



LEGISLATIVE TASK FORCE ON THE EMPLOYMENT OF PERSONS WITH PAST CRIMINAL CONVICTIONS

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Chief Sponsor of House Joint Resolution Creating Task Force:
Representative Constance Howard (Chicago)

Task Force Chairperson:
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Appointed by House Speaker Michael Madigan:
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Representative Eddie Washington (Waukegan)

Appointed by House Minority Leader Tom Cross:
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Table of Contents

Memo from Task Force Chairperson.....	3
Executive Summary.....	5
Introduction.....	7
Timeline.....	8
Total Tally of Task Force Votes on Policy Recommendations.....	9
Recommendations.....	12
Subcommittee on Barriers to Private Employment.....	13
Subcommittee on Barriers to Public Employment.....	16
Subcommittee on Post-Discharge Community Support Systems.....	17
Subcommittee on Preparing Incarcerated Persons for Employment.....	20
Subcommittee Memos	
Memo from the Subcommittee on Barriers to Private Employment.....	24
Memo from the Subcommittee on Barriers to Public Employment.....	31
Memo from the Subcommittee on Post-Discharge Community Support Systems.....	32
Memo from the Subcommittee on Preparing Incarcerated Persons for Employment.....	38
Agenda for Task Force Public Hearing.....	42
Senate Joint Resolution 6 (95 th Assembly).....	44
House Joint Resolution 107 (94 th Assembly).....	46
Record of Votes and Comments from Task Force Members.....	51
Rep. Constance Howard.....	52
Sen. Donne Trotter.....	55
Sen. Dan Rutherford.....	58
Rep. Dennis Reboletti.....	61
Rep. Elaine Nekritz.....	64
Rep. Patricia Lindner.....	67
Sen. Iris Martinez.....	70
Rep. Eddie Washington.....	73
Sen. Kimberly Lightford.....	76
State Agency Comments on Task Force Recommendations.....	78
Illinois Office of the Secretary of State.....	79
Illinois Department of Corrections.....	83
Illinois Department of Employment Security.....	87
Illinois Department of Children and Family Services.....	91

Memo from Representative Constance Howard, Task Force Chairperson

Illinois Residents:

What are we going to do about the revolving prison door? Consider these statistics:

<u>Year</u>	<u>IL General Population</u>	<u>IL Prison Population</u>
1989	9,263,185	22,576
2001	12,524,663	45,629
2008	12,831,974	45,440

Another way of measuring the problem is by the number discharged from Illinois prisons. This is especially important to those who live in the communities to which former inmates return. Eighty-two percent (82%) commit their crimes in their communities, and then return to the same communities over and over again. The three-year recidivism rate in 2004 was 54.5%.

In 1989, there were 9,921 exits from Illinois prisons. Twelve years later, the figure skyrocketed to 31,729. This year, 38,888 individuals were discharged from Illinois Department of Corrections facilities.

The state spends \$3 billion a year to construct, operate and maintain 31 prison projects. However, this expense is insignificant in comparison to the collateral costs. Consider the loss to the state's economy that resulted from incarceration of tens of thousands of able-bodied persons. The collateral consequences do not end upon release. Job applicants with criminal records are unlikely to find employment that pays a living wage. For most, the criminal record is a lifetime sentence to a series of dead-end jobs.

The assessment of costs is not limited to taxpayers and the imprisoned. Family members and children of the incarcerated also pay. Thousands of children grow up without one or both parents. In order to complete cost estimation, we must figure out a methodology to determine the value on the diminution of quality of life for crime victims.

No one knows this better than my constituents who reside in communities to which many of the formerly incarcerated will return. In addition to the increased risk of becoming crime victims, they are losing family members to the vicious cycle of drugs, crime, and incarceration.

Members of the General Assembly are beginning to recognize that the "no nonsense tough on crime" approach has not resulted in the outcomes they had expected. There is also a general acknowledgement that employment is one of the effective tools to reduce the recidivism rate. Both the House and the Senate unanimously voted for the creation of this bipartisan Task Force to examine the barriers that prevent those with criminal records from entering the labor market.

In 2007, the Democratic and Republican leadership selected twelve legislators to serve as members of the Task Force. A hearing was held on May 3, 2008 at Roosevelt University in Chicago. Approximately 50 persons testified.

Advocates to whom we are indebted for helping to facilitate this report include:

- **Tom Grippando** - Law Office of the Cook County Public Defender
- **Anthony Lowery** - Safer Foundation
- **Kathie Kane-Willis** - Roosevelt University's Institute for Metropolitan Affairs
- **Mary Ann Dyar** - Chicago Metropolis 2020
- **Margaret Stapleton** - Sargent Shriver Center on Poverty Law
- **Marie Claire Tran** - Sargent Shriver Center on Poverty Law
- **James Chapman** - Illinois Institute for Community Law
- **Chris Moore** - Exodus Renewal Society
- Student Research Assistants: **Tiffini Cooley, Mary Dannevik, Gregory Greenman,**
and **Laura Reichel**

Four subcommittees were created. Each prepared recommendations.

The twelve members were given the opportunity to vote on the subcommittees' proposals. Including myself, nine of the twelve actively participated. I wish to acknowledge the support and guidance of the following: **Sen. Donne Trotter, Sen. Kimberly Lightford, Sen. Iris Martinez, Sen. Dan Rutherford, Rep. Elaine Nekritz, Rep. Eddie Washington, Rep. Patricia Lindner and Rep. Dennis Reboletti.**

A tally of all votes is part of this report, together with the voting sheets completed by each Task Force member.

The Task Force also sought feedback from state agencies that might be impacted by the recommendations. Copies of the agency responses are included in the report. I thank the following for providing feedback:

Erwin McEwen, Director, Illinois Department of Children and Family Services

Roberta Fewes, Deputy Director Program and Support Services, Illinois Department of Corrections

Ellen Schmidt, House Liaison, Office of Legislative Affairs, Secretary of State

James Preckwinkle, Legislative Liaison, Illinois Department of Employment Security

The reports and comments demonstrate a consensus on a significant number of proposed initiatives. The next step is to transform these proposed initiatives into passage of meaningful legislation.

Representative Constance Howard
Task Force Chairperson

Executive Summary

Background: The State of Illinois has increased penalties and its enforcement of criminal laws, particularly for drug crimes, over the past three decades. While putting more people into prison, Illinois also has put fewer resources into providing education and rehabilitation programming for those people. The result has been substantial increases in the numbers of people with conviction records and significant decreases in their readiness to rejoin society, with the impact falling most heavily on minorities. This focus on crime has increased fears about people with criminal records in neighborhoods and workplaces, even though employment may very well help to prevent the formerly incarcerated from recidivating.

To address this dilemma, the Illinois General Assembly created the Legislative Task Force on Employment of Persons with Past Criminal Convictions.

Purpose of the Task Force: The authorizing resolutions (House Joint Resolution 107, Senate Joint Resolution 6, and House Joint Resolution 8) charge the Task Force to conduct “a thorough examination of the employment barriers for people with criminal convictions and a thorough study of ways in which such barriers could be lowered or eliminated without exposing employers, individuals, the general public, or property to unreasonable risk.” The Task Force was instructed to report its findings and recommendations to the Governor and the General Assembly by December 31, 2008.

Task Force membership consists of Senators Hultgren, Lightford, Martinez, Millner, Rutherford, and Trotter and Representatives Howard, Lindner, Nekritz, Reboletti, Rose, and Washington.

Operations: The Task Force held its first public hearing at Roosevelt University in Chicago on May 3, 2008. Approximately fifty people testified. Task Force members Howard, Nekritz, Reboletti, and Trotter heard the testimony and questioned the witnesses. The Task Force then created four subcommittees, each chaired by a Task Force member:

- Barriers to Private Employment — Senator Kimberly Lightford
- Barriers to Public Employment — Senator Dan Rutherford
- Post-Discharge Community Support Systems — Representative Elaine Nekritz
- Preparing Incarcerated Persons for Employment — Representative Dennis Reboletti

Policy Recommendations: The four subcommittees of the Legislative Task Force on the Employment of Persons with Past Criminal Convictions provided recommendations for policy changes in order to provide greater access to individuals with criminal convictions. Although each subcommittee pursued its topic independently to arrive at relevant recommendations, there is significant overlap in some areas, notably:

- The importance of **reviewing the barriers that exist to public and private employment** for persons with criminal convictions to ensure that they reflect a relationship between the position sought and the past offense, and that they truly enhance public safety.
- The need for prisoners to be able to get a **valid state identification** upon release, given the essential nature of I.D. in accessing employment, housing and social services.

- The importance of changing policy to **suspend rather than terminate Medicaid and other public benefits** upon incarceration to prevent unnecessary delays in reinstating benefits and avoid interruptions in treatment upon release.
- The need to explore **less expensive and more effective alternatives to incarceration** for low-level nonviolent offenders in the system to enhance public safety and minimize disruption to individuals, families and communities.
- The importance of **greater communication and collaboration among state agencies and with community-based organizations** to provide efficient and responsive reentry programs and services.
- The need for more and better data to **evaluate the effectiveness of current programs and services** available to prisoners and former prisoners, and a greater understanding of how to fill gaps in the system to better prepare prisoners for reentry.

Introduction

The role of incarceration in America's social and economic inequality is no longer truly debatable nor, more specifically, is the link between incarceration and unemployment, which therefore engenders and promotes inequality. Today's U.S. incarceration rates are the highest worldwide and the highest in our history and show no sign of reduction. Presently approximately 2.4 million Americans are incarcerated; 765,000 are on parole, and 4.1 million are on probation. Over seven million Americans are under total supervision. Daily, 700 Americans per 100,000 are incarcerated.

Incarceration-driven inequalities sometimes persist across generations, as whole families and communities are drawn into the web of the criminal justice system. In this regard, Illinois (like other states) faces the "mass incarceration" phenomenon: near systematic imprisonment of whole groups of the population.

The incarceration rate itself is problematic, but an arguably bigger problem is what to do for the incarcerated upon their return home. In America, approximately 600,000 inmates are released from prison annually. Unfortunately, too few of those who return to our communities from prison or jail are prepared for their release or receive any supportive services beyond a bus ticket and a few days' spending money.

Consequently, according to a study by the U. S. Department of Justice, 67% of persons released from state prisons were arrested for new crimes within the first three years after release. While there are many unemployed Americans who lack a criminal record, it is detrimental to pretend that unemployment is any less devastating for someone with a criminal record. Society most benefits from full employment. There is no percentage for the common good in alienating one huge segment of our population. We cannot move forward while artificially restraining the progress of an entire class of citizens, whom having paid their dues, should be on equal footing in all respects.

This report is a valiant effort by the Illinois General Assembly, through the Legislative Task Force on Employment of Persons with Past Criminal Convictions, to examine the employment barriers for people with criminal convictions and to study "ways in which such barriers could be lowered or eliminated without exposing employers, individuals, the general public, or property to unreasonable risk." Areas of focus include: Barriers to Private Employment; Barriers to Public Employment; Post-Discharge Community Support Systems; and Preparing Incarcerated Persons for Employment. Additionally, the report references recommendations made by blue ribbon groups to study post-incarceration issues which were authorized by Illinois Governor Rod Blagojevich and Chicago Mayor Richard Daley.

Timeline

November 30, 2006: House Joint Resolution 107 (Representative Constance Howard, chief sponsor), which created the Task Force on Employment of Persons with Past Criminal Convictions, was adopted by both Houses in the 94th General Assembly, passing unanimously in both the Senate (56-0-0) and in the House (105-0-0).

June 5, 2007: Senate Joint Resolution 6 (Senator Donne Trotter, chief sponsor), which extended the Legislative Task Force on Employment of Persons with Past Criminal Convictions, was adopted by both Houses in the 95th General Assembly, passing unanimously in both the Senate (57-0-0) and the House (100-0-0).

May 3, 2008: Task Force Hearing was held at Roosevelt University and attended by Rep. Howard, Sen. Trotter, Rep. Nekritz, and Rep. Reboletti. More than 50 members of the public provided oral and written testimony to the Task Force.

October 16, 2008: Roundtable Discussion with the Subcommittee on Barriers to Private Employment, chaired by Sen. Lightford, was held at the James R. Thompson Center.

October 23, 2008: Roundtable Discussion with the Subcommittee on Post-Discharge Community Support Systems, chaired by Rep. Nekritz, was held at the Union League Club.

December 31, 2008: Final Report of the Task Force was submitted to the Illinois General Assembly.

Task Force Votes on Policy Recommendations

TOTAL TALLY:

Recommendation	Concur	Do Not Concur	Need more Information
A Subcommittee on Barriers to Private Employment			
1: Consider advancing "ban the box" legislation or consider other administrative remedies	5	-	3
2: Expand Certificates of Relief from Disability and Certificates of Good Conduct by expanding eligibility pools and expanding protections for employers	7	1	1
3: Amend Illinois Human Rights Act (IHRA) to explicitly prohibit an employer from discriminating on basis of criminal charges that did not result in conviction	7	1	1
4: Amend IHRA to prohibit blanket bans on employing people with criminal records by barring discrimination on basis of conviction record not reasonably related to position sought	7	1	1
5: Provide employers more funding for training ex-offenders	8	1	-
6: Investigate accessing federal funds for training people with criminal records through DCEO	8	-	-
7: Promote and support apprenticeship and transitional job programs, especially where market demand is high.	8	-	1
8: Promote and support social enterprise initiatives	7	-	2
9: Promote and support entrepreneurial ventures	7	-	1
10: Create legislation to make it state policy to encourage employment/licensure of individuals with criminal records	6	2	1
11: Cultivate relationships with industry sectors that hire those with criminal records	8	-	1
12: Reach out to business organizations (e.g., Illinois Retail Merchants Association) to determine reasons why some businesses don't hire individuals with criminal records	8	-	1
13: Expand eligibility for state tax credit by lifting certain restrictions	5	-	4
14: Increase the amount of tax credit to create greater incentive	6	1	2
15: Increase ease of applying for state tax credit in conjunction with federal tax credit, by streamlining process and reducing paper work	8	-	1
16: Better market state tax credit to employers targeting CEOs and CFOs rather than H.R. depts.	7	-	2
17: Educate prisoners and ex-offenders about state tax credit as way to market themselves to potential employers	7	-	2
18: Upon discharge, provide inmates with document explaining tax credit and bonding programs, verify their eligibility for such programs	8	1	-
19: Develop/disseminate one-page document describing government incentives available to employers	8	-	-
20: Connect with employers with community organizations that can provide support teaching soft skills, providing drug testing and treatment, etc.	8	-	1
21: Include incentives in the procurement process for employers that hire individuals with records	5	2	1
B Subcommittee on Barriers to Public Employment			
1: Request state agencies, Boards and Commissions with state employee positions to compile list of rules/procedures that affect employment of persons with criminal convictions by agency	9	-	-
2: Review Illinois statute prohibiting employment restrictions and determine whether restrictions are related to employment and further public safety	8	1	-
3: Create brochure to inform convicted person upon release of options regarding executive clemency, criminal record expungement, criminal record sealing, certificate of relief from disabilities, certificate of good conduct	8	1	-
4: Governor should consider establishing position of executive clemency attorney responsible for overseeing Gubernatorial clemencies	4	1	4

5: Governor should consider obtaining sufficient staff/resources for Prisoner Review Board to process clemency petitions	8	-	1
C Subcommittee on Post-Discharge Community Support Systems			
1: Conduct study evaluating effectiveness of current standards regarding agencies and public contracts/tracking number of clients served by contracted agencies. Set standards for evidence-based practices	9	-	-
2: Establish annual report on post-discharge individuals returning to high-impact communities to develop needs-based service for this population	8	-	-
3: Identify barriers that prevent employers from hiring those with records, and protect employers from negligent liability claims	9	-	-
4: Focus on "pipeline" job training for post-discharge individuals by working with employers to discuss training/transitional programs	8	-	-
5: Sentence short-term individuals with non-violent crimes to "services" instead of prison	7	-	2
6: Expand access/availability to legal assistance to help with sealing and expungement of records	7	-	1
7: Ensure state IDs are transferred with individual and stored until discharge	9	-	-
8: Identify/consider modifying state statute that prevents an individual's real name from being used after sentencing	8	-	1
9: Consider mobile ID unit at prisons to issue ID upon exit	6	-	2
10: Waive Secretary of State ID fee for inmates discharged	5	2	2
11: Offer one free birth certificate to post-discharge individuals	6	1?	2
12: Recognize funding as a key role in effecting long-term change to public safety	7	-	2
13: Pass SB2302 and/or HB4714 to suspend not terminate Medicaid/SSI/SSDI for incarcerated persons. Ensure that state law is consistent with federal guidelines	8	-	1
14: Require agency coordination to improve portability of health and benefit records	9	-	-
15: IDOC should work with Social Security Administration to help inmates apply for SSI/SSDI	8	-	1
16: Create/expand database for treatment and support services	8	-	1
17: Review fee structure and consider fee waiving for mandated treatment	7	1	1
18: Enact legislation granting Prisoner Review Board flexibility to update parole policies with alternative/graduated sanctions for parole revocations to avoid reincarceration when possible	7	1	1
19: Recognize funding as a key role in effecting change in light of recent funding cuts for substance abuse treatment	7	-	1
20: Continue dialogue with Public Housing Authority to align local policies with federal guidelines and expand access to public housing for people with criminal records	8	-	-
21: Create additional adult transition centers, provide education on managing housing options	8	-	1
22: Include people with qualified (non-violent) criminal records in state-wide supportive housing plan	6	-	2
23: Pass HB1831 sealing records for qualified individuals	7	-	2
24: Direct part of \$53 million in federal funding to IHDA for post-discharge housing	7	-	2
D Subcommittee on Preparing Incarcerated Persons for Employment			
1: Determine if Secretary of State is constrained by law prohibiting the issuance of ID to incarcerated individuals. Work with S.O.S. to amend law	9	-	-
2: Establish process with IDOC and S.O.S. for prisoners to obtain ID immediately upon release if in possession of a birth certificate or social security card	9	-	-
3: Explore initiatives by other states to provide IDs in prison	8	-	1
4: Support legislation requiring sheriff to transfer IDs with inmate between IDOC facilities	9	-	-
5: Encourage enforcement of existing law requiring counties to deliver medical records and other documents to IDOC upon transfers from county jail	9	-	-
6: Enforce statutory requirement that local jurisdictions submit court documents and PSI reports	8	-	1
7: Amend 730 ILCS 5/5-4-1 to require fact sheet prepared by State's Attorney be prepared	8	-	1

within a certain period of time			
8: Pass legislation mandating counties to use standard paper process for committing offenders that includes statement of facts, social investigations, medical info, and police reports	9	-	-
9: Divert short-term prisoners to community programs, and look at other state model programs	7	1	1
10: Consider jail-based reentry programs for offenders serving sentences of 90 days or less	8	-	1
11: IDOC must fill all vacant positions in the education department, including back-fill positions	9	-	-
12: IDOC should submit report to G.A. detailing waitlist for courses, and steps to reduce waitlists	8	-	1
13: IDOC should review education initiatives in other states	9	-	-
14: Promote distance learning in prisons	7	-	2
15: Expand higher educational programming in prisons	7	-	2
16: Make existing educational programs more available to inmates	8	-	1
17: Enact legislation to suspend/allow inmates to apply for public benefits while incarcerated	8	-	1
18: Permit inmates to apply for public benefits while incarcerated, benefits to begin upon release	8	-	1
19: Create partnerships between IDOC, Social Security Administration and other public agencies to screen for program eligibility	9	-	-
20: Contract with independent institution to perform longitudinal study of outcomes and success rates of vocational/rehabilitation programs	9	-	-
21: Better track outcomes for people with criminal records leaving prison	9	-	-

Recommendations

Below are the detailed recommendations from each of the four subcommittees of the Legislative Task Force on the Employment of Persons with Past Criminal Convictions. Each subcommittee pursued its topic independently to arrive at relevant recommendations; however, there is significant overlap in some areas, notably:

- The importance of **reviewing the barriers that exist to public and private employment** for persons with criminal convictions to ensure that they reflect a relationship between the position sought and the past offense, and that they truly enhance public safety.
- The need for prisoners to be able to get a **valid state identification** upon release, given the essential nature of I.D. in accessing employment, housing and social services.
- The importance of changing policy to **suspend rather than terminate Medicaid and other public benefits** upon incarceration to prevent unnecessary delays in reinstating benefits and avoid interruptions in treatment upon release.
- The need to explore **less expensive and more effective alternatives to incarceration** for low-level nonviolent offenders in the system to enhance public safety and minimize disruption to individuals, families and communities.
- The importance of **greater communication and collaboration among state agencies and with community-based organizations** to provide efficient and responsive reentry programs and services.
- The need for more and better data to **evaluate the effectiveness of current programs and services** available to prisoners and former prisoners, and a greater understanding of how to fill gaps in the system to better prepare prisoners for reentry.

