentives available for employers who hire ex-offenders. A federal tax credit and bonding program is available to employers nationwide (40). The federal program called the Work Opportunity Tax Credit provides an employer with a \$2,400 tax credit for hiring a convicted felon who was convicted or released from prison within a year of employment (41). The federal bonding program covers an employer with a \$5,000 dollar protection against theft or loss caused by a convicted felon employee. These incentives are available to all employers on a national level. However, neither Alexandria, nor the State of Virginia provides localized tax credits for employers who hire offenders. The lack of a local incentive is combined with the fact that most employers are actually unaware of the federal incentives and protections in place for businesses that do hire members of the offender population (42). Therefore, many employers do not feel motivated or secure in the decision to hire from the ex-offender population.

### **4) Offenders Lack Necessary Skills and Experience**

Many studies have indicated that many people in the ex-offender population simply do not have the training or experience to find a reasonable job in society. Some of the deficits that exist in the ex-offender population are: low levels of "life skills", low levels of



education, lack of work experience, poor physical or mental health, lack of motivation, and negative attitudes (43). In Virginia, over 50 percent of inmates in prison have not graduated from high school (44). When inmates leave prison and jail without the proper educational and training foundation, it will be more difficult to secure a job.

### **5) Ex-Offenders Have Financial Obligations That Disincentivize Working in the Formal Economy**

Many ex-offenders owe court fines/fees, child support, or restitution immediately upon release from prison or jail. As a result, some ex-offenders avoid the formal economy due to fear of wage garnishment by employers (45). The fees and fines become insurmountable because interest is charged every month that the debt is not paid (46). This is a serious barrier because many of the jobs that ex-offenders find do not pay a living wage (47). When the wages are subsequently decreased by other financial obligations, some ex-offenders do not see any reason to pursue a legitimate source of employment. In fact, evidence indicates that the financial debts and fines of working ex-offenders sometimes create what amounts to a 65% tax rate (48). This opens the door to returning to a life of crime, and eventually, to recidivism. The alternate option that many offenders choose is to enter into the undocumented day laborer market. While these jobs offer daily cash payments, they do not provide stability or benefits. In addition, the ex-offender avoids paying taxes and any other debts owed. Virginia offers ex-offenders who are unable to pay, the opportunity to substitute the payment of court fines with community service (49). While performing community service to pay a debt seems positive, this option has flaws. The formula for hours per dollar owed can create an unrealistic community service hours that require to be completed for each ex-offender. For example, OAR clients in Arlington are attempting to complete up to 1,000 hours of community service instead of paying fines in excess of \$10,000 dollars to the court system (50). OAR staff found that ex-offenders often start with the intention to complete the hours but the process is long and daunting and it produces no income. Therefore, most participants simply stop completing the hours (51). By not completing these hours, the court fines and fees continue to hang over the ex-offender's head,

which can have adverse effect on credit scores and prevent them from obtaining a driver's license.

### **6) Penalties Against Driver's Licenses Impact Transportation Options and Cause Significant Hardship in Attaining and Retaining Jobs**

In Virginia, if a defendant does not pay his court fines and fees, the Department of Motor Vehicles may suspend his/her license (52). There is also an automatic suspension policy in place in Virginia for specific drug-related crimes (53). For example, if a defendant is found guilty of possession of illegal drugs with the intent to distribute, he/she could receive a punishment of jail time or probation and the defendant's driver's license is automatically suspended for six months. The driver's license suspensions are done without regard to whether the original offense was related to driving.

Unfortunately, limiting an ex-offender's ability to drive also limits his/her ability to find and keep a job (54). It is challenging for ex-offenders to apply for jobs in the Washington, D.C. area without the ability to drive. First, the ex-offenders search area may be limited without a car. Even if ex-offenders find employment, without a driver's license, they must navigate the public transportation system in order to get to and from work and are subject to the at times rigid transportation schedules.

