

Vermonters for Criminal Justice Reform

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Testimony on Behalf of H. 261
Submitted by Suzi Wizowaty, Executive Director
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Vermonters for Criminal Justice Reform supports the passage of H.261 on the basis of fairness. Barbara Jordan, the influential US Senator from Texas once famously said that the role of government was to reduce obstacles to individuals' success. In other words, if society throws up unnecessary impediments to people's advancement, it's the job of government to remove them, hence the well-established, if intermittently successful, role of government in addressing racial prejudice, gender bias, religious intolerance, and the like.

With respect to criminal behavior, it used to be that you did your time, and you were allowed to start over. But the U.S. has become increasingly punitive—increasingly, and inexplicably to much of the rest of the world. Not only do we lock up more people for longer than anyone else. We also continue to stigmatize people and restrict their opportunities. Vermont's collateral consequences of conviction act didn't actually reduce any of these restrictions; it only created avenues for some individuals to end being subjected to those restrictions.

When it comes to employment, the advantages of removing obstacles for people who have been convicted of a crime and seek to earn a living by legal means would seem to be obvious. Practices that make it difficult for formerly incarcerated individuals to secure and hold meaningful employment are not in the state's interest. Now, there are enlightened employers in Vermont who not only *don't ask* about criminal conviction on initial job applications but go further, and make an extra effort to give formerly incarcerated men and women a chance. These employers have led the way and deserve recognition. Now it's time for the state to nudge along other employers in the same direction, for the sake of fairness. We cannot legislate open-mindedness, but we can prohibit at least blatant discrimination.

Finally, the practice of "banning the box" is hardly radical. According to the latest report by the Sentencing Project, states that have already adopted "ban the box" reforms, often called "Fair Chance" laws—either through executive orders or state legislation—include California, Colorado, Connecticut, Delaware, Georgia, Hawaii, Illinois, Maryland, Massachusetts, Minnesota, Nebraska, New Jersey, New Mexico, New York, Ohio, Oregon, Rhode Island, and Virginia. In addition, 62 local governments have passed such ordinances, including Indianapolis; Seattle; San Francisco, Boston, Philadelphia and New York City.

It's time for Vermont to "ban the box" statewide. Thank you.

Our vision:
A coordinated criminal justice system that values the humanity in all people, aims to restore relationships and communities, and uses incarceration as a last resort for public safety.