Specific pieces of legislation are included as remedies in some of these areas; in others, the recommendations of the subcommittees are for administrative action of some type. The Task Force is acutely aware of the present economic climate which restricts the ability of state government and the private sector to address problems and implement reforms as they would like. The recommendations included in this report all are geared to increasing public safety through the most efficient and effective use of resources. Some recommendations can be implemented in the short-term and require few additional resources. Other recommendations are more intensive and long-term in nature, and they will have to be regarded in the context of competing priorities.

Many of the subcommittees' recommendations reference similar recommendations included in the final reports of the Mayoral Policy Caucus on Prisoner Reentry (released in January 2006) and of the Governor's Community Safety and Reentry Commission (released in May 2008). (These references are indicated below by "MPC" for the Mayor's report and "GCSRC" for the Governor's report along with the corresponding page number, where applicable.)

Subcommittee on Barriers to Private Employment
Senator Kimberly A. Lightford, Chair

Expanding Opportunities for Individuals with Criminal Records

Many people in Illinois are explicitly or implicitly banned from employment because of a past criminal conviction without any regard for whether they have led an otherwise crime-free life and are qualified for the position.

“Ban the box” strategies eliminate the question on initial job applications about a prior criminal conviction. The idea is to allow applicants to be viewed on the basis of their qualifications before disclosing their criminal histories. This has been successfully implemented in the City of Chicago and in other states. (MPC, p. 26¹; GCSRC, p. 87²)

- ***Consider advancing “ban the box” legislation, or consider administrative remedies.***

Currently, individuals with criminal records can apply for Certificates of Relief from Disability and Certificates of Good Conduct to demonstrate to an employer that they have been rehabilitated and should not be barred from employment. Recent legislation has sought to expand eligibility for Certificates and increase protection for employers who hire those with Certificates. (MPC, p. 22³; GCSRC, p. 87⁴)

- ***Expand Certificates of Relief from Disability and Certificates of Good Conduct to protect employers from negligent liability if they hire people with certificates, except in cases of wanton misconduct.***
- ***Expand Certificates of Relief from Disability and Certificates of Good Conduct by expanding eligibility pool for criminal convictions to anyone with a record, except those who must register (i.e., no sex offenders, arsonists, child murderers) and those with convictions for first degree murder.***

Currently, the Illinois Human Rights Act (IHRA) prohibits employers from discriminating against applicants on the basis of arrest records which have not resulted in a conviction. It does not, however, explicitly prohibit discrimination on the basis of a record of a dismissed criminal charge, which by definition did not lead a conviction. This creates a significant loophole that works to the disadvantage of the people that the IHRA was intended to help.

- ***Amend the Illinois Human Rights Act (IHRA) to explicitly prohibit an employer from discriminating on the basis of dismissed criminal charges that did not result in a conviction.***

¹http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

²<http://www.idoc.state.il.us/subsections/reports/other:Governor%27s%20%20Reentry%20Commission%20Report%20FINAL.pdf>

³http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

⁴<http://www.idoc.state.il.us/subsections/reports/other:Governor%27s%20%20Reentry%20Commission%20Report%20FINAL.pdf>

The IHRA does not prohibit employers from discriminating against applicants on the basis of a conviction record, even where there is no reasonable relationship between the conviction and the position sought. Blanket policies which bar employment of all applicants who have a criminal record conviction records should be prohibited. Adding conviction records as a basis of discrimination could encourage employers to make individualized determinations of applicants rather than make conviction records dispositive of the employment process. Otherwise, many people will be kept out of jobs for which they might otherwise be qualified.

- ***Amend the Illinois Human Rights Act (IHRA) to prohibit blanket bans on employment of individuals with convictions records by barring employment discrimination on the basis of a conviction record not reasonably related to the position sought.***

Employers who hire people with criminal records take on a certain risk by working with this disadvantaged population. Employers raised the issue of aligning in-prison training programs with current job market needs. Sometimes individuals may leave prison with different certifications, none of which may be helpful in finding a job. This may be because in-prison training is outdated or it reflects the job market near the prison, but not the job market in the home communities of those leaving prison. (MPC, pp. 19-21, 31⁵; GCSRC, p. 49⁶)

- ***Cultivate relationships with industry sectors that hire individuals with criminal records.***
- ***Reach out to business organizations, such as the Illinois Retail Merchants Association, on ways to determine the reasons why some businesses do not hire individuals with criminal records.***
- ***Provide employers with more funding for training the formerly incarcerated.***
- ***Investigate whether there is a way to access federal funds for training through the Department of Commerce and Economic Opportunity (DCEO).***

Different model programs exist to promote the employment of individuals, such as transitional jobs programs, apprenticeship programs, social ventures, and entrepreneurship support. The National H.I.R.E. Network has provided testimony about implementing these programs, which the General Assembly should encourage. (MPC, pp. 33-37⁷; GCSRC, pp. 69-71, 88-89⁸)

- ***Promote and support apprenticeship and transitional jobs programs, especially where market demand is high.***
- ***Promote and support social enterprise initiatives.***

⁵http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL_MPCFinalReport.pdf

⁶<http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20%20Rcentry%20Commission%20Report%20FINAL.pdf>

⁷http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL_MPCFinalReport.pdf

⁸<http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20%20Rcentry%20Commission%20Report%20FINAL.pdf>

- *Promote and support entrepreneurial ventures.*

Individuals with criminal records would benefit not only from specific initiatives, but also a policy environment that expressly promotes employment opportunities for that population. The message should also incorporate the concerns of employers to adequately address the need.

- *Create legislation stating that it is state policy to encourage the employment and licensure of individuals with criminal records.*

Increasing Incentives for Employers to Hire Individuals with Criminal Records

In 2006, the General Assembly enacted a state tax credit as an incentive for employers who hire people with criminal records. Restrictive criteria also appear to eliminate the vast majority of people with felony convictions, thus hindering the tax credit's purpose of creating more employment opportunities. Giving tax credits to employers who will then give these people jobs will very likely reduce their rates of recidivism and thus increase public safety.

- *Expand eligibility for the state tax credit by lifting certain restrictions (e.g., the applicant must have been released from incarceration within the past year.*
- *Increase the amount of the state tax credit to create a greater incentive.*
- *Increase the ease of applying for the state tax credit, in conjunction with the federal tax credit, by streamlining the process and reducing paper work.*
- *Better market the state tax credit to employers by targeting CEOs and CFOs rather than only human resources personnel.*
- *Educate prisoners and former prisoners about the state tax credit as a way to market themselves to prospective employers.*
- *Upon discharge, provide inmates with a document explaining the state tax credit and bonding programs, and verify their eligibility for these programs.*

Employers are not always aware of the government incentives available to those who hire individuals with criminal records, such as bonding that protects employers from \$5,000 to \$25,000 in cases of theft. Nor are they always aware of community organizations that can provide support when an employer hires a person with a criminal record. (MPC, pp. 28, 38⁹; GCSRC, p. 87¹⁰)

- *Develop and disseminate a one-page document that briefly describes government incentives available to employers: the state and federal tax credits, bonding, and other programs.*

⁹ http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

¹⁰ <http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20Reentry%20Commission%20Report%20FINAL.pdf>

- *Connect employers with community organizations that can provide support in terms of teaching soft skills, providing drug testing and treatment, etc.*

State and local governments send mixed messages when they ask employers to hire individuals with criminal records and yet fail to factor in an employer's willingness to do so in bids for government contracts. Currently, the procurement process focuses strictly on the lowest bid. (MPC, p. 32¹¹; GCSRC, pp. 87-88¹²)

- *Include incentives in the procurement process for employers that hire individuals with criminal records.*

* * *

Recommendations from the Subcommittee on Barriers to Public Employment *Senator Dan Rutherford, Chair*

The Subcommittee requested the Legislative Research Unit (LRU) to conduct a search for state laws barring persons with a criminal conviction from state employment. The LRU report states that while the statutory search was broad, there may be provisions worded in a way that would not be picked up by their search criteria. Therefore, a search by each agency would lead to the most complete list. (MPC, p. 39¹³, GCSRC, p. 86¹⁴)

- *State Agencies, Boards and Commissions with state employee positions should be requested to compile a list of statutes and administrative rules that affect the employment of persons with a criminal conviction from each state agency, board and commission.*
- *The General Assembly should review compilation of statutes and administrative rules affecting the employment of persons with a criminal conviction to determine whether employment restrictions are substantially related to the particular employment and further public safety.*
- *Create a brochure to inform persons with a criminal conviction of their options with regard to executive clemency, criminal record expungement, criminal record sealing, certificate of relief from disability, certificate of good conduct and other applicable provisions.*

There are an ever increasing number of executive clemency requests to the Governor based upon employment related concerns, which from the petitioner's perspective need to be dealt with expeditiously.

¹¹http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

¹²<http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20%20Reentry%20Commission%20Report%20FINAL.pdf>

¹³http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

¹⁴<http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20%20Reentry%20Commission%20Report%20FINAL.pdf>

- *The Governor should consider establishing the position of executive clemency attorney within the Governor's Office whose full-time responsibility is limited to executive clemency matters that assist the Governor in carrying out his constitutional clemency powers.*
- *The Governor should consider maintaining sufficient staff and resources for the Prisoner Review Board to expeditiously process executive clemency petitions and compile complete information on each petition for the Governor's consideration.*

Recommendations from the Subcommittee on Post-Discharge Community Support Systems *Representative Elaine Nekritz, Chair*

The difficulty in preparing data-driven policy recommendations is the result of not having reliable, readily accessible information on the services currently being provided to this population, particularly the 60+ agencies with state contracts. Absent is concrete information on numbers served, numbers wait-listed, services provided, and use of evidence-based practices, etc. With such information, gaps in services, such as substance abuse treatment programs, could be identified and cost-benefit analyses could be performed showing where to most effectively invest public and private safety dollars, and measure a "successful" re-entry to the community. (MPC, p. 92¹⁵; GCSRC, p. 69¹⁶)

- *Conduct a study as directed by the legislature, which evaluates the effectiveness of our current standards as they apply to our agencies throughout Illinois with public contracts.*
- *Establish an annual report on post-discharge individuals returning to high-impact communities to develop needs-based services for this population.*

Post-discharge individuals need access to job training and placement services. People who are released from prison are at a disadvantage seeking employment because of a lack of education and marketable job skills, the gap in their work history and the stigma of a criminal record. Yet, with employment, they are three times less likely to return to prison than if unemployed. (MPC, pp. 28-29, 39¹⁷, GCSRC, pp. 65-69, 86¹⁸)

- *Identify existing barriers that prevent employers from hiring more post-discharge individuals. Protect certain employers from negligent liability claims, e.g. moving companies, sanitation businesses, arborist services, etc.*
- *Focus on "pipeline" job training for post-discharge individuals. Get likely employers (movers, sanitation, arborist, green companies) and labor leaders together*

¹⁵http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

¹⁶<http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20%20Reentry%20Commission%20Report%20FINAL.pdf>

¹⁷http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

¹⁸<http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20%20Reentry%20Commission%20Report%20FINAL.pdf>

to focus on advance appropriate training and transitional job programs to enhance employment opportunities for post-discharge individuals.

- ***Sentence short-term individuals (less than three months) with non-violent crimes to “services” instead of prison to prevent disruption of lives.*** (MPC, pp. 58-59¹⁹; GCSRC, pp. 53-54²⁰)
- ***Expand access to and availability of legal assistance to qualified post-discharge individuals to help them with the sealing and expungement of criminal records.***

Post-discharge individuals need a state I.D. issued to them upon re-entry. Lack of a state I.D. hinders ability to fully complete forms for services or employment applications. More than three-quarters of those exiting prison do not have a valid I.D. (MPC, pp. 87-88²¹)

- ***Ensure that state-issued identification is not destroyed upon incarceration. Ensure that the I.D. is transferred by jail officials with the individual to IDOC, and that IDOC stores the I.D. and returns it to the individual at discharge.***
- ***Identify the state statute that prevents an individual’s real name from being used after sentencing. If an individual enters a false name upon arrest, work to ensure the real name may be used for incarceration upon validation of identification.***
- ***Consider a mobile I.D. unit that visits prisons routinely, like the Colorado DOC/DMV Partner Pilot Program. Program would issue I.D. upon exit, or sooner. [The group recognized that some solutions to post-discharge issues require action in a pre-discharge timeframe.]***
- ***Waive the I.D. fee from the Secretary of State’s Office.***
- ***Offer one free birth certificate to post-discharge individuals.***
- ***Recognize that funding plays a key role in effecting change in terms of long-term public safety benefits.***

Ensure post-discharge individuals remain eligible for Medicaid/SSI/SSDI by suspending, not terminating, benefits while incarcerated and permit prisoners, prior to their release, to apply for Medicaid, SSI, SSDI and food stamps. In the months that it takes to reinstate Medicaid upon release, former prisoners may suffer lapses in their care which can pose public health hazards. (MPC, pp. 54-55²²; GCSRC, p. 72²³)

¹⁹http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

²⁰<http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20%20Reentry%20Commission%20Report%20FINAL.pdf>

²¹http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

²²http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

²³<http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20%20Reentry%20Commission%20Report%20FINAL.pdf>

- *Pass legislation that suspends rather than terminates public benefits for prisoners, which is currently before the legislature: SB2302 and/or HB4714. Ensure the legislation is consistent with federal guidelines.*
- *Require coordination between agencies so termination of public benefits does not occur and increase information-sharing between the Department of Corrections, other public agencies and community-based organizations to improve the portability of health records and continuity of care.*
- *IDOC should work with the Social Security Administration, so that inmates can apply for SSI or SSDI.*

Provide expanded access to those post-discharge individuals who need substance abuse treatment. Over 60% of people entering prison have a substance abuse problem, which is often the underlying cause of criminal behavior. When re-entering the community, former prisoners may face long waiting lists for treatment programs and risk relapse. (MPC, pp. 50, 56-57²⁴; GCSRC, pp. 72, 84-86²⁵)

- *Create/Expand a database for treatment and other support services. Include information on transportation and childcare resources for all locations. [Ex. For a rural location, provide transportation options as it may be difficult for individuals to travel far without access to a car.] (MPC, pp. 98-99²⁶; GCSRC, p. 64²⁷)*
- *Review fee structure or consider waiving fees for mandated services, such as substance abuse treatment.*
- *Recognize that funding plays a key role in effecting change especially in light of recent cuts to state funding for substance abuse treatment.*

The legislature should permit the PRB to develop alternative/graduated sanctions to parole revocation for parolees who were arrested but not charged with new offenses. Consider evidenced-based programs to help PRB make parole decisions. Avoiding re-incarceration would help divert parolees into more cost-effective and meaningful interventions. (MPC, pp. 90-91²⁸; GCSRC, pp. 73-75²⁹)

- *The legislature should enact legislation that grants the Prisoner Review Board (PRB) the flexibility to update parole policy. Include “realistic” mandated post-discharge treatment reviews.*

²⁴http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

²⁵<http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20%20Recentry%20Commission%20Report%20FINAL.pdf>

²⁶http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

²⁷<http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20%20Recentry%20Commission%20Report%20FINAL.pdf>

²⁸http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

²⁹<http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20%20Recentry%20Commission%20Report%20FINAL.pdf>

Post-discharge individuals need supportive housing options: Post-release housing is critical to providing the stability necessary to apply for and retain employment, as well as remain in compliance with parole conditions. Approximately 10% of people leaving prison are released into homelessness. (MPC, pp. 89, 99-102³⁰; GCSRC, pp. 55, 72-73³¹)

- *Continue dialogue with public housing authorities to align local policies with federal regulations to allow qualified, post-discharge individuals access to public housing.*
- *Create additional Adult Transition Centers which would, among the services offered, teach post-discharge individuals how to manage housing options.*
- *Include people with qualified (i.e. non-violent) criminal records in state-wide supportive housing plan.*
- *Pass HB1831 which would seal the records for qualified individuals, that would otherwise come up in housing background checks.*
- *Direct part of the \$53 million in federal dollars to IHDA for post-discharge housing.*

* * *

Recommendations from the Subcommittee on Preparing Incarcerated Persons for Employment

Representative Dennis Reboletti, Chair

Obtaining Identification:

The Secretary of State should establish a procedure by which an inmate, upon release (or shortly thereafter), is able to acquire a state I.D. by presenting his/her birth certificate and Social Security card. (MPC, pp. 87-88³²)

- *Determine whether the Secretary of State is constrained by a state law which does not permit his office to issue an identification card to a prisoner incarcerated in a state facility. If such a law exists, assist the Secretary of State's office with amending any laws that serve as a barrier to issuance of state I.D.*
- *Establish a streamlined process with IDOC and the Secretary of State's office so that a state I.D. can be obtained immediately after release, if the reentering individual possesses a social security card and birth certificate.*
- *IDOC should explore initiatives taken by other states that provide I.D. within the prison.*

³⁰ http://cgov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

³¹ <http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20%20Reentry%20Commission%20Report%20FINAL.pdf>

³² http://cgov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

Preservation of Existing ID:

State laws should be amended so that government issued I.D., in the possession of the inmate at the time of admission to a county jail, be sent to the IDOC facility and returned to the inmate upon release.

