



**Testimony for the Senate Finance Committee  
January 16, 2013**

**SB 4 – State Personnel – Applicants for Employment – Criminal History  
Records Checks**

**SUPPORT**

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The ACLU of Maryland urges a favorable report on SB 4, a bill that helps to remove roadblocks to employment for formerly incarcerated individuals. As one of the many collateral consequences of criminal convictions, after serving their debt to society many ex-offenders are denied the opportunity to work based solely on their conviction. This makes it difficult if not impossible for them to re-enter society successfully and be able to earn a living. Particularly in this tough economic climate, the Maryland legislature should pass this law and lead the way in helping ex-offenders to succeed so that they can become law-abiding, taxpaying citizens.

Currently, on state job applications, prospective state employees are asked to check “yes” or “no” if they have ever been convicted of a crime. Many well-qualified people who answer the question in the affirmative do not even have their job applications *considered* because of their past criminal conviction. Removing the question from the application simply allows applicants to get a foot in the door and prove their qualifications, rather than being automatically rejected because they check the box “yes.”

This bill keeps in place all of the other safeguards for employers, as the State can still conduct background checks on applicants. Therefore, even if the application does not ask whether the applicant has been convicted of a crime, the employer can still find this information in their background check and then investigate further to determine if this past offense should disqualify the individual from the particular position.

At least 8 states and many cities throughout the country already have this policy in effect.<sup>1</sup> The fact that an applicant has a criminal conviction, by itself, should not automatically disqualify them from obtaining employment if we want to encourage them to become responsible citizens once again. By removing this harmful and unnecessary question from state job applications, more qualified individuals will have a chance at gainful employment and the ability to turn their lives around.

For these reasons, we urge a favorable report.

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<sup>1</sup> These states include California, Connecticut, Kansas, Massachusetts, Minnesota, New Mexico, Hawaii, and Wisconsin. The cities include Baltimore, Chicago, Minneapolis, San Francisco, St. Paul, New York City, Philadelphia, Seattle, and Washington, DC.