



**Senator Sandra Williams
21st Ohio Senate District**

**Senate Bill 68
Sponsor Testimony
Workforce and Higher Education Committee
March 10, 2021**

Chairman Johnson, Vice Chair Cirino, and members of the Workforce and Higher Education Committee, thank you for the opportunity to offer sponsor testimony on Senate Bill 68.

Senate Bill 68 will prohibit private employers from including questions concerning an applicant’s conviction record or whether they’ve plead guilty to a felony on an employment application. This bill will allow for applicants to present themselves and their qualifications as a whole, rather than having their prior conviction end their hope for employment at the moment they submit their application.

Senate Bill 68 does not prohibit an employer from completing a criminal records check or from asking an applicant about prior arrests or convictions during the interview.

Put simply, this legislation removes the first barrier to employment for people with criminal records who wish to become contributing members of society. Employment is the single most influencing factor in decreasing recidivism. Following two years after release, nearly twice as many employed people with records avoid re-incarceration than those that were unemployed.¹

Employers often refuse to consider applicants with criminal records, which significantly obstruct potential employment options for years to come. According to a report by the National Institute of Justice, seventy-five percent of ex-offenders were jobless up to a year after release.² The United States Department of Justice found that employers were more likely to hire an ex-offender applicant following a face-to-face meeting and were less likely to report the applicant’s conviction as the

¹ Mark T. Berg and Beth M. Huebner, “Reentry and the Ties that Bind: An Examination of Social Ties, Employment, and Recidivism,” *Justice Quarterly* (28), 2011: 382-410.

² Mark T. Berg and Beth M. Huebner, “Reentry and the Ties that Bind: An Examination of Social Ties, Employment, and Recidivism,” *Justice Quarterly* (28), 2011: 382-410.

primary reason for not hiring following an interaction.³ Senate Bill 68 will increase employer-applicant interactions and potentially reduce Ohio's rate of recidivism, where the overall three-year recidivism rate for inmates released from Ohio prisons in 2014 is 31.45%, up .69 percentage points from the three-year rate for 2013 releases.⁴

Incarceration negatively impacts the upward mobility and economic prospects of former offenders. According to a study by The Pew Center, incarceration depresses the total earnings of white males by two percent, of Hispanic males by six percent, and of African American males by nine percent.⁵ This depression of economic prospects does not end with former inmates, but extends to their families. Senate Bill 68 will enable former offenders to become contributing members of society, and positively impact his or her family, communities, and society as a whole.

In the 131st General Assembly, House Bill 56 was passed to prohibit the state of Ohio from asking about an applicant's arrest or conviction record during the beginning stages of hiring, for those seeking employment with the state. Senate Bill 68 would join Ohio with thirteen other states that have also mandated the removal of conviction history questions from job applications for private employers.⁶ This is a crucial step toward ensuring that people with records have a fair chance at employment in the majority of jobs.

Chairman Johnson, Vice Chair Cirino and members of the committee, this concludes my testimony, and with that, I ask for favorable consideration of Senate Bill 68. I am happy to answer any questions.

³ Pager, D., and B. Western, "*Investigating Prisoner Reentry: The Impact of Conviction Status on the Employment Prospects of Young Men*" (pdf, 136 pages), Washington, D.C.: U.S. Department of Justice, National Institute of Justice, October 2009. <https://www.ncjrs.gov/pdffiles1/nij/grants/228584.pdf>

⁴ Recidivism Update—2018 Bureau Of Research and Evaluation and Evaluation <https://drc.ohio.gov/reports/recidivism>

⁵ Pager, D., and B. Western, "*Investigating Prisoner Reentry: The Impact of Conviction Status on the Employment Prospects of Young Men*" (pdf, 136 pages), Washington, D.C.: U.S. Department of Justice, National Institute of Justice, October 2009. <https://www.ncjrs.gov/pdffiles1/nij/grants/228584.pdf>

⁶ National Employment Law Project. <https://www.nelp.org/publication/ban-the-box-fair-chance-hiring-state-and-local-guide/>