- *Support legislation similar to HB5239, which would require the sheriff to transfer government issued ID with the inmate to an IDOC facility.*

Transfer of Existing Records:

State law should be amended to compel counties to provide IDOC with inmate's background and medical information at the time that custody is transferred to IDOC. (MPC, p. 52³³; GCSRC, p. 35³⁴)

- *Enforce the existing law and require all counties to deliver medical records, along with other judicial and penal documents to IDOC upon an individual's transfer from the county jail (as recommended in the Mayor's and Governor's reports).*
- *Enforce statutory requirement on local jurisdictions for submitting court documents and pre-sentence investigation reports (as recommended in the Governor's report).*
- *Amend 730 ILCS 5/ 5-4-1 to require that a fact sheet be prepared by the State's Attorney within a certain period of time.*
- *The state should pass legislation mandating that counties use a standard paper process for committing offenders that include statement of facts, social investigations, medical information, and police reports.*

Short-Stay Inmates:

Inmates required to serve 90 days or less could be diverted to a community program or a county jail rather than transferred to a penitentiary. The Legislature should look at programs adopted by other states to assist in the reentry of prisoners into society. (MPC, pp. 58-59³⁵; GCSRC, pp. 53-54³⁶)

- *Divert short-term prisoners to community programs similar to the programs funded by the state to assist inmates in integrating into society after serving longer terms.*

Under current law, inmates can be released to a jail-based reentry program up to one year prior to their anticipated release date. This approach should be considered with respect to those individuals who are only obligated to serve 90 days or less in an IDOC facility.

³³http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

³⁴<http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20%20Reentry%20Commission%20Report%20FINAL.pdf>

³⁵http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

³⁶<http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20%20Reentry%20Commission%20Report%20FINAL.pdf>

- *Permit prisoners to complete their sentences in the county jail, and the county compensated for the additional expense.*

Education:

In regard to educational programming in IDOC, there is a lack of data about educational enrollment and wait listing. However, it is common knowledge that correctional education programs are very short-staffed. (MPC, pp. 16-18³⁷; GCSRC, pp. 49-50³⁸)

- *IDOC must fill all vacant positions, especially those involving education. IDOC must also back-fill positions.*
- *IDOC should submit to the General Assembly an annual report that includes the number of inmates on waiting lists for adult basic education classes and GED classes; the median duration of the wait for education; steps the Department is taking to significantly reduce the waiting list and delays; and costs related to the initiatives to reduce the waiting lists.*
- *IDOC officials should review education initiatives adopted by other states, and make a determination whether they should be implemented in Illinois.*
- *Promote distance learning in prisons.*
- *Expand higher educational programming in prisons.*
- *Make existing educational programs more available to inmates.*

Public Benefits:

State law should be amended to provide for suspension rather than termination of benefits during periods of incarceration. Inmates should be permitted to apply for public benefits while incarcerated. (MPC, pp. 54-55³⁹; GCSRC, p. 72⁴⁰)

- *Enact legislation similar to SB2303 and HB4714 that suspends rather than terminates Medicaid for prisoners.*
- *Allow inmates to apply for public benefits (such as SSI, VA, food stamps, and Medicaid) while incarcerated, so that benefits can begin upon release.*
- *Create partnerships between IDOC, Social Security Administration, and other public agencies that mirror the [Cook County] Sheriff's project, to screen inmates for SSI eligibility and assist them in applying for benefits. [The Department of Corrections has initiated a program of this nature in a handful of facilities; it should be expanded to all facilities.]*

³⁷http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

³⁸<http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20Reentry%20Commission%20Report%20FINAL.pdf>

³⁹http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

⁴⁰<http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20Reentry%20Commission%20Report%20FINAL.pdf>

Program Evaluation:

Illinois should contract with an independent organization to evaluate the effectiveness of programs which provide rehabilitation and vocational services in IDOC facilities and in the community. (MPC, p. 72⁴¹; GCSRC, p. 82⁴²)

- *The state should contract with an independent institution (perhaps a state university) to perform a longitudinal study of outcomes which have been achieved through these programs.*
- *Work with established groups like the Safer Foundation to track outcomes and success rates for former program participants.*

⁴¹http://egov.cityofchicago.org/webportal/COCWebPortal/COC_EDITORIAL/MPCFinalReport.pdf

⁴²<http://www.idoc.state.il.us/subsections/reports/other/Governor%27s%20%20Reentry%20Commission%20Report%20FINAL.pdf>

LEGISLATIVE TASK FORCE ON THE EMPLOYMENT OF PERSONS WITH PAST CRIMINAL CONVICTIONS

Memo to the Subcommittee on Barriers to Private Employment Senator Kimberly A. Lightford, Chair

Purpose of the Taskforce:

The authorizing resolutions (House Joint Resolution 107, Senate Joint Resolution 6, and House Joint Resolution 8) charge the Taskforce to conduct **“a thorough examination of the employment barriers for people with criminal convictions and a thorough study of ways in which such barriers could be lowered or eliminated without exposing employers, individuals, the general public, or property to unreasonable risk.”**

The Subcommittee on Barriers to Private Employment was designated to examine ways to expand private employment opportunities for individuals with criminal records and to encourage more employers to employ more individuals with criminal records. Through a hearing and written materials, the subcommittee received input from a number of employers, state agencies, and advocates. Notes from the October 16th roundtable discussion and other written materials are attached in the Appendix at the end of this memorandum. This memorandum summarizes this input, and it is organized under one of two headings: recommendations that expand private employment opportunities for individuals with criminal records, and recommendations that increase incentives for employers to hire individuals with criminal records.

Expanding Opportunities for Individuals with Criminal Records

1. *“Ban the box” on employment applications*

The City of Chicago adopted a policy that removes questions about prior convictions from an initial employment application. The city gathers conviction information at a later stage in the interviewing process after the individual’s qualifications have been considered. Initial data showed that, based solely on their qualifications, many individuals with criminal records who applied for city jobs advanced to an interview at which their records could be discussed as a factor.

Recommendation:

- Consider advancing “ban the box” legislation, or consider administrative remedies

2. *Expand certificates*

Currently, individuals with criminal records can apply for Certificates of Relief from Disability and Certificates of Good Conduct to demonstrate to an employer that they have been rehabilitated and should not be barred from employment. Appendix B lists the licenses open to ex-offenders with Certificates of Relief from Disability, and Appendix C lists occupations open to ex-offenders with certificates of rehabilitation. Recent legislation sought to:

- 1) Protect employers from negligent liability if they hire people with certificates, except in cases of wanton misconduct (pending).

- 2) Expands eligibility pool for criminal convictions to anyone with a record, except those who must register (sex offenders, arsonists, child murderers) and those with convictions for first degree murder.

3. ***Strengthen anti-discrimination laws as they relate to individuals with criminal records***

Currently, the Illinois Human Rights Act (IHRA) prohibits employers from discriminating against applicants on the basis of an arrest record or on the basis of records that have been expunged or sealed. It does not, however, explicitly discriminate on the basis of a dismissed charge, which creates a significant loophole that works to the disadvantage of the people that the IHRA was intended to help.

A. Employment discrimination based on dismissed criminal charges

Currently, the Illinois Human Rights Act (IHRA) prohibits employers from discriminating against applicants on the basis of arrest records which have not resulted in a conviction. It does not, however, explicitly prohibit discrimination on the basis of a record of a dismissed criminal charge, which by definition did not lead a conviction. This creates a significant loophole that works to the disadvantage of the people that the IHRA was intended to help.

Recommendation:

- Amend IHRA to explicitly prohibit an employer from discriminating on the basis of dismissed criminal charges that did not result in a conviction

B. Employment discrimination based on conviction records not reasonably related to the position sought

The IHRA does not prohibit employers from discriminating against applicants on the basis of a conviction record, even where there is no reasonable relationship between the conviction and the position sought. Blanket policies which bar employment of all applicants who have a criminal record conviction records should be prohibited. Adding conviction records as a basis of discrimination could encourage employers to make individualized determinations of applicants rather than make conviction records dispositive of the employment process. Otherwise, many people will be kept out of jobs that they might otherwise be qualified for.⁴³ According to the Mayoral Policy Caucus, at least 33 states have laws that bar discrimination on the basis of a criminal record in employment or licensing. One such law comes from New York:

“No application for ... employment ... shall be denied or acted upon adversely by reason of the individual’s having been previously convicted of one or more criminal offenses, or

⁴³ For more information, please see Appendix D, Letter from Edwin Burnette, Cook County Public Defender (putting forth a proposal for the enactment of a state statute prohibiting unreasonable employment discrimination on the basis of criminal records); and Appendix E, Overview of State Laws that Ban Discrimination on the Basis of Criminal Records.

by reason of a finding of lack of “good moral character” when such finding is based upon the fact that the individual has previously been convicted of one or more criminal offenses, unless: (1) there is a direct relationship between one or more of the previous criminal offenses and the specific ... employment sought or held by the individual; or (2) ... the granting or continuation of the employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.” N.Y. Correct. Law § 752.

Furthermore, the New York law provides eight factors for employers to consider in deciding whether to hire an individual with a criminal conviction:

“In making a determination pursuant to section seven hundred fifty-two of this chapter, the public agency or private employer shall consider the following factors:

- (a) The public policy of this state, as expressed in this act, to encourage the licensure and employment of persons previously convicted of one or more criminal offenses
- (b) The specific duties and responsibilities necessarily related to the license or employment sought or held by the person
- (c) The bearing, if any, the criminal offense or offenses for which the person was previously convicted will have on his fitness or ability to perform one or more such duties or responsibilities
- (d) The time which has elapsed since the occurrence of the criminal offense or offenses
- (e) The age of the person at the time of the occurrence of the criminal offense or offenses
- (f) The seriousness of the offense or offenses
- (g) Any information produced by the person, or produced on his behalf, in regard to his rehabilitation and good conduct
- (h) The legitimate interest of the public agency or private employer in protecting property, and the safety and welfare of specific individuals or the general public.” N.Y. Correct. Law § 753(1).

Recommendation:

- Amend the Illinois Human Rights Act’s to prohibit blanket bans on employment of individuals with convictions records by barring employment discrimination on the basis of a conviction record not reasonably related to the position sought

4. *Align in-prison training with job market needs*

Employers raised the issue of aligning in-prison training programs with current job market needs. Sometimes individuals may leave prison with different certifications, none of which may be helpful in finding a job. This may be because in-prison training is outdated or it reflects the job market near the prison, but not the job market in the home communities of those leaving prison.

Recommendations:

- Provide employers with more funding for training ex-offenders

- Investigate whether there is a way to access federal funds for training through the Department of Commerce and Economic Opportunity (DCEO)

5. *Review, implement, and expand upon national models*

Different model programs exist to promote the employment of individuals, such as transitional jobs programs, apprenticeship programs, social ventures, and entrepreneurship support. The National H.I.R.E. Network has provided testimony about implementing these programs, which the General Assembly should encourage.

Recommendations:

- Promote and support apprenticeship and transitional jobs programs, especially where market demand is high
- Promote and support social enterprise initiatives
- Promote and support entrepreneurial ventures

6. *Devise a marketing and outreach strategy to promote hiring individuals with criminal records*

Individuals with criminal records would benefit not only from specific initiatives, but also a policy environment that expressly promotes employment opportunities for that population. The message should also incorporate the concerns of employers to adequately address the need.

Recommendations:

- Create legislation stating that it is state policy to encourage the employment and licensure of individuals with criminal records
- Cultivate relationships with industry sectors that hire individuals with criminal records
- Reach out to business organizations, such as the Illinois Retail Merchants Association, on ways to determine the reasons why some businesses do not hire individuals with criminal records

Increasing Incentives for Employers to Hire Individuals with Criminal Records

1. *Improve the state tax credit program for employers who hire individuals with criminal records*

The state tax credit is the result of a bill sponsored by Senator Lightford as an initiative of the Illinois Black Legislative Caucus. According to the Illinois Department of Revenue, the state tax credit is barely utilized, which the department attributes in part to the tax credit being in its first year of implementation. Restrictive criteria also appear to eliminate the vast majority of people with felony convictions, thus hindering the tax credit's purpose of creating more employment opportunities. For example, tax credits are not available to people who were released from incarceration more than a year ago, nor are they available to people with convictions for violent crimes or to people with multiple convictions. Yet the majority of those coming out of incarceration are not there on their first conviction. Giving tax credits to employers who will

then give these people jobs will very likely reduce their rates of recidivism and thus increase public safety.

Another limitation is the application process for the state tax credit. Although companies can apply for both the state tax credit and its federal counterpart, the Work Opportunity Tax Credit (WOTC), with the Department of Revenue, the Illinois Department of Employment Security (IDES) prequalifies individuals only for the federal tax credit, not the state tax credit.

The credit's effectiveness as an incentive would also be increased if employers received a greater amount in tax credits. Philadelphia, for example, has adopted a pilot program to provide a tax incentive of up to \$10,000 per employee. For more information, please see Appendix F, City of Philadelphia Department of Revenue, Employer Application to Participate in the Philadelphia Re-entry Employment Program.

Recommendations:

- Expand eligibility for the state tax credit by lifting certain restrictions (e.g., the applicant must have been released from incarceration within the past year)
- Increase the amount of the tax credit to create a greater incentive
- Increase the ease of applying for the state tax credit, in conjunction with the federal tax credit, by streamlining the process and reducing paper work
- Better market the state tax credit to employers by targeting CEOs and CFOs rather than only human resources personnel
- Educate prisoners and ex-offenders about the state tax credit as a way to market themselves to prospective employers
- Upon discharge, provide inmates with a document explaining the tax credit and bonding programs, and verify their eligibility for these programs

2. *Educate employers and individuals with criminal records about available incentives, protections, and support services*

Employers are not always aware of the government incentives available to those who hire individuals with criminal records, such as bonding that protects employers from \$5,000 to \$25,000 in cases of theft. Nor are they always aware of community organizations that can provide support when an employer hires a person with a criminal record.

Recommendations:

- Develop and disseminate a one-page document that briefly describes government incentives available to employers: the state and federal tax credits, bonding, and other programs.
- Connect employers with community organizations that can provide support in terms of teaching soft skills, providing drug testing and treatment, etc.

3. *Incentives in the procurement process*

State and local governments send mixed messages when they ask employers to hire individuals with criminal records and yet fail to factor in an employer's willingness to do so in bids for government contracts. Currently, the procurement process focuses strictly on the lowest bid.

The procurement processes in Boston and Cleveland take into consideration a bidder's policies regarding individuals with criminal records. The Boston ordinance, available at Appendix G, provides that:

“The Awarding Authority shall consider all Vendor's [Criminal Offender Record Information] CORI standards as part of the criteria to be evaluated in the awarding of a contract and will consider a Vendor's execution of the CORI standards to be evaluated among the performance criteria of a contract. The Awarding Authority shall consider any Vendor's deviation from the CORI standards as grounds for rejection, rescission, revocation, or any other termination of the contract.” City of Boston Code 4-7.3.

The Cleveland ordinance, available at Appendix H, provides that:

“Where not otherwise prohibited by federal, state, or local law or as terms of federal or state grants; it shall be an unlawful discriminatory practice for any Contractor and/or Subcontractor to deny employment to any Ex-offender because of that person's previous conviction of one or more criminal offenses.” Codified Ordinances of Cleveland, Ohio § 187A.02(a).

Furthermore, the Cleveland ordinance provides that:

“Failure to comply with [the provision above] shall empower the Director to request the Law Department to recover all or any part of the contract price from the Contractor and/or any involved Subcontractor and/or terminate the Contract.” Codified Ordinances of Cleveland, Ohio § 187A.04(a).

Recommendation:

- Include incentives in the procurement process for employers that hire individuals with criminal records

APPENDIX

- A. Summary of October 16 Roundtable
- B. List of Licenses Available with Certificates of Relief from Disability (as of August 1, 2006)
- C. Occupations That Ex-Offenders Can Apply For With Certificates of Rehabilitation
- D. Letter from Edwin Burnette, Cook County Public Defender
- E. Overview of State Laws that Ban Discrimination on the Basis of Criminal Records
- F. City of Philadelphia Department of Revenue, Employer Application to Participate in the Philadelphia Re-entry Employment Program
- G. Boston ordinance providing procurement incentives
- H. Cleveland ordinance providing procurement incentives
- I. Summary of Mayor Daley's and Governor Blagojevich's Recommendations

SUBCOMMITTEE ON BARRIERS TO PUBLIC EMPLOYMENT PROPOSED RECOMMENDATIONS

RECOMMENDATION # 1: State Agencies, Boards and Commissions with state employee positions requested to compile a list of statutes and administrative rules that affect employment of persons with a criminal conviction by their agency. The compilation is to be provided to the General Assembly.

The Subcommittee requested the Legislative Research Unit (LRU) to conduct a search for state laws barring persons with a criminal conviction from state employment. A copy of the LRU report is attached. The LRU report states that while the statutory search was broad, there may be provisions worded in a way that would not be picked up by their search criteria. Therefore, a search by each agency would lead to the most complete list.

RECOMMENDATION # 2: The General Assembly should review the statute and administrative rule compilations affecting state employment of convicted persons, and determine if the employment restrictions are substantially related to the particular employment and further public safety.

Agency assistance should be sought in reaching a determination. If the General Assembly determines a particular statute or rule does not meet these criteria, then the General Assembly should consider modifying the law or allowing an administrative waiver of the employment restriction for good cause.

RECOMMENDATION # 3: If not otherwise available today, a brochure should be created to inform convicted persons of their options with regard to executive clemency, criminal record expungement, criminal record sealing, certificate of relief from disabilities, certificate of good conduct and other applicable provisions.

The brochure should be readily available on all agency websites and employment offices.

RECOMMENDATION # 4: The Governor should consider establishing the position of executive clemency attorney within the Governor's Office, whose full-time responsibility is limited to executive clemency matters that assist the Governor in carrying out his constitutional clemency powers.

RECOMMENDATION # 5: The Governor should consider maintaining sufficient staff and resources for the Prisoner Review Board to expeditiously process executive clemency petitions and compile complete information on each petition for the Governor's consideration.

There are an ever increasing number of executive clemency requests to the Governor based upon employment related concerns, which from the petitioner's perspective need to be dealt with expeditiously.

