

Mayor Poe
Commissioner Arreola
Commissioner Duncan-Walker
Commissioner Hayes-Santos
Commissioner Johnson
Commissioner Saco
Commissioner Ward

May 12, 2021

Dear Gainesville City Commissioners,

We, the undersigned organizations, write in support of a local ordinance that would give people with criminal records a fair chance at employment with businesses throughout the city. We want our neighbors who have served their time to have a meaningful opportunity to compete for jobs and re-engage with their community. The current system of widespread and overbroad hiring restrictions not only hurts people with records, but also businesses and the broader community.

Overbroad hiring restrictions are a lose-lose

Hundreds of people come home to our community from prison and jail every year. They are expected to work and be productive members of society. Many have fines and fees that they must pay as part of the terms of their release, and if they fall short they will be re-incarcerated. Yet despite being motivated and qualified, they face barrier after barrier to finding work. Pervasive questions about criminal records on job applications or in interviews prevent them from being seen as they are today. As a result, formerly incarcerated people are unemployed at a rate of over 27% on a national level — higher than the unemployment rate during the Great Depression.

These overbroad hiring restrictions also hurt businesses. Criminal records are not good proxies for employability. In fact, companies that are open to hiring people with records can improve their bottom line by tapping into a large pool of talented workers. Research has also shown that turnover among people with records is lower and they are more motivated to perform.

People with employment are far less likely to reoffend. In fact, joblessness is the single most important predictor of recidivism. On a local level, that means that increased employment results in increased public safety and more taxes coming in. On a larger scale, this means huge savings for taxpayers by keeping more people out of the criminal justice system. One study estimated that increasing employment for people released from Florida state prisons by 50% would save \$86 million annually in incarceration costs.

Finally, given the stark racial disparities in the criminal justice system, excluding people from employment based on criminal records is an issue of racial equity. In Alachua County, Black people are incarcerated at a rate nine times greater than white people. There are also racial

disparities in how employers consider criminal records. One study found that the negative impact of a criminal record on getting a job interview is 40% greater for Black people than for white people with similar histories.

Our community needs a fair chance hiring ordinance

A Gainesville fair chance hiring ordinance would help ensure that each applicant is considered on an individual basis, not just their record. Such individualized assessments have been shown to increase their chances of being hired. There are several ways to achieve this goal, mostly by removing questions about criminal records from the initial stages of the hiring process. For example, a well-designed fair chance hiring ordinance would require employers to:

- Not ask about criminal records on the job application.
- Delay any record screening until after a conditional offer is made.
- Only look at convictions and pending prosecutions, not arrests.
- Consider the context of any convictions, including time passed since the offense, whether it is related to the job position, and evidence of rehabilitation.
- Give applicants an opportunity to review the information in the background report and provide additional context to the employer.

A fair chance hiring ordinance would *not* require an employer to hire an applicant with a record. The employer retains full discretion to conduct a background check and hire the most qualified candidate. This policy would simply shift the manner and timing of any record screenings.

To date, 14 states and 20 local jurisdictions have enacted fair chance hiring policies for private employers. While such a policy is squarely within the authority of localities in Florida, Gainesville would be the first to take this step in the state. There was a bill in the 2020 Florida legislative session that would have preempted local rules on pre-employment screenings, but it died in committee. Now is the time for Gainesville to act to give all of our neighbors a fair chance at employment.

If you have questions, please contact Max Tipping (mtipping@csgnv.org) and Tequila McKnight, (tmcknight@csgnv.org). We look forward to working with you to build a more just and inclusive Gainesville.

Sincerely,

**Agricultural Justice Project
Alachua County Labor Coalition
Coalition to Abolish Prison Slavery
Community Spring
Cultural Arts Coalition
Dream Defenders
Faith Mission, a ministry of Trinity UMC**

First Community CDC
Florida Council for Incarcerated and Formerly Incarcerated Women and Girls
Florida Legal Services, Inc.
Florida Prisoner Solidarity
Gainesville Alliance for Equitable Development
Gainesville For All
Gainesville Vineyard Ministries
GNV Bridge Community Center
Greater Bethel AME Church
Greater Duval Neighborhood Association
Human Rights Coalition of Alachua County
North Central Florida Indivisible
Open Door Ministries
Overcomers International Ministries
Prayers by Faith Ministries
Project YouthBuild
River Phoenix Center for Peacebuilding
Rural Women's Health Project
Students Against Mass Incarceration UF
UF Minorities in Agriculture, Natural Resources, and Related Sciences