



Responsible Re-Entry to Employment

HB 1388

Sponsored by Rep. Beth McCann, D-Denver

What does this bill do?

By expanding Colorado’s “ban the box” law, this bill would provide that most employers delay consideration of an applicant’s criminal history until after an initial job interview.

Why is it needed?

There are more than 1.5 million Coloradans listed on the state criminal record database. For many of these people involvement with the justice system has led to perpetual unemployment and income instability for themselves and their families.¹

Several studies have demonstrated that enabling face-to-face interaction with prospective employers is an effective approach to reduce barriers to employment. Research also indicates that consistent employment lowers recidivism.²

Do other states have this policy?

Yes, seven states have already enacted similar legislation— often with bipartisan support. Hawaii, Illinois, Massachusetts, Minnesota, New Jersey, Rhode Island, and Oregon have all adopted private sector “ban the box” legislation.

Responsible Re-Entry Legislation allows people with a criminal record to be considered on their merits without compromising safety and security on the job.

- Employers may still conduct criminal background checks later in the hiring process.
- Under state law, private employers can still consider criminal records to whatever extent they deem appropriate.
- Any positions that legally require exclusion of people with certain records are **exempted** from this bill.
- This policy has been endorsed as a best practice by the U.S. Equal Employment Opportunity Commission and is supported by the Colorado Society for Human Resource Management.

¹ Michele Natividad Rodriguez and Maurice Emsellem, *65 Million ‘Need Not Apply’: The Case for Reforming Criminal Background Checks for Employment*. The National Employment Law Project, March 2011, http://www.nelp.org/page/-/SCLP/2011/65_Million_Need_Not_Apply.pdf?nocdn=1

² Anastasia Christman and Michele Natividad Rodriguez, *Research Supports Fair Chance Policies*. The National Employment Law Project, April 2015, <http://www.nelp.org/content/uploads/Fair-Chance-Ban-the-Box-Research.pdf>

SUPPORT FOR RESPONSIBLE RE-ENTRY TO EMPLOYMENT

9to5 Colorado
ACLU
African American Humanist Temple
All Families Deserve a Chance Coalition (AFDC)
Bayaud Enterprises
Bridges to Career Pathways Commission (BCPC)
Cities of Refuge Denver
CO Coalition for the Homeless
CO Jobs With Justice
Colorado Council of Churches
Colorado Criminal Defense Bar
Colorado Criminal Justice Reform Coalition
Colorado Fiscal Institute
Colorado Juvenile Defender Coalition
Colorado Society for Human Resource Management (SHRM)
Community Reentry Project
Connections Training and Staffing, Inc.
CrossPurpose
CWEE
Denver Area Labor Federation
Denver Urban Ministries
Empowercom, Inc.
Family Environmental Compliance Services
Family Tree
Four Seasons Denver
FRESC: Good Jobs, Strong Communities
Fresh Anointing Christian Church
HIREDenver
Homeless Out Loud
Humboldt Consultants Inc.
Interfaith Alliance
J.A.G. Properties
Latino Coalition for Community Leadership
Metro Caring
Mile High United Way
NAACP State Conference: Colo. Mont. Wyo.
Orchid Mental Health Legal Advocacy of CO, Inc.
Pretty Good Consulting Inc.
Rocky Mountain Synod, Evangelical Lutheran Church in America
Second Chance Ministries
Spring Back Colorado
The Bell Policy Center
The Center for Spirituality at Work
The Conflict Center
The Empowerment Program
The Second Chance Center
Together Colorado
Urban Colors Arts and Mentoring
Worker to Job Connection
WorkLife Partnership
Zero Drop Outs

For more information:

Jack Regenbogen, Esq. 303-573-5669, Ext. 321 or jregenbogen@cclponline.org