**LEGISLATIVE TASK FORCE ON EMPLOYMENT OF PERSONS
WITH PAST CRIMINAL CONVICTIONS REPORT [draft]
Subcommittee on Post-Discharge Community Support Systems
Chaired by Representative Elaine Nekritz**

Illinois Map to Successful Reentry Support Services

Task:

This subcommittee focused on the challenges to employment that people face once they have been released from prison, with an emphasis on job training, placement and wrap-around services. This report contains recommendations and is the result of the subcommittee's work.

Meetings:

On Monday, September 29, 2008 Representative Nekritz held an initial meeting with key stakeholders at her legislative office in Des Plaines. The following were present: Mary Ann Dyar, program manager, Chicago Metropolis 2020; Margaret Stapleton, attorney, Sargent Shriver National Center on Poverty Law; Kathleen Kane-Willis, interim director, Institute for Metropolitan Affairs at Roosevelt University; Meryl Camin Sosa, executive director, Illinois Psychiatric Society; Tom Grippando, attorney, Office of the Cook County Public Defender; and David Kohn, executive director public affairs, Union League Club of Chicago. After identifying five issue areas, the group decided to invite issue leaders to a roundtable meeting. David Kohn offered the Union League Club of Chicago as a location.

On Thursday, October 23, 2008 a roundtable meeting with issue leaders in the Chicago Metro area was held at the Union League Club. In addition to State Representatives Elaine Nekritz and Connie Howard, the following agencies were represented at the meeting: Chicago Metropolis, 2020, Illinois Association of Criminal Defense Lawyers, Illinois Department of Corrections Illinois Department of Employment Security, Illinois Human Rights Commission, Illinois Psychiatric Society, Institute for Metropolitan Affairs at Roosevelt University, Mayor Daley's Office, Office of the Cook County Public Defender, Public Affairs -- Union League Club of Chicago, Safer Foundation, Cook County Sheriff's Office, and the Sargent Shriver National Center on Poverty Law. The group was directed to discuss the challenges post-discharge individuals face in the community and possible recommendations to reduce recidivism. The participants were asked to review the five identified issue areas and prioritize recommendations.

As the discussion progressed, the group decided the list was not complete. In addition to the five issue areas discussed, one over-arching issue was identified and the group decided to make that the priority over all the others.

Overarching Issue: The difficulty in preparing data-driven policy recommendations is the result of not having reliable, readily accessible information on the services currently being provided to this population, particularly the 60+ agencies with state contracts. Absent is concrete information on numbers served, numbers wait-listed, services provided, and use of evidence-based practices, etc. With such information, gaps in services, such as substance abuse treatment programs, could be identified and cost-benefit analyses could be performed showing where to

most effectively invest public and private safety dollars, and measure a “successful” re-entry to the community.

Recommendations:

- Conduct a study as directed by the legislature, which evaluates the effectiveness of our current standards as they apply to our agencies throughout Illinois with public contracts. The study should define what is meant by “successful” re-entry to the community and set standards for evidence-based practices. The study will track the number of clients served by contracted agencies year-to-year and focus on utilizing resources and outcome models in existence. Funding for study could be a public-private partnership.
- Establish an annual report on post-discharge individuals returning to high-impact communities to develop needs-based services for this population.

Issue #1: Post-discharge individuals need access to job training and placement services: People who are released from prison are at a disadvantage seeking employment because of a lack of education and marketable job skills, the gap in their work history and the stigma of a criminal record. Yet, with employment, they are three times less likely to return to prison than if unemployed.

Recommendations:

- Identify existing barriers that prevent employers from hiring more post-discharge individuals. Protect certain employers from negligent liability claims, e.g. moving companies, sanitation businesses, arborist services, etc.
- Focus on “pipeline” job training for post-discharge individuals. Get likely employers (movers, sanitation, arborist, green companies) and labor leaders together to focus on advance appropriate training and transitional job programs to enhance employment opportunities for post-discharge individuals.
- Sentence short-term individuals (less than three months) with non-violent crimes to “services” instead of prison to prevent disruption of lives.
- Expand access to and availability of legal assistance to qualified post-discharge individuals to help them with the sealing and expungement of criminal records.

Issue #2: Post-discharge individuals need a state I.D. issued to them upon re-entry: Lack of a state I.D. hinders ability to fully complete forms for services or employment applications. More than three-quarters of those exiting prison do not have a valid I.D.

Recommendations:

- Ensure that state-issued identification is transferred with the individual and stored until discharge and not destroyed upon incarceration.
- Identify the state statute that prevents an individual's real name from being used after sentencing. If an individual enters a false name upon arrest, work to ensure the real name may be used for incarceration upon validation of identification.
- Consider a mobile I.D. unit that visits prisons routinely, like the Colorado DOC/DMV Partner Pilot Program. Program would issue I.D. upon exit, or sooner. [The group recognized that some solutions to post-discharge issues require action in a pre-discharge timeframe.]
- Waive the I.D. fee from the Secretary of State's Office.
- Offer one free birth certificate to post-discharge individuals.
- Recognize that funding plays a key role in effecting change in terms of long-term public safety benefits.

Issue#3: Ensure post-discharge individuals remain eligible for Medicaid/SSI/SSDI by suspending, not terminating, benefits while incarcerated and permit prisoners, prior to their release, to apply for Medicaid, SSI, SSDI and food stamps. In the months that it takes to reinstate Medicaid upon release, former prisoners may suffer lapses in their care which can pose public health hazards.

Recommendations:

- Pass legislation currently before the legislature: SB2302 and/or HB4714. Ensure the legislation is consistent with federal guidelines.
- Require coordination between agencies so termination does not occur and increase information-sharing between the Department of Corrections, other public agencies and community-based organizations to improve the portability of health records and continuity of care.
- IDOC should work with the Social Security Administration, so that inmates can apply for SSI or SSDI.

Issue #4: Provide expanded access to those post-discharge individuals who need substance abuse treatment: Over 60% of people entering prison have a substance abuse problem, which is often the underlying cause of criminal behavior. When re-entering the community, former prisoners may face long waiting lists for treatment programs and risk relapse.

Recommendations:

- Create/Expand a database for treatment and other support services. Include information on transportation and childcare resources for all locations. [Ex. For a rural location, provide transportation options as it may be difficult for individuals to travel far without access to a car.]
- Review fee structure or consider waiving fees for mandated services.
- The legislature should enact legislation that grants the Prisoner Review Board (PRB) the flexibility to update parole policy. Include “realistic” mandated post-discharge treatment reviews. The legislature should permit the PRB to develop alternative/graduated sanctions to parole revocation for parolees who were arrested but not charged with new offenses. Consider evidenced-based programs to help PRB make parole decisions. Avoiding re-incarceration would help divert parolees into more cost-effective and meaningful interventions.
- Recognize that funding plays a key role in effecting change especially in light of recent cuts to state funding for substance abuse treatment.

Issue #5: Post-discharge individuals need supportive housing options: Post-release housing is critical to providing the stability necessary to apply for and retain employment, as well as remain in compliance with parole conditions. Approximately 10% of people leaving prison are released into homelessness.

Recommendations:

- Continue dialogue with Public Housing Authority to align local policies with federal regulations to allow qualified, post-discharge individuals access to public housing.
- Create additional Adult Transition Centers which would, among the services offered, teach post-discharge individuals how to manage housing options.
- Include people with qualified (i.e. non-violent) criminal records in state-wide supportive housing plan.
- Pass HB1831 which would seal the records for qualified individuals, that would otherwise come up in housing background checks.
- Direct part of the \$53 million in federal dollars to IHDA for post-discharge housing.

Summary: Some of the recommendations above require relatively simple measures to bring about change: passage of a bill or suspending Medicaid instead of terminating it. Many of the recommendations contained in this report, however, would require more comprehensive planning, commitment and implementation. A number of issues surfaced several times during the talks, including the lack of data to make informed decisions about what services to provide to whom, the need for more funding to build community capacity to deliver the services, and better cooperation and coordination between agencies. Progress has been made in this area thanks to the efforts of Chicago's Mayoral Policy Caucus on Prisoner Reentry and the Governor's Community Safety and Reentry Commission. This subcommittee is committed to increasing public safety while improving personal outcomes for post-discharge individuals.

Supporting Information

Urban Institute Report, "Illinois Prisoners' Reentry Success Three Years after Release" (August 2008) http://www.urban.org/UploadedPDF/411748_reentry_success.pdf

Memo from Roosevelt University on Pre-Release Prisoner ID Programs (October 15, 2008)

Letter from the Law Office of the Cook County Public Defender about the Issuance of state IDs to prisoners about to be discharged (October 24, 2008)

Senate Bill 2303 – Medicaid – Prisoner – Eligibility
<http://www.ilga.gov/legislation/fulltext.asp?DocName=&SessionId=51&GA=95&DocTypeId=SB&DocNum=2303&GAID=9&LegID=36257&SpecSess=&Session=>

House Bill 4714 – Medicaid – Incarcerated – Eligible
<http://www.ilga.gov/legislation/fulltext.asp?DocName=&SessionId=51&GA=95&DocTypeId=HB&DocNum=4714&GAID=9&LegID=35441&SpecSess=&Session=>

American Bar Association Report on Medicaid (August 2007)
<http://www.abanet.org/leadership/2007/annual/docs/hundredtwentytwo.doc>

Urban Institute Report, "Returning Home Illinois Policy Brief: Treatment Matching" (August 2005) http://www.urban.org/UploadedPDF/311216_treatment_matching.pdf

**Employment of Persons with Past Criminal Convictions Task Force,
Subcommittee Hearing and Findings of the Preparing Incarcerated Persons
for Employment
Held October 20th, 2008 at 1:00 PM,
Addison Township Building,
401 North Addison Road, Addison, Illinois 60101**



**Report by Representative Dennis M. Reboletti,
Chairman of the Subcommittee on Preparing
Incarcerated Persons for Employment**

November 2008

Subcommittee Recommendations

Obtaining Identification: Secretary of State should establish a procedure by which an inmate, upon release (or shortly thereafter), is able to acquire a state ID by presenting his/her birth certificate and Social Security card.

Recommendations

- Determine whether the Secretary of State is constrained by a state law which does not permit his office to issue an identification card to a prisoner incarcerated in a state facility.
 - If such a law exists, assists the Secretary of State's office with amending any laws that serve as a barrier to issuance of state ID.
- The required \$20 fee for identification will probably be an issue because of funding concerns for the Secretary of State.
- Establish a streamlined process with IDOC and the Secretary of State's office so that a state ID can be obtained immediately after release, if the reentering individual possesses a social security card and birth certificate.
- IDOC should explore initiatives taken by other states that provide ID within the prison.

Preservation of Existing ID: State laws should be amended so that government issued ID, in the possession of the inmate at the time of admission to a county jail, be sent to the IDOC facility and returned to the inmate upon release.

Recommendations

- Support legislation similar to HB 5239, which would require the sheriff to transfer government issued ID with the inmate to an IDOC facility.

Transfer of Existing Records: State law should be amended to compel counties to provide IDOC with inmate's background and medical information at the time that custody is transferred to IDOC.

Recommendations

- The Mayoral and Gubernatorial reports include recommendations that the state should encourage enforcement of the existing law and require all counties to deliver medical records, along with other judicial and penal documents to IDOC upon an individual's transfer from the county jail.
- The Gubernatorial report includes a recommendation that the state should enforce statutory requirement on local jurisdictions for submitting court documents and pre-sentence investigation reports.
- 730 ILCS 5/ 5-4-1 should be amended to require that a fact sheet, be prepared by the State's Attorney within a certain period of time.

- The state should pass legislation mandating that counties use a standard paper process for committing offenders that include statement of facts, social investigations, medical information, and police reports.

Short-Stay Inmates: Inmates required to serve 90 days or less, could be diverted to a community program or a county jail, rather than transferred to a penitentiary.

Recommendations

- Short-term prisoners could be diverted to community programs similar to the programs funded by the state to assist inmates in integrating into society after serving longer terms. The Legislature should look at programs adopted by other states to assist in the reentry of prisoners into society.
- The prisoner could be permitted to complete his or her sentence in the county jail, and the county compensated for the additional expense. Under current law Inmates can be released to a jail-based reentry program up to one year prior to their anticipated release date. This approach should be considered with respect to those individuals who are only obligated to serve 90 days or less in an IDOC facility.

Education: In regard to educational programming in IDOC, there is a lack of data about educational enrollment and waitlist.

Recommendations

- IDOC must fill all vacant positions, especially those involving education. They must also back-fill positions. This means when a DOC employee transfers to an open position the vacant position must be filled. It is the subcommittee's understanding that this is not occurring.
- IDOC should submit to the General Assembly an annual report that includes:
 - The number of inmates on waiting lists for adult basic education classes and GED classes;
 - The median duration of the wait for education;
 - What steps the Department is taking to significantly reduce the waiting list and delays; and
 - Costs related to the initiatives to reduce the waiting lists.
- IDOC officials should review education initiatives adopted by other states, and make a determination whether they should be implemented in Illinois.
- Promote distance learning.
- Expand higher educational programming in prisons.
- Make existing educational programs more available to inmates.

Public Benefits: State law should be amended to provide for suspension rather than termination of benefits during periods of incarceration. Inmates should be permitted to apply for public benefits while incarcerated.

- Medicaid should be suspended rather than terminated by enacting legislation similar to SB 2303 and HB 4714
- Inmates should be permitted to apply for public benefits (such as SSI, VA, food stamps, and Medicaid) while incarcerated, so that benefits can begin upon release.
- Create partnerships between IDOC, Social Security Administration, and other public agencies that mirror the Sheriff's project, to screen inmates for SSI eligibility and assist them in applying for benefits.
 - The Department of Corrections has initiated a program of this nature in a handful of facilities. It should be expanded to all facilities.

Program Evaluation: Illinois should contract with an independent organization to evaluate the effectiveness of programs which provide rehabilitation and vocational services in IDOC facilities, and in the community.

Recommendation

- The state should contract with an independent institution (perhaps, a state university) to perform a longititude study of outcomes which have been achieved through these programs.
- Established groups like SAFER track outcomes for former program participants and that there are too many start-up groups that are not tracking and success rates cannot be determined.

Agenda for Task Force Public Hearing

Task Force Hearing on Employment of Persons with Past Criminal Convictions

Roosevelt University, Chicago, Illinois

AGENDA

11:00 a.m. Welcome to Roosevelt University, Kathleen Kane-Willis,
Director, Roosevelt University's Institute for Metropolitan Affairs

Welcome Remarks from Representatives Howard, Jefferies, Rose and
Senator Trotter

Testifiers are asked to keep their remarks under 3 minutes. Guests not on the agenda will
have the opportunity to speak during the public participation portion.

11:10 a.m. Panel 1

- Katrice Cornelius-Constituent
- Jermaine Kelly-Constituent
- Kublai Toure-Constituent
- Albert Jackson-Constituent
- Cheryl Waak

11:25 a.m. Panel 2

- Elizabeth Protich-Education Service Network
- Tamara Jamison-Jobs for Youth
- Malcolm Younge-John Howard Association
- Robert Barnett-Jobs For Youth
- James Hampton-Help US

11:40 a.m. Panel 3

- Steve Bell-First Strike Program
- Jose Pizarro-Latino Cultural Exchange Coalition
- Mark Feliciano-Humboldt Park Social Services
- Diane Williams-Safer Foundation
- Kevin Russell-Constituent

12:00 p.m. Panel 4

- Chris Moore-Exodus Renewal Society, Inc.
- Gail Smith- Director, CLAIM
- John Rush-Managing Director Cleanslate
- Christopher Vaughn-Program Director, St. Leonard's House
- Robert Jackson

(Continued on next page)

- 12:15 p.m. Panel 5**
- Beth A. Johnson-Director of Criminal Records, Cabrini Green Legal Aid Clinic
 - Marjie Nielsen-Chicago Legal Clinic
 - Melvin Bailey-Executive Director, Community Male Empowerment Project
 - Kofi Benneth Lee-National Alliance to Empower Ex-Offenders
 - Robert Crosby-Saving Our Seeds, Inc.
- 12:30 p.m. Panel 6**
- David Turnopseed-Retrieving Our Families
 - Robert Douglas-Son Foundation
 - Brenda Palms Barber-Mayor's Policy Caucus on Prisoner Re-entry
 - Jeannyne Hardy-Hepron Community Resources Center
 - Elena Demos-Office of Dorothy Brown Clerk of the Circuit Court of Cook County
- 12:45 p.m. Panel 7**
- David P. Disabato-Workforce Development Coordinator, Roosevelt University
 - Patricia Ellis-Prison Jail Liaison, Ruth Rothstein Center
 - Kathleen Kane-Willis-Director, Roosevelt University's Institute for Metropolitan Affairs
 - Sharod Gordon-Developing Justice Coalition
 - Marianna Boyd-TARGET Area Development Corporation
- 1:00 p.m. Panel 8**
- Sheryl Holman-Community Assistance Program
 - Michael Sweig JD-Roosevelt University
 - Reri Barrett-Behavioral Interventions
 - Alden Loury-Publisher Chicago Reporter
 - Joseph Watkins-Saving Our Seeds, Inc
 - Dr. Florence Townsend-Community Renewal Civic Action Society, Senior Action Network
- 1:15 p.m. Public Participation**
- 1:40 p.m. Conclusion**

Senate Joint Resolution 6 (95th General Assembly)

09500SJ0006 Enrolled

LRB095 04221 RLC 24262 r

SENATE JOINT RESOLUTION NO. 6

WHEREAS, During the 94th General Assembly, the Legislative Task Force on Employment of Persons with Past Criminal Convictions (hereinafter referred to as the Task Force) was established pursuant to House Joint Resolution 107 for the purpose of conducting public hearings and examining the barriers faced by persons with past criminal convictions with respect to obtaining employment and for the purpose of evaluating those recommendations made by the Governor's Statewide Community Safety and Reentry Working Group; and

WHEREAS, As of the required reporting date, the Task Force's work is still ongoing and further investigation is needed prior to the preparation and submission of its report; therefore, be it

RESOLVED, BY THE SENATE OF THE NINETY-FIFTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE HOUSE OF REPRESENTATIVES CONCURRING HEREIN, that the Legislative Task Force on Employment of Persons with Past Criminal Convictions, organized pursuant to House Joint Resolution 107 of the 94th General Assembly, is hereby reconstituted; and be it further

RESOLVED, That the Task Force shall be comprised of those persons appointed pursuant to House Joint Resolution 107 of the 94th General Assembly until such time as those appointing authorities established in House Joint Resolution 107 appoint different persons to the Task Force; and be it further

RESOLVED, That the Task Force shall have the authority, duties, and purposes as set forth in House Joint Resolution 107 of the 94th General Assembly; and be it further

RESOLVED, That no later than December 31, 2008, the Task Force shall submit a report to the Governor and General

Assembly of its findings and recommendations; and that the Task Force shall be dissolved after the filing of this report; and be it further

RESOLVED, That a suitable copy of this resolution be delivered to the ex-officio members of the Task Force and the Governor of the State of Illinois.