## **VII. Recommendations for Breaking Down the Barriers to Employment**

### A. Overview

There are numerous ways to break down the barriers to employment for the ex-offender population in Alexandria. There are three distinct groups that have the ability to advocate and make these necessary changes: City Manager and City Council, State representatives, and key local stakeholders. A holistic approach is required in order to break down barriers to employment and increase the chances of a successful re-entry. Various elements of this community must work together to de-stigmatize the ex-offender population and welcome it into the workplace. Key stakeholders and city officials must come together and create a coordinated, ex-offender-focused employment program with proper funding, in order to provide adequate job training, placement and retention services for the ex-offender population. The City and State must also properly incentivize the hiring of ex-offenders by local employers. Elected State officials should examine the vicious cycle of punishment currently in place which continues to punish ex-offenders after being released with court fines and fees and suspended driving privileges. The recommendations in the following section are based on national best practices and extensive research.

### B. Specific Recommendations

**1) The City Manager, City Council, and State elected officials should participate in the “Ban the Box” campaign by removing any questions about criminal convictions from City and State employee job applications (with the exception of public safety positions or other positions that legally prohibit certain convictions) (City and State)**

Best Practice Note: 53 cities in the United States have signed onto this campaign, four of which are in Virginia (Newport News, Portsmouth, Richmond, and Norfolk) (55). The purpose of this practice is to decrease the chances of an ex-offender’s job application being immediately discarded, simply based on having checked the “Yes” box, when

asked if he/she has ever been convicted of a felony. This policy does not prohibit the employer from later conducting a background check on the prospective employee.

**2) The City of Alexandria website should improve online resources for the ex-offender population by creating a “one-stop-shop” online resource that directs ex-offenders to the various re-entry services available to them throughout Alexandria. (City)**

Best Practice Note: The City of Philadelphia has a website for its re-entry program, R.I.S.E., which includes resources and program information for both offenders and employers in Philadelphia (56).

**3) City Council should provide Virginia CARES with annual funding of \$15,000 dollars\* (City)**

\*Money to go directly towards: funding for transportation subsidies for ex-offenders, materials for awareness seminars on expungement of criminal records and employer hiring incentives, work clothing and tools for working offenders, sponsoring pro-social events, rewards program for employed offenders, and assistance with creation of coordinated post-release program in Alexandria.

**4) City Council should provide OAR with total annual funding of \$75,000 dollars\* (City)**

\*Money to go directly towards: increasing staffing at Downtown Baptist Church to a half-time position, expanding program services for Alexandria clients, and help with the creation of a coordinated post-release program in Alexandria.

**5) City Council should consider local incentives for employers who hire from the ex-offender population. (City)**

Best Practice Note: The City of Philadelphia provides a tax credit to employers who hire offenders (57). Other options include: Giving preference to companies that bid for city contracts who are willing to hire from the ex-offender population and allowing employers

to file taxes on a delayed schedule if they can prove that they have hired offenders during the year.

**6) The City Manager and City Council should take the lead in the re-entry process and devote resources to help with the coordination of post-release programs, by providing training space and City-sponsored vocational training programs for ex-offenders, dedicating specific city jobs to the offender population, and assisting key stakeholders by advocating for the offender population.**

**7) The City Council, City Manager, and key local stakeholders should work together to create a coordinated and streamlined post-release employment program that directly links ex-offenders with training opportunities and employment, and provides sustained job retention support for ex-offenders and employers. (City/local stakeholders)**

#### Best Practice Note

There are three highly acclaimed programs in the United States that have created a truly coordinated approach to re-entry and employment. They are Safer in Chicago, R.I.S.E. in Philadelphia, and CEO in New York City (58). These programs have increased employment for offenders and lowered recidivism. The key components for a successful program are:

- \*Program should engage ex-offender right before or immediately after release
- \*Provide individualized assessment of each offender, determining job readiness and risk for recidivism. There should be a city-wide agreement defining what makes a person “job ready”
- \*Start with an intensive pre-employment life skills and job readiness class
- \*Based on each individual’s abilities, clients will generally be considered job ready or not job ready. Those who are job ready should be given a certificate of job-readiness, to be presented to employers. All clients should also be assessed for specific needs in terms of vocational training or non-job related classes (e.g. anger

management, life skills, substance abuse, mental health, etc). These classes should then be required activities for program participants.

