

**March 30, 2016**  
**Testimony in Support of H.261**

**To: Senate Committee on Economic Development, Housing, and General Affairs**  
**From: Matt Birong, Chef and Owner of 3 Squares Café in Vergennes**

I've been the Chef/Owner of 3 Squares Café in Vergennes for 9 years. At 3 Squares Café, we strive to have an inclusive work environment. When a position becomes available, we interview and hire employees based on their ability to meet the needs of the position. What we don't do, is ask about prior criminal convictions on an application.

I believe that a criminal conviction should not prevent someone from obtaining future jobs and sustaining a good quality of life. With increasing incarceration rates, especially with nonviolent offenders, more of our citizenry is finding themselves at a disadvantage. After being released from corrections, people are already faced with many challenges related to re-adjusting to their lives and communities; challenges that affect their ability to positively transition and not reoffend. Barriers to employment, such as requiring an applicant to disclose criminal history on an initial application, are a large part of these challenges.

People that are truly trying to put their lives back on track often only need an opportunity to prove themselves. I have employed and befriended many individuals that policies like this negatively impact and I myself would be subject to this screening process. By no means do I feel that employers should lose the right to look into the background of prospective hires, but they should simply have to wait until the prospect arrives at stage two of the application process. That way, the prospective employees have an opportunity to explain their conviction history and be assessed on their abilities to meet the requirements of the job. People trying to rebuild their lives post-incarceration are already up against so much and this legislation is the least we can do to remove a barrier to helping people get back on their feet.

So far, over 100 cities and counties and a total of 20 states across the country have adopted policies to "Ban the Box" or support "Fair Chance Hiring." Last April, Gov. Peter Shumlin signed an Executive Order to ban the box for state jobs. H.261 would only prohibit employers from requesting information about criminal convictions on an initial application for employment but would not prohibit employers from requiring applicants to disclose conviction history in subsequent employment applications or interviews. That way, employers would decide if an applicant is the right fit for the job based on their abilities to fulfil the duties of the job and

not on their previous criminal convictions. This bill would open more doors for people working to rebuild their lives after being released from corrections and would prevent more road blocks to the new future that they are attempting to build. I support H.261 and hope you will as well so that we can ensure that all Vermonters have a fair chance at employment and the happiness we all seek.

Sincerely,  
Matt Birong, Chef and Owner of 3 Squares Café in Vergennes