House Joint Resolution 107 (94th General Assembly)

HJ0107 Enrolled

LRB094 19799 RLC 56649 r

HOUSE JOINT RESOLUTION 107

WHEREAS, Changes over the past several decades in federal and state laws defining crimes, prescribing sentences for crimes, prescribing and limiting services and treatment for persons incarcerated for crimes, and setting conditions and services post-release from prison or jail have resulted in staggering increases in the numbers of persons with past criminal convictions; and

WHEREAS, Between 1970 and 2001, the Illinois prison population increased by more than 500 percent, from 7,326 to 44,348; and

WHEREAS, Nationwide, over 650,000 men and women, a figure larger than the entire population of Boston or Washington, DC, will be released from state and federal confinements in 2006; and

WHEREAS, Approximately 244,000 men and women are currently under correctional supervision in Illinois, including those in jail, in prison, on probation, and on parole; and

WHEREAS, Almost all - between 95 and 97 percent - of those who are incarcerated or detained in the United States will serve their time and come home; and

WHEREAS, Over the past several decades enactment of and changes to federal and state laws limiting opportunities for employment, as well as education, housing, public assistance, and other aspects of civil life, for persons with criminal convictions have resulted in high barriers to those persons' success in society after they have served the sentences for their convictions; and

WHEREAS, Illinois Governor Rod Blagojevich convened the Statewide Community Safety and Reentry Working Group and Chicago Mayor Richard M. Daley convened the Mayoral Policy Caucus on Prisoner Reentry to study prisoner reentry, and the reports and recommendations from those groups are becoming available in 2006; and

WHEREAS, Barriers to employment and job promotion for persons with criminal convictions are extremely complex issues, involving, among others, public employers at all levels of government, private employers, labor organizations, education and training institutions, public safety officials, public and private licensing and certification bodies, insurers, employment placement agencies, custodians of and users of arrest and conviction records, drug treatment agencies, and persons with criminal records; and

WHEREAS, A thorough examination of the barriers to employment for people with criminal conviction records and a thorough study of ways in which such barriers could be lowered or eliminated without exposing employers, individuals, the general public, or property to unreasonable risk is warranted; therefore, be it

RESOLVED, BY THE HOUSE OF REPRESENTATIVES OF THE NINETY-FOURTH GENERAL ASSEMBLY OF THE STATE OF ILLINOIS, THE SENATE CONCURRING HEREIN, that there is hereby established a Legislative Task Force on Employment of Persons with Past Criminal Convictions; and be it further

RESOLVED, That the Task Force shall have the following members:

12 voting members, as follows: 3 members of the Senate appointed by the president of the Senate, 3 members of the Senate appointed by the Senate Minority Leader, 3 members of the House of Representatives appointed by the Speaker of the House of Representatives, and 3 members of the House of Representatives appointed by the House Minority Leader; and be it further

RESOLVED, That all actions of the Task Force require the affirmative vote of at least 7 voting members; and be it further

RESOLVED, That the following persons shall serve without compensation as ex-officio, non-voting members of the Task Force:

(A) The Director of the Illinois Department of Corrections, or his or her designee;

(B) The Director of the Illinois Department of Employment Security, or his or her designee;

(C) The Secretary of the Illinois Department of Human Services, or his or her designee;

(D) The Director of the Illinois Department of Children and Family Services, or his or her designee;

(E) The Secretary of the Illinois Department of Financial and Professional Regulation, or his or her designee;

(F) The Director of Commerce and Economic Opportunity, or his or her designee; and

(G) The Chairman of the Illinois Human Rights Commission, or his or her designee; and be it further

RESOLVED, That the departments of State government and the Illinois Human Rights Commission represented on the Task Force shall work cooperatively to provide administrative support for the Task Force; the Department of Employment Security shall be the primary agency in providing that support; and be it further

RESOLVED, That the voting members of the Task Force shall select a chairperson; and be it further

RESOLVED, That the Task Force shall conduct public hearings and examine the barriers faced by persons with past criminal convictions with respect to obtaining employment; and be it further

RESOLVED, That the Task Force shall evaluate those recommendations made by the Governor's Statewide Community

Safety and Reentry Working Group; and be it further

RESOLVED, That the Task Force shall report its findings and recommendations to the Governor and the General Assembly in a final report which shall be filed on or before January 1, 2007; the requirement for reporting to the General Assembly shall be satisfied by filing copies of the report with the Speaker, the Minority Leader and the Clerk of the House of Representatives and the President, the Minority Leader and the Secretary of the Senate and the Legislative Research Unit, as required by Section 3.1 of the General Assembly Organization Act, and filing additional copies with the State Government Report Distribution Center for the General Assembly as required under paragraph (t) of Section 7 of the State Library Act; and be it further

RESOLVED, That the report shall include, but need not be limited to, the following:

(1) An assessment of those collateral consequences of a criminal conviction which impede employment of persons with past criminal convictions, and the experiences of other states in addressing this issue;

(2) An assessment of the preparation for gainful employment provided to those incarcerated in Illinois correctional facilities, and the experiences of other states in addressing this issue;

(3) An identification of the barriers which impede those with criminal records from obtaining stable employment; and

(4) Recommendations for legislative changes necessary to facilitate the employment of persons with past criminal convictions which, if implemented, would not expose the employer, an individual, the general public, or property to unreasonable risks; and be it further

RESOLVED, That within 60 days after the filing of the report, the appropriate standing committees of both the House and the Senate shall hold hearings to consider the recommendations made by the Task Force; and be it further

RESOLVED, That suitable copies of this Resolution be transmitted to the ex-officio members of the Task Force.

RECORD OF VOTES AND COMMENTS FROM TASK FORCE MEMBERS

VOTING FORM - Please fax to 773-783-8773 on or before December 1, 2008

NAME *Rep. Constance A. Howard*

Recommendation	Concur	Do Not Concur <small>(Note reasons on p.3)</small>	Need more Information <small>(Note requested in fax on p.3)</small>
A Subcommittee on Barriers to Private Employment			
1: Consider advancing "ban the box" legislation or consider other administrative remedies	X		
2: Expand Certificates of Relief from Disability and Certificates of Good Conduct by expanding eligibility pools and expanding protections for employers	X		
3: Amend Illinois Human Rights Act (IHRA) to explicitly prohibit an employer from discriminating on basis of criminal charges that did not result in conviction	X		
4: Amend IHRA to prohibit blanket bans on employing people with criminal records by barring discrimination on basis of conviction record not reasonably related to position sought	X		
5: Provide employers more funding for training ex-offenders	X		
6: Investigate accessing federal funds for training people with criminal records through DCEO	X		
7: Promote and support apprenticeship and transitional job programs, especially where market demand is high.	X		
8: Promote and support social enterprise initiatives	X		
9: Promote and support entrepreneurial ventures	X		
10: Create legislation to make it state policy to encourage employment/licensure of individuals with criminal records	X		
11: Cultivate relationships with industry sectors that hire those with criminal records	X		
12: Reach out to business organizations (e.g., Illinois Retail Merchants Association) to determine reasons why some businesses don't hire individuals with criminal records	X		
13: Expand eligibility for state tax credit by lifting certain restrictions	X		
14: Increase the amount of tax credit to create greater incentive	X		
15: Increase ease of applying for state tax credit in conjunction with federal tax credit, by streamlining process and reducing paper work	X		
16: Better market state tax credit to employers targeting CEOs and CFOs rather than H.R. depts.	X		
17: Educate prisoners and ex-offenders about state tax credit as way to market themselves to potential employers	X		
18: Upon discharge, provide inmates with document explaining tax credit and bonding programs, verify their eligibility for such programs	X		
19: Develop/disseminate one-page document describing government incentives available to employers	X		
20: Connect with employers with community organizations that can provide support teaching soft skills, providing drug testing and treatment, etc.	X		
21: Include incentives in the procurement process for employers that hire individuals with records	X		
B Subcommittee on Barriers to Public Employment			
1: Request state agencies, Boards and Commissions with state employee positions to compile list of rules/procedures that affect employment of persons with criminal convictions by agency	X		
2: Review Illinois statute prohibiting employment restrictions and determine whether restrictions are related to employment and further public safety	X		
3: Create brochure to inform convicted person upon release of options regarding executive clemency, criminal record expungement, criminal record sealing, certificate of relief from disabilities, certificate of good conduct	X		
4: Governor should consider establishing position of executive clemency attorney responsible for overseeing Gubernatorial clemencies	X		
5: Governor should consider obtaining sufficient staff/resources for Prisoner Review Board to process clemency petitions	X		
C Subcommittee on Post-Discharge Community Support Systems			
1: Conduct study evaluating effectiveness of current standards regarding agencies and public contracts/tracking number of clients served by contracted agencies. Set standards for evidence-based practices	X		
2: Establish annual report on post-discharge individuals returning to high-impact communities to develop needs-based service for this population	X		
3: Identify barriers that prevent employers from hiring those with records, and protect employers from negligent liability claims	X		
4: Focus on "pipeline" job training for post-discharge individuals by working with employers to discuss training/transitional programs	X		

NAME

Rep. Connie Howard

Recommendation	Concur	Do Not Concur	Need more Information
5: Sentence short-term individuals with non-violent crimes to "services" instead of prison	X		
6: Expand access/availability to legal assistance to help with sealing and expungement of records	X		
7: Ensure state IDs are transferred with individual and stored until discharge	X		
8: Identify/consider modifying state statute that prevents an individual's real name from being used after sentencing	X		
9: Consider mobile ID unit at prisons to issue ID upon exit	X		
10: Waive Secretary of State ID fee for inmates discharged	X		
11: Offer one free birth certificate to post-discharge individuals	X		
12: Recognize funding as a key role in effecting long-term change to public safety	X		
13: Pass SB2302 and/or HB4714 to suspend not terminate Medicaid/SSI/SSDI for incarcerated persons. Ensure that state law is consistent with federal guidelines	X		
14: Require agency coordination to improve portability of health and benefit records	X		
15: IDOC should work with Social Security Administration to help inmates apply for SSI/SSDI	X		
16: Create/expand database for treatment and support services	X		
17: Review fee structure and consider fee waiving for mandated treatment	X		
18: Enact legislation granting Prisoner Review Board flexibility to update parole policies with alternative/graduated sanctions for parole revocations to avoid reincarceration when possible	X		
19: Recognize funding as a key role in effecting change in light of recent funding cuts for substance abuse treatment	X		
20: Continue dialogue with Public Housing Authority to align local policies with federal guidelines and expand access to public housing for people with criminal records	X		
21: Create additional adult transition centers, provide education on managing housing options	X		
22: Include people with qualified (non-violent) criminal records in state-wide supportive housing plan	X		
23: Pass HB1831 sealing records for qualified individuals	X		
24: Direct part of \$53 million in federal funding to IHDA for post-discharge housing	X		
D. Subcommittee on Preparing Incarcerated Persons for Employment			
1: Determine if Secretary of State is constrained by law prohibiting the issuance of ID to incarcerated individuals. Work with S.O.S. to amend law	X		
2: Establish process with IDOC and S.O.S. for prisoners to obtain ID immediately upon release if in possession of a birth certificate or social security card	X		
3: Explore initiatives by other states to provide IDs in prison	X		
4: Support legislation requiring sheriff to transfer IDs with inmate between IDOC facilities	X		
5: Encourage enforcement of existing law requiring counties to deliver medical records and other documents to IDOC upon transfers from county jail	X		
6: Enforce statutory requirement that local jurisdictions submit court documents and PSI reports	X		
7: Amend 730 ILCS 5/5-4-1 to require fact sheet prepared by State's Attorney be prepared within a certain period of time	X		
8: Pass legislation mandating counties to use standard paper process for committing offenders that includes statement of facts, social investigations, medical info, and police reports	X		
9: Divert short-term prisoners to community programs, and look at other state model programs	X		
10: Consider jail-based reentry programs for offenders serving sentences of 90 days or less	X		
11: IDOC must fill all vacant positions in the education department, including back-fill positions	X		
12: IDOC should submit report to G.A. detailing waitlist for courses, and steps to reduce waitlists	X		
13: IDOC should review education initiatives in other states	X		
14: Promote distance learning in prisons	X		
15: Expand higher educational programming in prisons	X		
16: Make existing educational programs more available to inmates	X		
17: Enact legislation to suspend/allow inmates to apply for public benefits while incarcerated	X		
18: Permit inmates to apply for public benefits while incarcerated, benefits to begin upon release	X		
19: Create partnerships between IDOC, Social Security Administration and other public agencies to screen for program eligibility	X		
20: Contract with independent institution to perform longitudinal study of outcomes and success rates of vocational/rehabilitation programs	X		
21: Better track outcomes for people with criminal records leaving prison	X		

NAME Rep. Connie Howard

Please use space below to note reasons for not concurring with recommendation, or additional information requested.

I am pleased with these recommendations produced because of the tireless work from chairs of the four (4) sub-committees.

Rep. Connie Howard

VOTING FORM – Please fax to 773-783-8773 on or before December 1, 2008

NAME Donne E. Trotter

Senator

Recommendation

Concur

Do Not
Concur
(Note reasons
on p.3)

Need more
Information
(Note requested info.
on p.3)

Recommendation	Concur	Do Not Concur <small>(Note reasons on p.3)</small>	Need more Information <small>(Note requested info. on p.3)</small>
A Subcommittee on Barriers to Private Employment			
1: Consider advancing "ban the box" legislation or consider other administrative remedies	X		
2: Expand Certificates of Relief from Disability and Certificates of Good Conduct by expanding eligibility pools and expanding protections for employers	X		
3: Amend Illinois Human Rights Act (IHRA) to explicitly prohibit an employer from discriminating on basis of criminal charges that did not result in conviction	X		
4: Amend IHRA to prohibit blanket bans on employing people with criminal records by barring discrimination on basis of conviction record not reasonably related to position sought	X		
5: Provide employers more funding for training ex-offenders	X		
6: Investigate accessing federal funds for training people with criminal records through DCEO	X		
7: Promote and support apprenticeship and transitional job programs, especially where market demand is high.	X		
8: Promote and support social enterprise initiatives	X		
9: Promote and support entrepreneurial ventures	X		
10: Create legislation to make it state policy to encourage employment/licensure of individuals with criminal records	X		
11: Cultivate relationships with industry sectors that hire those with criminal records	X		
12: Reach out to business organizations (e.g., Illinois Retail Merchants Association) to determine reasons why some businesses don't hire individuals with criminal records	X		
13: Expand eligibility for state tax credit by lifting certain restrictions	X		
14: Increase the amount of tax credit to create greater incentive	X		
15: Increase ease of applying for state tax credit in conjunction with federal tax credit, by streamlining process and reducing paper work	X		
16: Better market state tax credit to employers targeting CEOs and CFOs rather than H.R. depts.	X		
17: Educate prisoners and ex-offenders about state tax credit as way to market themselves to potential employers	X		
18: Upon discharge, provide inmates with document explaining tax credit and bonding programs, verify their eligibility for such programs	X		
19: Develop/disseminate one-page document describing government incentives available to employers	X		
20: Connect with employers with community organizations that can provide support teaching soft skills, providing drug testing and treatment, etc.	X		
21: Include incentives in the procurement process for employers that hire individuals with records	X		
B Subcommittee on Barriers to Public Employment			
1: Request state agencies, Boards and Commissions with state employee positions to compile list of rules/procedures that affect employment of persons with criminal convictions by agency	X		
2: Review Illinois statute prohibiting employment restrictions and determine whether restrictions are related to employment and further public safety	X		
3: Create brochure to inform convicted person upon release of options regarding executive clemency, criminal record expungement, criminal record sealing, certificate of relief from disabilities, certificate of good conduct	X		
4: Governor should consider establishing position of executive clemency attorney responsible for overseeing Gubernatorial clemencies	X		
5: Governor should consider obtaining sufficient staff/resources for Prisoner Review Board to process clemency petitions	X		
C Subcommittee on Post-Discharge Community Support Systems			
1: Conduct study evaluating effectiveness of current standards regarding agencies and public contracts/tracking number of clients served by contracted agencies. Set standards for evidence-based practices	X		
2: Establish annual report on post-discharge individuals returning to high-impact communities to develop needs-based service for this population	X		
3: Identify barriers that prevent employers from hiring those with records, and protect employers from negligent liability claims	X		
4: Focus on "pipeline" job training for post-discharge individuals by working with employers to discuss training/transitional programs	X		

NAME *Senator Donue R. Trotter*

Recommendation	Concur	Do Not Concur	Need more Information
5: Sentence short-term individuals with non-violent crimes to "services" instead of prison	X		
6: Expand access/availability to legal assistance to help with sealing and expungement of records	X		
7: Ensure state IDs are transferred with individual and stored until discharge	X		
8: Identify/consider modifying state statute that prevents an individual's real name from being used after sentencing	X		
9: Consider mobile ID unit at prisons to issue ID upon exit	X		
10: Waive Secretary of State ID fee for inmates discharged	X		
11: Offer one free birth certificate to post-discharge individuals	X		
12: Recognize funding as a key role in effecting long-term change to public safety	X		
13: Pass SB2302 and/or HB4714 to suspend not terminate Medicaid/SSI/SSDI for incarcerated persons. Ensure that state law is consistent with federal guidelines	X		
14: Require agency coordination to improve portability of health and benefit records	X		
15: IDOC should work with Social Security Administration to help inmates apply for SSI/SSDI	X		
16: Create/expand database for treatment and support services	X		
17: Review fee structure and consider fee waiving for mandated treatment	X		
18: Enact legislation granting Prisoner Review Board flexibility to update parole policies with alternative/graduated sanctions for parole revocations to avoid reincarceration when possible	X		
19: Recognize funding as a key role in effecting change in light of recent funding cuts for substance abuse treatment	X		
20: Continue dialogue with Public Housing Authority to align local policies with federal guidelines and expand access to public housing for people with criminal records	X		
21: Create additional adult transition centers, provide education on managing housing options	X		
22: Include people with qualified (non-violent) criminal records in state-wide supportive housing plan	X		
23: Pass HB1831 sealing records for qualified individuals	X		
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D Subcommittee on Preparing Incarcerated Persons for Employment			
1: Determine if Secretary of State is constrained by law prohibiting the issuance of ID to incarcerated individuals. Work with S.O.S. to amend law	X		
2: Establish process with IDOC and S.O.S. for prisoners to obtain ID immediately upon release if in possession of a birth certificate or social security card	X		
3: Explore initiatives by other states to provide IDs in prison	X		
4: Support legislation requiring sheriff to transfer IDs with inmate between IDOC facilities	X		
5: Encourage enforcement of existing law requiring counties to deliver medical records and other documents to IDOC upon transfers from county jail	X		
6: Enforce statutory requirement that local jurisdictions submit court documents and PSI reports	X		
7: Amend 730 ILCS 5/5-4-1 to require fact sheet prepared by State's Attorney be prepared within a certain period of time	X		
8: Pass legislation mandating counties to use standard paper process for committing offenders that includes statement of facts, social investigations, medical info, and police reports	X		
9: Divert short-term prisoners to community programs, and look at other state model programs	X		
10: Consider jail-based reentry programs for offenders serving sentences of 90 days or less	X		
11: IDOC must fill all vacant positions in the education department, including back-fill positions	X		
12: IDOC should submit report to G.A. detailing waitlist for courses, and steps to reduce waitlists	X		
13: IDOC should review education initiatives in other states	X		
14: Promote distance learning in prisons	X		
15: Expand higher educational programming in prisons	X		
16: Make existing educational programs more available to inmates	X		
17: Enact legislation to suspend/allow inmates to apply for public benefits while incarcerated	X		
18: Permit inmates to apply for public benefits while incarcerated, benefits to begin upon release	X		
19: Create partnerships between IDOC, Social Security Administration and other public agencies to screen for program eligibility	X		
20: Contract with independent institution to perform longitudinal study of outcomes and success rates of vocational/rehabilitation programs	X		
21: Better track outcomes for people with criminal records leaving prison	X		

NAME Donna E. Trotter

Please use space below to note reasons for not concurring with recommendation, or additional information requested.