\*The post-release program staff should establish both temporary jobs and full time (long term) jobs within the community that are pre-pledged to the program participants. This will eliminate the long application process and jobs should be immediately available to the program.

\*Those persons who are not job ready may be placed in a temporary job for approximately 60 days, with the goal of building soft skills and increasing job readiness. They should be re-evaluated at the end of the process to determine job readiness. (This should be combined with other soft skill programs and classes provided by the post-release program, and some participants may need to receive other services prior to beginning the temporary job.)

\*Those persons who were deemed job ready should be immediately placed into a full-time position that pays at least a living wage, and continue with required soft skill classes within the post-release program.

\*Each participant should have a case manager who helps the ex-offender with his/her personal needs, and provides mediation and job retention support to the offender and the employer for an extended period of time. (This includes positive reinforcement for the participants and frequent contact between the program staff and the employer).

**8) Key stakeholders should host awareness seminars for local employers, to teach about the benefits and incentives of hiring from the ex-offender population, and focus on de-stigmatizing the ex-offender population. (local stakeholders)**

**9) Key stakeholders should host awareness seminars for the ex-offender population to teach them about the right to expunge certain charges from a criminal record, in order to remove charges that were dropped or where the offender was found not guilty. (local stakeholders)**

**10) Alexandria City officials, including the Commonwealth’s Attorney, should consider the creation of a drug court or reentry court to divert non-violent offenders away from incarceration and directly into post-release programs. (City)**

Best Practice Note: A drug court in New Jersey was established as an alternative to incarceration for drug-addicted offenders. Ex-Offenders are diverted into programs and frequently check in with the court, to track progress. Not only has this court reduced recidivism rates, it has also saved taxpayer money. In New Jersey, the average cost of a State inmate is \$38,900 dollars per year. However, the average cost of a drug court participant is \$11,379 dollars (59).

**11) State elected officials should examine the current procedures regarding court fines and fees. Consideration should be given to the idea of basing the amount of court fines/fees on a defendant’s income/ability to pay (as opposed to set amounts based on type of criminal charge), and also increase the dollar value amount of each hour of community service when used as substitute for payment of court fines/fees. (State)**

Best Practice Note: The Brennan Center for Justice at the New York University Law School has established an advocacy checklist with specific regard to these issues. The main focus of their recommendations is on changing the court fines/fees system in the United States. The Brennan Center advocates for judges using a more individualized approach when assessing fines/fees for each defendant (60).

**12) State elected officials should propose legislation that would establish a State tax credit for employers who hire re-entering offenders. (State)**

Best Practice Note: Six States currently provide employers with some form of tax credit for hiring from the offender population (61). These States are: California, Maryland, Iowa, Illinois, Louisiana, and Texas. Most State tax credit programs start out by providing employers with a significant credit for the first year of employment and slowly decrease the credit over the course of two to three years (62).

**13) State elected officials should propose legislation that would change the current mandatory six-month suspension of licenses for drug charges. The new law should state that the mandatory suspension would only apply to cases that are driving related. (State)**

Best Practice Note: Twenty-three States currently either suspend driver's licenses only when the criminal case was somehow related to driving or do not participate at all in the mandatory suspension of licenses for drug offenses (63).

## **VII. Conclusion**

Formerly incarcerated persons return home to Alexandria on a daily basis, from various prisons and jails. Obtaining stable employment is a key element for a successful, crime-free re-entry into society for these returning ex-offenders. If an ex-offender is able to find gainful employment, he/she is less likely to be re-arrested. Employment helps the ex-offender become a contributing member of society and saves a community the cost of housing the ex-offender in prison or jail. Unfortunately, there are various barriers in place that make the employment process difficult for re-entering ex-offenders. These barriers range from employer reluctance in hiring employees with a criminal background to a lack of incentives for employers to hire ex-offenders. Ex-offenders who exit prison committed to improving their lives are surrounded by barriers that ultimately may lead the ex-offender to resort to committing crime. Therefore, our community must assist these motivated ex-offenders by offering assistance in the re-entry process. The good news is that there are multiple opportunities for elected officials and local stakeholders to break down these barriers to employment on the City and State level.



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