The completion of this document was facilitated by Rep. Connie Howard with the authorization of Senator Trotter who was out of the country.

VOTING FORM - Please fax to 773-783-8773 on or before December 1, 2008

NAME SENATOR DAN RUTHERFORD

Recommendation	Concur	Do Not Concur <small>(Note reasons on p.3)</small>	Need more Information <small>(Note requested info. on p.3)</small>
A Subcommittee on Barriers to Private Employment			
1: Consider advancing "ban the box" legislation or consider other administrative remedies		✓	
2: Expand Certificates of Relief from Disability and Certificates of Good Conduct by expanding eligibility pools and expanding protections for employers		✓	
3: Amend Illinois Human Rights Act (IHRA) to explicitly prohibit an employer from discriminating on basis of criminal charges that did not result in conviction			✓
4: Amend IHRA to prohibit blanket bans on employing people with criminal records by barring discrimination on basis of conviction record not reasonably related to position sought	✓		
5: Provide employers more funding for training ex-offenders	✓		
6: Investigate accessing federal funds for training people with criminal records through DCEO	✓		
7: Promote and support apprenticeship and transitional job programs, especially where market demand is high.	✓		
8: Promote and support social enterprise initiatives	✓		
9: Promote and support entrepreneurial ventures	✓		
10: Create legislation to make it state policy to encourage employment/licensure of individuals with criminal records		✓	
11: Cultivate relationships with industry sectors that hire those with criminal records	✓		
12: Reach out to business organizations (e.g., Illinois Retail Merchants Association) to determine reasons why some businesses don't hire individuals with criminal records	✓		
13: Expand eligibility for state tax credit by lifting certain restrictions			✓
14: Increase the amount of tax credit to create greater incentive		✓	
15: Increase ease of applying for state tax credit in conjunction with federal tax credit, by streamlining process and reducing paper work	✓		
16: Better market state tax credit to employers targeting CEOs and CFOs rather than H.R. depts.	✓		
17: Educate prisoners and ex-offenders about state tax credit as way to market themselves to potential employers	✓		
18: Upon discharge, provide inmates with document explaining tax credit and bonding programs, verify their eligibility for such programs	✓		
19: Develop/disseminate one-page document describing government incentives available to employers	✓		
20: Connect with employers with community organizations that can provide support teaching soft skills, providing drug testing and treatment, etc.	✓		
21: Include incentives in the procurement process for employers that hire individuals with records		✓	
B Subcommittee on Barriers to Public Employment			
1: Request state agencies, Boards and Commissions with state employee positions to compile list of rules/procedures that affect employment of persons with criminal convictions by agency	✓		
2: Review Illinois statute prohibiting employment restrictions and determine whether restrictions are related to employment and further public safety	✓		
3: Create brochure to inform convicted person upon release of options regarding executive clemency, criminal record expungement, criminal record sealing, certificate of relief from disabilities, certificate of good conduct	✓		
4: Governor should consider establishing position of executive clemency attorney responsible for overseeing Gubernatorial clemencies	✓		
5: Governor should consider obtaining sufficient staff/resources for Prisoner Review Board to process clemency petitions	✓		
C Subcommittee on Post-Discharge Community Support Systems			
1: Conduct study evaluating effectiveness of current standards regarding agencies and public contracts/tracking number of clients served by contracted agencies. Set standards for evidence-based practices	✓		
2: Establish annual report on post-discharge individuals returning to high-impact communities to develop needs-based service for this population	✓		
3: Identify barriers that prevent employers from hiring those with records, and protect employers from negligent liability claims	✓		
4: Focus on "pipeline" job training for post-discharge individuals by working with employers to discuss training/transitional programs	✓		

NAME Senator Dan Rutherford

Recommendation	Concur	Do Not Concur	Need more Information
5: Sentence short-term individuals with non-violent crimes to "services" instead of prison			✓
6: Expand access/availability to legal assistance to help with sealing and expungement of records	✓		
7: Ensure state IDs are transferred with individual and stored until discharge	✓		
8: Identify/consider modifying state statute that prevents an individual's real name from being used after sentencing	✓		
9: Consider mobile ID unit at prisons to issue ID upon exit			✓
10: Waive Secretary of State ID fee for inmates discharged		✓	
11: Offer one free birth certificate to post-discharge individuals			✓
12: Recognize funding as a key role in effecting long-term change to public safety	✓		
13: Pass SB2302 and/or HB4714 to suspend not terminate Medicaid/SSI/SSDI for incarcerated persons. Ensure that state law is consistent with federal guidelines			✓
14: Require agency coordination to improve portability of health and benefit records	✓		
15: IDOC should work with Social Security Administration to help inmates apply for SSI/SSDI	✓		
16: Create/expand database for treatment and support services	✓		
17: Review fee structure and consider fee waiving for mandated treatment		✓	
18: Enact legislation granting Prisoner Review Board flexibility to update parole policies with alternative/graduated sanctions for parole revocations to avoid reincarceration when possible	✓		
19: Recognize funding as a key role in effecting change in light of recent funding cuts for substance abuse treatment	✓		
20: Continue dialogue with Public Housing Authority to align local policies with federal guidelines and expand access to public housing for people with criminal records	✓		
21: Create additional adult transition centers, provide education on managing housing options			✓
22: Include people with qualified (non-violent) criminal records in state-wide supportive housing plan			✓
23: Pass HB1831 sealing records for qualified individuals			✓
24: Direct part of \$53 million in federal funding to IHDA for post-discharge housing			✓
D Subcommittee on Preparing Incarcerated Persons for Employment			
1: Determine if Secretary of State is constrained by law prohibiting the issuance of ID to incarcerated individuals. Work with S.O.S. to amend law	✓		
2: Establish process with IDOC and S.O.S. for prisoners to obtain ID immediately upon release if in possession of a birth certificate or social security card	✓		
3: Explore initiatives by other states to provide IDs in prison	✓		
4: Support legislation requiring sheriff to transfer IDs with inmate between IDOC facilities	✓		
5: Encourage enforcement of existing law requiring counties to deliver medical records and other documents to IDOC upon transfers from county jail	✓		
6: Enforce statutory requirement that local jurisdictions submit court documents and PSI reports	✓		
7: Amend 730 ILCS 5/5-4-1 to require fact sheet prepared by State's Attorney be prepared within a certain period of time	✓		
8: Pass legislation mandating counties to use standard paper process for committing offenders that includes statement of facts, social investigations, medical info, and police reports	✓		
9: Divert short-term prisoners to community programs, and look at other state model programs		✓	
10: Consider jail-based reentry programs for offenders serving sentences of 90 days or less	✓		
11: IDOC must fill all vacant positions in the education department, including back-fill positions	✓		
12: IDOC should submit report to G.A. detailing waitlist for courses, and steps to reduce waitlists	✓		
13: IDOC should review education initiatives in other states	✓		
14: Promote distance learning in prisons	✓		
15: Expand higher educational programming in prisons	✓		✓
16: Make existing educational programs more available to inmates	✓		
17: Enact legislation to suspend/allow inmates to apply for public benefits while incarcerated			✓
18: Permit inmates to apply for public benefits while incarcerated, benefits to begin upon release			✓
19: Create partnerships between IDOC, Social Security Administration and other public agencies to screen for program eligibility	✓		
20: Contract with independent institution to perform longitudinal study of outcomes and success rates of vocational/rehabilitation programs	✓		
21: Better track outcomes for people with criminal records leaving prison	✓		

SENATOR DAN RUTYKOWSKI

Explanation of non-concurs and request for additional information:

- A (1) – This should be a private employer's decision, but I would support educating private employers about alternatives.
- A (2) – Current pool is fairly large and legislation to do this failed in Senate committee.
- A (3) – How will this be defined?
- A (10) – I believe the State tax credit is enough to encourage.
- A (13) – What restrictions will be lifted?
- A (14) – I support educating employers and potential employees on the tax credit first.
- A (21) – I do not favor imposed criteria that detract from the lowest cost to the State in time of a budget crisis and when a tax credit for employers is already available.
- C (5) – Covered crimes and what services?
- C (9) – Cost?
- C (10) – Cost issue for the Secretary of State.
- C (11) – Who absorbs cost, State or local?
- C (13) – What are the federal law requirements?
- C (17) – Cost issue.
- C (21) – Cost?
- C (22) – What offenses?
- C (23) – What qualifies?
- C (24) – What is the federal funding currently specified for?
- D (9) – This should be part of the court's sentencing order, not altering a court imposed sentence.
- D (15) – Cost?
- D (17) – Covered offenses?
- D (18) – Covered offenses?

VOTING FORM - Please fax to 773-783-8773 on or before December 1, 2008

NAME *Dennis Reboletti*

Recommendation	Concur	Do Not Concur <small>(Note rationale on p.2)</small>	Need more Information <small>(Note requested info. on p.2)</small>
A Subcommittee on Barriers to Private Employment			
1: Consider advancing "ban the box" legislation or consider other administrative remedies			✓
2: Expand Certificates of Relief from Disability and Certificates of Good Conduct by expanding eligibility pools and expanding protections for employers			✓
3: Amend Illinois Human Rights Act (IHRA) to explicitly prohibit an employer from discriminating on basis of criminal charges that did not result in conviction		✓	
4: Amend IHRA to prohibit blanket bans on employing people with criminal records by barring discrimination on basis of conviction record not reasonably related to position sought		✓	
5: Provide employers more funding for training ex-offenders	✓		
6: Investigate accessing federal funds for training people with criminal records through DCEO			
7: Promote and support apprenticeship and transitional job programs, especially where market demand is high.	✓		
8: Promote and support social enterprise initiatives			✓
9: Promote and support entrepreneurial ventures			
10: Create legislation to make it state policy to encourage employment/licensure of individuals with criminal records		✓	
11: Cultivate relationships with industry sectors that hire those with criminal records	✓		
12: Reach out to business organizations (e.g., Illinois Retail Merchants Association) to determine reasons why some businesses don't hire individuals with criminal records	✓		
13: Expand eligibility for state tax credit by lifting certain restrictions			✓
14: Increase the amount of tax credit to create greater incentive			✓
15: Increase ease of applying for state tax credit in conjunction with federal tax credit, by streamlining process and reducing paper work			✓
16: Better market state tax credit to employers targeting CEOs and CFOs rather than H.R. depts.			✓
17: Educate prisoners and ex-offenders about state tax credit as way to market themselves to potential employers			✓
18: Upon discharge, provide inmates with document explaining tax credit and bonding programs, verify their eligibility for such programs		✓	
19: Develop/disseminate one-page document describing government incentives available to employers			
20: Connect with employers with community organizations that can provide support teaching soft skills, providing drug testing and treatment, etc.	✓		
21: Include incentives in the procurement process for employers that hire individuals with records			
B Subcommittee on Barriers to Public Employment			
1: Request state agencies, Boards and Commissions with state employee positions to compile list of rules/procedures that affect employment of persons with criminal convictions by agency	✓		
2: Review Illinois statute prohibiting employment restrictions and determine whether restrictions are related to employment and further public safety		✓	
3: Create brochure to inform convicted person upon release of options regarding executive clemency, criminal record expungement, criminal record sealing, certificate of relief from disabilities, certificate of good conduct		✓	
4: Governor should consider establishing position of executive clemency attorney responsible for overseeing gubernatorial clemencies		✓	
5: Governor should consider obtaining sufficient staff/resources for Prisoner Review Board to process clemency petitions	✓		
C Subcommittee on Post-Discharge Community Support Systems			
1: Conduct study evaluating effectiveness of current standards regarding agencies and public contracts/tracking number of clients served by contracted agencies. Set standards for evidence-based practices	✓		
2: Establish annual report on post-discharge individuals returning to high-impact communities to develop needs-based service for this population			
3: Identify barriers that prevent employers from hiring those with records, and protect employers from negligent liability claims	✓		
4: Focus on "pipeline" job training for post-discharge individuals by working with employers to discuss training/transitional programs			

NAME

Dennis Reboletti

Recommendation	Concur	Do Not Concur	Need more Information
5: Sentence short-term individuals with non-violent crimes to "services" instead of prison			✓
6: Expand access/availability to legal assistance to help with sealing and expungement of records			
7: Ensure state IDs are transferred with individual and stored until discharge	✓		
8: Identify/consider modifying state statute that prevents an individual's real name from being used after sentencing			✓
9: Consider mobile ID unit at prisons to issue ID upon exit	✓		
10: Waive Secretary of State ID fee for inmates discharged			✓
11: Offer one free birth certificate to post-discharge individuals			✓
12: Recognize funding as a key role in effecting long-term change to public safety			✓
13: Pass SB2302 and/or HB4714 to suspend not terminate Medicaid/SSI/SSDI for incarcerated persons. Ensure that state law is consistent with federal guidelines	✓		
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1: Determine if Secretary of State is constrained by law prohibiting the issuance of ID to incarcerated individuals. Work with S.O.S. to amend law	✓		
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8: Pass legislation mandating counties to use standard paper process for committing offenders that includes statement of facts, social investigations, medical info, and police reports	✓		
9: Divert short-term prisoners to community programs, and look at other state model programs	✓		
10: Consider jail-based reentry programs for offenders serving sentences of 90 days or less	✓		
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20: Contract with independent institution to perform longitudinal study of outcomes and success rates of vocational/rehabilitation programs	✓		
21: Better track outcomes for people with criminal records leaving prison	✓		

NAME Dennis Reboletti

Please use space below to note reasons for not concurring with recommendation, or additional information requested.

Need more information regarding definitions
and also see what waiver of fees + treatment
would cost Gen. of State + DHS

VOTING FORM - Please fax to 773-783-8773 on or before December 1, 2008

NAME State Representative Elaine Nekritz

Recommendation	Concur	Do Not Concur <small>(Note reasons on p.3)</small>	Need more Information <small>(Note required info. on p.3)</small>
A Subcommittee on Barriers to Private Employment			
1: Consider advancing "ban the box" legislation or consider other administrative remedies	✓		
2: Expand Certificates of Relief from Disability and Certificates of Good Conduct by expanding eligibility pools and expanding protections for employers	✓		
3: Amend Illinois Human Rights Act (IHRA) to explicitly prohibit an employer from discriminating on basis of criminal charges that did not result in conviction	✓		
4: Amend IHRA to prohibit blanket bans on employing people with criminal records by barring discrimination on basis of conviction record not reasonably related to position sought	✓		
5: Provide employers more funding for training ex-offenders	○		○
6: Investigate accessing federal funds for training people with criminal records through DCEO	○		○
7: Promote and support apprenticeship and transitional job programs, especially where market demand is high.			✓
8: Promote and support social enterprise initiatives			✓
9: Promote and support entrepreneurial ventures			✓
10: Create legislation to make it state policy to encourage employment/licensure of individuals with criminal records	✓		
11: Cultivate relationships with industry sectors that hire those with criminal records			✓
12: Reach out to business organizations (e.g., Illinois Retail Merchants Association) to determine reasons why some businesses don't hire individuals with criminal records	○		○
13: Expand eligibility for state tax credit by lifting certain restrictions	✓		
14: Increase the amount of tax credit to create greater incentive	✓		
15: Increase ease of applying for state tax credit in conjunction with federal tax credit, by streamlining process and reducing paper work	✓		
16: Better market state tax credit to employers targeting CEOs and CFOs rather than H.R. depts.	✓		
17: Educate prisoners and ex-offenders about state tax credit as way to market themselves to potential employers	✓		✓
18: Upon discharge, provide inmates with document explaining tax credit and bonding programs, verify their eligibility for such programs	✓		
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1: Request state agencies, Boards and Commissions with state employee positions to compile list of rules/procedures that affect employment of persons with criminal convictions by agency	✓		
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3: Create brochure to inform convicted person upon release of options regarding executive clemency, criminal record expungement, criminal record sealing, certificate of relief from disabilities, certificate of good conduct	✓		
4: Governor should consider establishing position of executive clemency attorney responsible for overseeing gubernatorial clemencies			✓
5: Governor should consider obtaining sufficient staff/resources for Prisoner Review Board to process clemency petitions			✓
C Subcommittee on Post-Discharge Community Support Systems			
1: Conduct study evaluating effectiveness of current standards regarding agencies and public contracts/tracking number of clients served by contracted agencies. Set standards for evidence-based practices	✓		
2: Establish annual report on post-discharge individuals returning to high-impact communities to develop needs-based service for this population	✓		
3: Identify barriers that prevent employers from hiring those with records, and protect employers from negligent liability claims	✓		
4: Focus on "pipeline" job training for post-discharge individuals by working with employers to discuss training/transitional programs	✓		

NAME State Representative Elaine Nekritz

Recommendation	Concur	Do Not Concur	Need more Information
5: Sentence short-term individuals with non-violent crimes to "services" instead of prison	✓		
6: Expand access/availability to legal assistance to help with sealing and expungement of records	✓		
7: Ensure state IDs are transferred with individual and stored until discharge	✓		
8: Identify/consider modifying state statute that prevents an individual's real name from being used after sentencing	✓		
9: Consider mobile ID unit at prisons to issue ID upon exit	✓		
10: Waive Secretary of State ID fee for inmates discharged	✓		
11: Offer one free birth certificate to post-discharge individuals	✓		
12: Recognize funding as a key role in effecting long-term change to public safety			✓
13: Pass SB2302 and/or HB4714 to suspend not terminate Medicaid/SSI/SSDI for incarcerated persons. Ensure that state law is consistent with federal guidelines	✓		
14: Require agency coordination to improve portability of health and benefit records	✓		
15: IDOC should work with Social Security Administration to help inmates apply for SSI/SSDI	✓		
16: Create/expand database for treatment and support services	✓		
17: Review fee structure and consider fee waiving for mandated treatment	✓		
18: Enact legislation granting Prisoner Review Board flexibility to update parole policies with alternative/graduated sanctions for parole revocations to avoid reincarceration when possible	✓		
19: Recognize funding as a key role in effecting change in light of recent funding cuts for substance abuse treatment			✓
20: Continue dialogue with Public Housing Authority to align local policies with federal guidelines and expand access to public housing for people with criminal records	✓		
21: Create additional adult transition centers, provide education on managing housing options	✓		
22: Include people with qualified (non-violent) criminal records in state-wide supportive housing plan	✓		
23: Pass HB1831 sealing records for qualified individuals	✓		
24: Direct part of \$53 million in federal funding to IHDA for post-discharge housing	✓		
D Subcommittee on Preparing Incarcerated Persons for Employment			
1: Determine if Secretary of State is constrained by law prohibiting the issuance of ID to incarcerated individuals. Work with S.O.S. to amend law	✓		
2: Establish process with IDOC and S.O.S. for prisoners to obtain ID immediately upon release if in possession of a birth certificate or social security card	✓		
3: Explore initiatives by other states to provide IDs in prison			✓
4: Support legislation requiring sheriff to transfer IDs with inmate between IDOC facilities	✓		
5: Encourage enforcement of existing law requiring counties to deliver medical records and other documents to IDOC upon transfers from county jail	✓		
6: Enforce statutory requirement that local jurisdictions submit court documents and PSI reports	✓		
7: Amend 730 ILCS 5/5-4-1 to require fact sheet prepared by State's Attorney be prepared within a certain period of time	✓		
8: Pass legislation mandating counties to use standard paper process for committing offenders that includes statement of facts, social investigations, medical info, and police reports	✓		
9: Divert short-term prisoners to community programs, and look at other state model programs	✓		✓
10: Consider jail-based reentry programs for offenders serving sentences of 90 days or less			✓
11: IDOC must fill all vacant positions in the education department, including back-fill positions	✓		
12: IDOC should submit report to G.A. detailing waitlist for courses, and steps to reduce waitlists	✓		
13: IDOC should review education initiatives in other states	✓		
14: Promote distance learning in prisons			✓
15: Expand higher educational programming in prisons			✓
16: Make existing educational programs more available to inmates			✓
17: Enact legislation to suspend/allow inmates to apply for public benefits while incarcerated	✓		
18: Permit inmates to apply for public benefits while incarcerated, benefits to begin upon release	✓		
19: Create partnerships between IDOC, Social Security Administration and other public agencies to screen for program eligibility	✓		
20: Contract with independent institution to perform longitudinal study of outcomes and success rates of vocational/rehabilitation programs	✓		
21: Better track outcomes for people with criminal records leaving prison	✓		

NAME State Representative Elaine Nekritz

Please use space below to note reasons for not concurring with recommendation, or additional information requested.

For those boxes checked "Need
More Information" a clearer, more
detailed implementation plan
would be helpful.

VOTING FORM - Please fax to 773-783-8773 on or before December 1, 2008

NAME Patricia Lindner

Recommendation	Concur	Do Not Concur (Note reasons on p.3)	Need more Information (Note requested info. on p.3)
A Subcommittee on Barriers to Private Employment			
1: Consider advancing "ban the box" legislation or consider other administrative remedies	X		
2: Expand Certificates of Relief from Disability and Certificates of Good Conduct by expanding eligibility pools and expanding protections for employers	X		
3: Amend Illinois Human Rights Act (IHRA) to explicitly prohibit an employer from discriminating on basis of criminal charges that did not result in conviction	X		
4: Amend IHRA to prohibit blanket bans on employing people with criminal records by barring discrimination on basis of conviction record not reasonably related to position sought	X		
5: Provide employers more funding for training ex-offenders	X		
6: Investigate accessing federal funds for training people with criminal records through DCEO	X		
7: Promote and support apprenticeship and transitional job programs, especially where market demand is high.	X		
8: Promote and support social enterprise initiatives	X		
9: Promote and support entrepreneurial ventures	X		
10: Create legislation to make it state policy to encourage employment/licensure of individuals with criminal records	X		
11: Cultivate relationships with industry sectors that hire those with criminal records	X		
12: Reach out to business organizations (e.g., Illinois Retail Merchants Association) to determine reasons why some businesses don't hire individuals with criminal records	X		
13: Expand eligibility for state tax credit by lifting certain restrictions	X		
14: Increase the amount of tax credit to create greater incentive			X
15: Increase ease of applying for state tax credit in conjunction with federal tax credit, by streamlining process and reducing paper work	X		
16: Better market state tax credit to employers targeting CEOs and CFOs rather than H.R. depts.	X		
17: Educate prisoners and ex-offenders about state tax credit as way to market themselves to potential employers	X		
18: Upon discharge, provide inmates with document explaining tax credit and bonding programs, verify their eligibility for such programs	X		
19: Develop/disseminate one-page document describing government incentives available to employers	X		
20: Connect with employers with community organizations that can provide support teaching soft skills, providing drug testing and treatment, etc.	X		
21: Include incentives in the procurement process for employers that hire individuals with records		X	
B Subcommittee on Barriers to Public Employment			
1: Request state agencies, Boards and Commissions with state employee positions to compile list of rules/procedures that affect employment of persons with criminal convictions by agency	X		
2: Review Illinois statute prohibiting employment restrictions and determine whether restrictions are related to employment and further public safety	X		
3: Create brochure to inform convicted person upon release of options regarding executive clemency, criminal record expungement, criminal record sealing, certificate of relief from disabilities, certificate of good conduct	X		
4: Governor should consider establishing position of executive clemency attorney responsible for overseeing gubernatorial clemencies			X
5: Governor should consider obtaining sufficient staff/resources for Prisoner Review Board to process clemency petitions	X		
C Subcommittee on Post-Discharge Community Support Systems			
1: Conduct study evaluating effectiveness of current standards regarding agencies and public contracts/tracking number of clients served by contracted agencies. Set standards for evidence-based practices	X		
2: Establish annual report on post-discharge individuals returning to high-impact communities to develop needs-based service for this population	X		
3: Identify barriers that prevent employers from hiring those with records, and protect employers from negligent liability claims	X		
4: Focus on "pipeline" job training for post-discharge individuals by working with employers to discuss training/transitional programs	X		

NAME Patricia Lindner

Recommendation	Concur	Do Not Concur	Need more Information
5: Sentence short-term individuals with non-violent crimes to "services" instead of prison			X
6: Expand access/availability to legal assistance to help with sealing and expungement of records	X		
7: Ensure state IDs are transferred with individual and stored until discharge	X		
8: Identify/consider modifying state statute that prevents an individual's real name from being used after sentencing	X		
9: Consider mobile ID unit at prisons to issue ID upon exit	X		
10: Waive Secretary of State ID fee for inmates discharged	X		
11: Offer one free birth certificate to post-discharge individuals	X		
12: Recognize funding as a key role in effecting long-term change to public safety	X		
13: Pass SB2302 and/or HB4714 to suspend not terminate Medicaid/SSI/SSDI for incarcerated persons. Ensure that state law is consistent with federal guidelines	X		
14: Require agency coordination to improve portability of health and benefit records	X		
15: IDOC should work with Social Security Administration to help inmates apply for SSI/SSDI	X		
16: Create/expand database for treatment and support services	X		
17: Review fee structure and consider fee waiving for mandated treatment	X		
18: Enact legislation granting Prisoner Review Board flexibility to update parole policies with alternative/graduated sanctions for parole revocations to avoid reincarceration when possible	X		
19: Recognize funding as a key role in effecting change in light of recent funding cuts for substance abuse treatment	X		
20: Continue dialogue with Public Housing Authority to align local policies with federal guidelines and expand access to public housing for people with criminal records	X		
21: Create additional adult transition centers, provide education on managing housing options	X		
22: Include people with qualified (non-violent) criminal records in state-wide supportive housing plan	X		
23: Pass IIB1831 sealing records for qualified individuals	X		
24: Direct part of \$53 million in federal funding to IHDA for post-discharge housing	X		
D Subcommittee on Preparing Incarcerated Persons for Employment			
1: Determine if Secretary of State is constrained by law prohibiting the issuance of ID to incarcerated individuals. Work with S.O.S. to amend law	X		
2: Establish process with IDOC and S.O.S. for prisoners to obtain ID immediately upon release if in possession of a birth certificate or social security card	X		
3: Explore initiatives by other states to provide IDs in prison	X		
4: Support legislation requiring sheriff to transfer IDs with inmate between IDOC facilities	X		
5: Encourage enforcement of existing law requiring counties to deliver medical records and other documents to IDOC upon transfers from county jail	X		
6: Enforce statutory requirement that local jurisdictions submit court documents and PSI reports	X		
7: Amend 730 ILCS 5/5-4-1 to require fact sheet prepared by State's Attorney be prepared within a certain period of time	X		
8: Pass legislation mandating counties to use standard paper process for committing offenders that includes statement of facts, social investigations, medical info, and police reports	X		
9: Divert short-term prisoners to community programs, and look at other state model programs	X		X
10: Consider jail-based reentry programs for offenders serving sentences of 90 days or less	X		
11: IDOC must fill all vacant positions in the education department, including back-fill positions	X		
12: IDOC should submit report to G.A. detailing waitlist for courses, and steps to reduce waitlists	X		
13: IDOC should review education initiatives in other states	X		
14: Promote distance learning in prisons	X		
15: Expand higher educational programming in prisons	X		
16: Make existing educational programs more available to inmates	X		
17: Enact legislation to suspend/allow inmates to apply for public benefits while incarcerated	X		
18: Permit inmates to apply for public benefits while incarcerated, benefits to begin upon release	X		
19: Create partnerships between IDOC, Social Security Administration and other public agencies to screen for program eligibility	X		
20: Contract with independent institution to perform longitudinal study of outcomes and success rates of vocational/rehabilitation programs	X		
21: Better track outcomes for people with criminal records leaving prison	X		

NAME PATRICIA BERO LINOWER

Please use space below to note reasons for not concurring with recommendation, or additional information requested.

A. 14. Don't know the amount of tax credit at present and what the expense would be - can we afford it?

A. 21 How would this fit in with the procurement process that the job should go to the lowest qualified bidder?

B. 4 Just need more info on the duties.

C. 5 I agree especially for drug misdemeanors but need definition of crimes & services.

D. 9 need to know what community programs are available now & cost of new programs

IRIS MARTINEZ

VOTING FORM - Please fax to 773-783-8773 on or before December 1, 2008

NAME

Recommendation	Concur	Do Not Concur (Note reasons on p.2)	Need more Information (Note requested info. on p.2)
A Subcommittee on Barriers to Private Employment			
1: Consider advancing "ban the box" legislation or consider other administrative remedies			X
2: Expand Certificates of Relief from Disability and Certificates of Good Conduct by expanding eligibility pools and expanding protections for employers	X		
3: Amend Illinois Human Rights Act (IHRA) to explicitly prohibit an employer from discriminating on basis of criminal charges that did not result in conviction	X		
4: Amend IHRA to prohibit blanket bans on employing people with criminal records by barring discrimination on basis of conviction record not reasonably related to position sought			
5: Provide employers more funding for training ex-offenders	X		
6: Investigate accessing federal funds for training people with criminal records through DCEO	X		
7: Promote and support apprenticeship and transitional job programs, especially where market demand is high.	X		
8: Promote and support social enterprise initiatives	X		
9: Promote and support entrepreneurial ventures	X		
10: Create legislation to make it state policy to encourage employment/licensure of individuals with criminal records	X		
11: Cultivate relationships with industry sectors that hire those with criminal records	X		
12: Reach out to business organizations (e.g., Illinois Retail Merchants Association) to determine reasons why some businesses don't hire individuals with criminal records	X		
13: Expand eligibility for state tax credit by lifting certain restrictions			X
14: Increase the amount of tax credit to create greater incentive	X		
15: Increase ease of applying for state tax credit in conjunction with federal tax credit, by streamlining process and reducing paper work	X		
16: Better market state tax credit to employers targeting CEOs and CFOs rather than H.R. depts.	X		
17: Educate prisoners and ex-offenders about state tax credit as way to market themselves to potential employers	X		
18: Upon discharge, provide inmates with document explaining tax credit and bonding programs, verify their eligibility for such programs	X		
19: Develop/disseminate one-page document describing government incentives available to employers	X		
20: Connect with employers with community organizations that can provide support teaching soft skills, providing drug testing and treatment, etc.	X		
21: Include incentives in the procurement process for employers that hire individuals with records	X		
B Subcommittee on Barriers to Public Employment			
1: Request state agencies, Boards and Commissions with state employee positions to compile list of rules/procedures that affect employment of persons with criminal convictions by agency	X		
2: Review Illinois statute prohibiting employment restrictions and determine whether restrictions are related to employment and further public safety	X		
3: Create brochure to inform convicted person upon release of options regarding executive clemency, criminal record expungement, criminal record sealing, certificate of relief from disabilities, certificate of good conduct	X		
4: Governor should consider establishing position of executive clemency attorney responsible for overseeing Gubernatorial clemencies			X
5: Governor should consider obtaining sufficient staff/resources for Prisoner Review Board to process clemency petitions	X		
C Subcommittee on Post-Discharge Community Support Systems			
1: Conduct study evaluating effectiveness of current standards regarding agencies and public contracts/tracking number of clients served by contracted agencies. Set standards for evidence-based practices	X		
2: Establish annual report on post-discharge individuals returning to high-impact communities to develop needs-based service for this population	X		
3: Identify barriers that prevent employers from hiring those with records, and protect employers from negligent liability claims	X		
4: Focus on "pipeline" job training for post-discharge individuals by working with employers to discuss training/transitional programs	X		

IRLS MARTINEZ

NAME

Recommendation	Concur	Do Not Concur	Need more Information
5: Sentence short-term individuals with non-violent crimes to "services" instead of prison	X		
6: Expand access/availability to legal assistance to help with sealing and expungement of records	X		
7: Ensure state IDs are transferred with individual and stored until discharge	X		
8: Identify/consider modifying state statute that prevents an individual's real name from being used after sentencing	X		
9: Consider mobile ID unit at prisons to issue ID upon exit	X		
10: Waive Secretary of State ID fee for inmates discharged		X	
11: Offer one free birth certificate to post-discharge individuals	X		
12: Recognize funding as a key role in effecting long-term change to public safety	X		
13: Pass SB2302 and/or HB4714 to suspend not terminate Medicaid/SSI/SSDI for incarcerated persons. Ensure that state law is consistent with federal guidelines	X		
14: Require agency coordination to improve portability of health and benefit records	X		
15: IDOC should work with Social Security Administration to help inmates apply for SSI/SSDI	X		
16: Create/expand database for treatment and support services			
17: Review fee structure and consider fee waiving for mandated treatment			
18: Enact legislation granting Prisoner Review Board flexibility to update parole policies with alternative/graduated sanctions for parole revocations to avoid reincarceration when possible			
19: Recognize funding as a key role in effecting change in light of recent funding cuts for substance abuse treatment	X		
20: Continue dialogue with Public Housing Authority to align local policies with federal guidelines and expand access to public housing for people with criminal records	X		
21: Create additional adult transition centers, provide education on managing housing options	X		
22: Include people with qualified (non-violent) criminal records in state-wide supportive housing plan	X		
23: Pass HB1851 sealing records for qualified individuals	X		
24: Direct part of \$53 million in federal funding to IHDA for post-discharge housing	X		
D Subcommittee on Preparing Incarcerated Persons for Employment			
1: Determine if Secretary of State is constrained by law prohibiting the issuance of ID to incarcerated individuals. Work with S.O.S. to amend law	X		
2: Establish process with IDOC and S.O.S. for prisoners to obtain ID immediately upon release if in possession of a birth certificate or social security card	X		
3: Explore initiatives by other states to provide IDs in prison	X		
4: Support legislation requiring sheriff to transfer IDs with inmate between IDOC facilities	X		
5: Encourage enforcement of existing law requiring counties to deliver medical records and other documents to IDOC upon transfers from county jail	X		
6: Enforce statutory requirement that local jurisdictions submit court documents and PSI reports	X		
7: Amend 730 ILCS 5/5-4-1 to require fact sheet prepared by State's Attorney be prepared within a certain period of time			X
8: Pass legislation mandating counties to use standard paper process for committing offenders that includes statement of facts, social investigations, medical info, and police reports	X		
9: Divert short-term prisoners to community programs, and look at other state model programs	X		
10: Consider jail-based reentry programs for offenders serving sentences of 90 days or less	X		
11: IDOC must fill all vacant positions in the education department, including back-fill positions	X		
12: IDOC should submit report to G.A. detailing waitlist for courses, and steps to reduce waitlists			X
13: IDOC should review education initiatives in other states	X		
14: Promote distance learning in prisons			X
15: Expand higher educational programming in prisons	X		
16: Make existing educational programs more available to inmates	X		
17: Enact legislation to suspend/allow inmates to apply for public benefits while incarcerated			
18: Permit inmates to apply for public benefits while incarcerated, benefits to begin upon release			
19: Create partnerships between IDOC, Social Security Administration and other public agencies to screen for program eligibility	X		
20: Contract with independent institution to perform longitudinal study of outcomes and success rates of vocational/rehabilitation programs	X		
21: Better track outcomes for people with criminal records leaving prison	X		

NAME IRIS MARTINEZ

Please use space below to note reasons for not concurring with recommendation, or additional information requested.

10 - State needs to continue to generate dollar. Waivers are not possible during these hard times

VOTING FORM - Please fax to 773-783-8773 on or before December 1, 2008

NAME **REP. EDDIE WASHINGTON**

Recommendation	Concur	Do Not Concur (Please explain on p.2)	Need more Information (Please request info on p.2)
A Subcommittee on Barriers to Private Employment			
1: Consider advancing "ban the box" legislation or consider other administrative remedies			✓
2: Expand Certificates of Relief from Disability and Certificates of Good Conduct by expanding eligibility pools and expanding protections for employers	✓		
3: Amend Illinois Human Rights Act (IHRA) to explicitly prohibit an employer from discriminating on basis of criminal charges that did not result in conviction	✓		
4: Amend IHRA to prohibit blanket bans on employing people with criminal records by barring discrimination on basis of conviction record not reasonably related to position sought	✓		✓
5: Provide employers more funding for training ex-offenders	✓		
6: Investigate accessing federal funds for training people with criminal records through DCEO	✓		
7: Promote and support apprenticeship and transitional job programs, especially where market demand is high.	✓		
8: Promote and support social enterprise initiatives	✓		
9: Promote and support entrepreneurial ventures	✓		
10: Create legislation to make it state policy to encourage employment/licensure of individuals with criminal records			✓
11: Cultivate relationships with industry sectors that hire those with criminal records	✓		
12: Reach out to business organizations (e.g., Illinois Retail Merchants Association) to determine reasons why some businesses don't hire individuals with criminal records	✓		
13: Expand eligibility for state tax credit by lifting certain restrictions			✓
14: Increase the amount of tax credit to create greater incentive	✓		
15: Increase ease of applying for state tax credit in conjunction with federal tax credit, by streamlining process and reducing paper work	✓		
16: Better market state tax credit to employers targeting CEOs and CFOs rather than HR depts.			✓
17: Educate prisoners and ex-offenders about state tax credit as way to market themselves to potential employers	✓		
18: Upon discharge, provide inmates with document explaining tax credit and bonding programs, verify their eligibility for such programs	✓		
19: Develop/disseminate one-page document describing government incentives available to employers	✓		
20: Connect with employers with community organizations that can provide support teaching soft skills, providing drug testing and treatment, etc.	✓		
21: Include incentives in the procurement process for employers that hire individuals with records			✓
B Subcommittee on Barriers to Public Employment			
1: Request state agencies, Boards and Commissions with state employee positions to compile list of rules/procedures that affect employment of persons with criminal convictions by agency	✓		
2: Review Illinois statute prohibiting employment restrictions and determine whether restrictions are related to employment and further public safety	✓		
3: Create brochure to inform convicted person upon release of options regarding executive clemency, criminal record expungement, criminal record sealing, certificate of relief from disabilities, certificate of good conduct	✓		
4: Governor should consider establishing position of executive clemency attorney responsible for overseeing gubernatorial clemencies			✓
5: Governor should consider obtaining sufficient staff/resources for Prisoner Review Board to process clemency petitions	✓		
C Subcommittee on Post-Discharge Community Support Systems			
1: Conduct study evaluating effectiveness of current standards regarding agencies and public contracts/tracking number of clients served by contracted agencies. Set standards for evidence-based practices	✓		
2: Establish annual report on post-discharge individuals returning to high-impact communities to develop needs-based service for this population	✓		
3: Identify barriers that prevent employers from hiring those with records, and protect employers from negligent liability claims	✓		
4: Focus on "pipeline" job training for post-discharge individuals by working with employers to discuss training/transitional programs	✓		

NAME *Rep. Eddie Washington*

Recommendation	Concur	Do Not Concur	Need more Information
5: Sentence short-term individuals with non-violent crimes to "services" instead of prison	✓		✓
6: Expand access/availability to legal assistance to help with sealing and expungement of records	✓		
7: Ensure state IDs are transferred with individual and stored until discharge	✓		
8: Identify/consider modifying state statute that prevents an individual's real name from being used after sentencing	✓		✓
9: Consider mobile ID unit at prisons to issue ID upon exit	✓		✓
10: Waive Secretary of State ID fee for inmates discharged	✓		
11: Offer one free birth certificate to post-discharge individuals	✓		
12: Recognize funding as a key role in effecting long-term change to public safety	✓		
13: Pass SB2302 and/or HB4714 to suspend not terminate Medicaid/SSI/SSDI for incarcerated persons. Ensure that state law is consistent with federal guidelines	✓		
14: Require agency coordination to improve portability of health and benefit records	✓		
15: IDOC should work with Social Security Administration to help inmates apply for SSI/SSDI		✓	✓
16: Create/expand database for treatment and support services			
17: Review fee structure and consider fee waiving for mandated treatment			
18: Enact legislation granting Prisoner Review Board flexibility to update parole policies with alternative/graduated sanctions for parole revocations to avoid reincarceration when possible			✓
19: Recognize funding as a key role in effecting change in light of recent funding cuts for substance abuse treatment	✓		
20: Continue dialogue with Public Housing Authority to align local policies with federal guidelines and expand access to public housing for people with criminal records	✓		
21: Create additional adult transition centers, provide education on managing housing options	✓		✓
22: Include people with qualified (non-violent) criminal records in state-wide supportive housing plan	✓		
23: Pass HB1831 sealing records for qualified individuals	✓		
24: Direct part of \$53 million in federal funding to IHDA for post-discharge housing	✓		
D Subcommittee on Preparing Incarcerated Persons for Employment			
1: Determine if Secretary of State is constrained by law prohibiting the issuance of ID to incarcerated individuals. Work with S.O.S. to amend law	✓		
2: Establish process with IDOC and S.O.S. for prisoners to obtain ID immediately upon release if in possession of a birth certificate or social security card	✓		
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7: Amend 730 ILCS 5/5-4-1 to require fact sheet prepared by State's Attorney be prepared within a certain period of time	✓		
8: Pass legislation mandating counties to use standard paper process for committing offenders that includes statement of facts, social investigations, medical info, and police reports	✓		
9: Divert short-term prisoners to community programs, and look at other state model programs	✓		
10: Consider jail-based reentry programs for offenders serving sentences of 90 days or less	✓		
11: IDOC must fill all vacant positions in the education department, including back-fill positions	✓		
12: IDOC should submit report to G.A. detailing waitlist for courses, and steps to reduce waitlists	✓		
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18: Permit inmates to apply for public benefits while incarcerated, benefits to begin upon release	✓		
19: Create partnerships between IDOC, Social Security Administration and other public agencies to screen for program eligibility	✓		
20: Contract with independent institution to perform longitudinal study of outcomes and success rates of vocational/rehabilitation programs	✓		
21: Better track outcomes for people with criminal records leaving prison	✓		

NAME Rep. Washington

Please use space below to note reasons for not concurring with recommendation, or additional information requested.

The AREAS ✓ for more info
is something needed
The question of IDOC working
w/ S.S.I./SSDI might could
BE DONE through Safer
Foundation and the Coalition
to prevent Reclusionism of
Lake City under the leader
- ship of Ms. Patricia Jones,
Wkgr. T Ship Supv.

VOTING FORM – Please fax to 773-783-8773 on or before December 1, 2008

NAME

Senator Kimberly Lightfoot

Recommendation	Concur	Do Not Concur <small>(Note reasons on p.3)</small>	Need more Information <small>(Note requested info. on p.3)</small>
A Subcommittee on Barriers to Private Employment			
1: Consider advancing "ban the box" legislation or consider other administrative remedies	X		
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3: Amend Illinois Human Rights Act (IHRA) to explicitly prohibit an employer from discriminating on basis of criminal charges that did not result in conviction	X		
4: Amend IHRA to prohibit blanket bans on employing people with criminal records by barring discrimination on basis of conviction record not reasonably related to position sought	X		
5: Provide employers more funding for training ex-offenders	X		
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12: Reach out to business organizations (e.g., Illinois Retail Merchants Association) to determine reasons why some businesses don't hire individuals with criminal records	X		
13: Expand eligibility for state tax credit by lifting certain restrictions	X		
14: Increase the amount of tax credit to create greater incentive	X		
15: Increase ease of applying for state tax credit in conjunction with federal tax credit, by streamlining process and reducing paper work	X		
16: Better market state tax credit to employers targeting CEOs and CFOs rather than H.R. depts.	X		
17: Educate prisoners and ex-offenders about state tax credit as way to market themselves to potential employers	X		
18: Upon discharge, provide inmates with document explaining tax credit and bonding programs, verify their eligibility for such programs	X		
19: Develop/disseminate one-page document describing government incentives available to employers	X		
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21: Include incentives in the procurement process for employers that hire individuals with records	X		
B Subcommittee on Barriers to Public Employment			
1: Request state agencies, Boards and Commissions with state employee positions to compile list of rules/procedures that affect employment of persons with criminal convictions by agency	X		
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3: Create brochure to inform convicted person upon release of options regarding executive clemency, criminal record expungement, criminal record sealing, certificate of relief from disabilities, certificate of good conduct	X		
4: Governor should consider establishing position of executive clemency attorney responsible for overseeing Gubernatorial clemencies	X		
5: Governor should consider obtaining sufficient staff/resources for Prisoner Review Board to process clemency petitions	X		
C Subcommittee on Post-Discharge Community Support Systems			
1: Conduct study evaluating effectiveness of current standards regarding agencies and public contracts/tracking number of clients served by contracted agencies. Set standards for evidence-based practices	X		
2: Establish annual report on post-discharge individuals returning to high-impact communities to develop needs-based service for this population	X		
3: Identify barriers that prevent employers from hiring those with records, and protect employers from negligent liability claims	X		
4: Focus on "pipeline" job training for post-discharge individuals by working with employers to discuss training/transitional programs	X		

NAME

Senator Kimberly Lightford

Recommendation	Concur	Do Not Concur	Need more Information
5: Sentence short-term individuals with non-violent crimes to "services" instead of prison	X		
6: Expand access/availability to legal assistance to help with sealing and expungement of records	X		
7: Ensure state IDs are transferred with individual and stored until discharge	X		
8: Identify/consider modifying state statute that prevents an individual's real name from being used after sentencing	X		
9: Consider mobile ID unit at prisons to issue ID upon exit	X		
10: Waive Secretary of State ID fee for inmates discharged	X		
11: Offer one free birth certificate to post-discharge individuals	X		
12: Recognize funding as a key role in effecting long-term change to public safety	X		
13: Pass SB2302 and/or HB4714 to suspend not terminate Medicaid/SSI/SSDI for incarcerated persons. Ensure that state law is consistent with federal guidelines	X		
14: Require agency coordination to improve portability of health and benefit records	X		
15: IDOC should work with Social Security Administration to help inmates apply for SSI/SSDI	X		
16: Create/expand database for treatment and support services	X		
17: Review fee structure and consider fee waiving for mandated treatment	X		
18: Enact legislation granting Prisoner Review Board flexibility to update parole policies with alternative/graduated sanctions for parole revocations to avoid reincarceration when possible	X		
19: Recognize funding as a key role in effecting change in light of recent funding cuts for substance abuse treatment	X		
20: Continue dialogue with Public Housing Authority to align local policies with federal guidelines and expand access to public housing for people with criminal records	X		
21: Create additional adult transition centers, provide education on managing housing options	X		
22: Include people with qualified (non-violent) criminal records in state-wide supportive housing plan	X		
23: Pass HB1831 sealing records for qualified individuals	X		
24: Direct part of \$53 million in federal funding to IHDA for post-discharge housing	X		
D Subcommittee on Preparing Incarcerated Persons for Employment			
1: Determine if Secretary of State is constrained by law prohibiting the issuance of ID to incarcerated individuals. Work with S.O.S. to amend law	X		
2: Establish process with IDOC and S.O.S. for prisoners to obtain ID immediately upon release if in possession of a birth certificate or social security card	X		
3: Explore initiatives by other states to provide IDs in prison	X		
4: Support legislation requiring sheriff to transfer IDs with inmate between IDOC facilities	X		
5: Encourage enforcement of existing law requiring counties to deliver medical records and other documents to IDOC upon transfers from county jail	X		
6: Enforce statutory requirement that local jurisdictions submit court documents and PSI reports	X		
7: Amend 730 ILCS 5/5-4-1 to require fact sheet prepared by State's Attorney be prepared within a certain period of time	X		
8: Pass legislation mandating counties to use standard paper process for committing offenders that includes statement of facts, social investigations, medical info, and police reports	X		
9: Divert short-term prisoners to community programs, and look at other state model programs	X		
10: Consider jail-based reentry programs for offenders serving sentences of 90 days or less	X		
11: IDOC must fill all vacant positions in the education department, including back-fill positions	X		
12: IDOC should submit report to G.A. detailing waitlist for courses, and steps to reduce waitlists	X		
13: IDOC should review education initiatives in other states	X		
14: Promote distance learning in prisons	X		
15: Expand higher educational programming in prisons	X		
16: Make existing educational programs more available to inmates	X		
17: Enact legislation to suspend/allow inmates to apply for public benefits while incarcerated	X		
18: Permit inmates to apply for public benefits while incarcerated, benefits to begin upon release	X		
19: Create partnerships between IDOC, Social Security Administration and other public agencies to screen for program eligibility	X		
20: Contract with independent institution to perform longitudinal study of outcomes and success rates of vocational/rehabilitation programs	X		
21: Better track outcomes for people with criminal records leaving prison	X		

STATE AGENCY COMMENTS ON TASK FORCE RECOMMENDATIONS



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

December 8, 2008

The Honorable Constance A. Howard
State Representative
8729 South State Street
Chicago, Illinois 60619

Dear Representative Howard:

Thank you for sending us a copy of the subcommittee reports of the Legislative Task Force on Employment Barriers of Persons with Past Criminal Convictions for our review. Attached please find the comments from the Secretary of State's Office regarding the recommendations.

If you should have additional questions, please do not hesitate to contact us.

Sincerely,

A handwritten signature in cursive script that reads "Ellen Schmidt".

Ellen Schmidt
House Liaison
Office of Legislative Affairs

Springfield, Illinois 62756



OFFICE OF THE SECRETARY OF STATE

JESSE WHITE • Secretary of State

TASK FORCE ON EMPLOYMENT OF PERSONS WITH PAST CRIMINAL CONVICTIONS

COMMENTS BY THE OFFICE OF JESSE WHITE, SECRETARY OF STATE

Secretary of State Jesse White has been asked to respond to recommendations contained in the draft report of the Task Force on Employment of Persons with Past Criminal Convictions. State Representative Constance A. Howard serves as Chairperson of the Task Force and made the request of Secretary White, which was received December 1, 2008. Secretary White's comments regarding the recommendations pertaining to the Illinois Secretary of State's Office are as follows:

From the Subcommittee on Post Discharge Community Support Systems

Issue: Post-discharge individuals need a state I.D. issued to them upon re-entry. Lack of a state I.D. hinders the ability to fully complete forms for services and employment applications. More than three-quarters of those exiting prison do not have a valid I.D.

Task Force Recommendation:

Consider a mobile I.D. unit that visits prisons routinely, like the Colorado DOC/DMV Partner Pilot Program. Program would issue I.D. upon exit, or sooner. (The group recognized that some solutions to post-discharge issues require action in a pre-discharge time frame.)

Response from the Office of the Secretary of State:

Due to budget constraints, at the present time, the Office of the Secretary of State cannot consider dedicating a mobile unit for this purpose. The Illinois Department of Corrections has approximately 35 correction and adult transition centers throughout the state. Our office does not have the personnel or the travel money for this substantial increase in use. With the correct identification documents, individuals released from the Department of Corrections, may visit any of the approximately 137 Secretary of State facilities located throughout the state to be issued an identification card.

Task Force Recommendation:

Waive the I.D. fee from the Secretary of State's Office.

Response from the Office of the Secretary of State:

The Secretary of State's Office has no statutory authority to waive the \$20 fee required for the issuance of a state identification card. Further, the Secretary of State's office cannot support legislation that would waive the fee for identification cards. The money received by our office for the issuance of an identification card provides financial support for several revenue funds including the Road Fund and the Driver Education Fund, both of which have experienced significant shortfalls in recent years. As of October 31, 2008, there have been 29,869 inmates released from the Department of Corrections. If each inmate would be eligible to receive a free Identification Card upon release, the fiscal loss to the Road Fund and Driver Education Fund would be approximately \$597,380. Additionally, there are, on average, 43,662 inmates currently incarcerated in prisons or adult transition centers. If each of them were eligible for a free identification card, an additional \$873,240 would be lost to the Road and Driver Education Funds.

From the Subcommittee on Preparing Incarcerated Persons for Employment

Issue: Secretary of State should establish a procedure by which an inmate, upon release (or shortly thereafter), is able to acquire a state ID by presenting his/her birth certificate and Social Security Card.

Task Force Recommendation: Determine whether the Secretary of State is constrained by a state law which does not permit his office to issue an identification card to a prisoner incarcerated in a state facility.

-If such a law exists, assist the Secretary of State's office with amending any laws that serve as a barrier to issuance of state ID.

Response from the Office of the Secretary of State:

In order for any person to obtain a State Identification Card, it is statutorily required that certain identity information must be provided. Among these are legal name, date of birth, social security card/number and residential address. These requirements can be found at 15 ILCS 335/5.

The Secretary of State's office would be opposed to any changes in the current identification requirements to obtain an identification card or a driver's license. The purpose of an Illinois Identification Card is just that—to accurately identify the holder. Driver's Licenses have also become a primary identification document and applicants must provide the same identity information as applicants for an identification card. Governmental entities, as well as most private businesses, such as banks and retail establishments, rely on the accuracy of the identification cards and driver's licenses issued by the Secretary of State. Creating a lesser standard to prove identification for issuance of either document threatens the accuracy of the information contained in the document.

Task Force Recommendation:

The required \$20 fee for identification will probably be an issue because of funding concerns for the Secretary of State.

Response from the Office of the Secretary of State:

Please see response to second recommendation of the Subcommittee on Post Discharge Community Support Systems.

Task Force Recommendation:

Establish a streamlined process with IDOC and the Secretary of State's office so that a state ID can be obtained immediately after release, if the reentering individual possesses a social security card and birth certificate.

Response from the Office of the Secretary of State:

The Secretary of State's Office, through our Department of Intergovernmental Affairs, is currently working with the Department of Corrections to reinstate, department-wide, a program that assists inmates to obtain the documents they will need to apply for an identification card or driver's license upon release. For more information on this program, please contact Ellen Meyers, Deputy Director of the Department of Intergovernmental Affairs, at 312-793-4961. The Secretary of State's office remains committed to this program and is more than happy to involve members of the Task Force if members so desire.



Illinois
Department of
Corrections

Rod R. Blagojevich
Governor

Roger E. Walker Jr.
Director

1301 Concordia Court / P.O. Box 19277 / Springfield IL 62794-9277 / Telephone: (217) 558-2200 / TDD: (800) 526-0844

December 11, 2008

The Honorable Constance A. Howard
State Representative -- 34th District
8729 South State Street
Chicago, IL 60619

Dear Representative Howard:

I am responding to your November 25 letter soliciting comment from the Illinois Department of Corrections on recommendations made by the subcommittees of the Legislative Task Force on Employment Barriers of Persons with Past Criminal Convictions.

I will direct my attention to recommendations affecting the Illinois Department of Corrections specifically, but wish to begin with an overall observation on the subject of overcoming barriers to employment.

The Illinois Department of Corrections has partnered with National Institute of Corrections (NIC), the Safer Foundation, the Illinois Department of Employment Security, the Chicago Jobs Council, Federal Probation, and BI Incorporated to bring a new program to Illinois. We have sent a team of professionals from these organizations and entities to a comprehensive training program funded by the NIC to build a group of Offender Work Force Development Specialists. Their goal will be, in accordance with an action plan currently in effect, to provide training to other stakeholders aimed at facilitating offenders' reentry into the work force. A primary focus of this initiative is to identify and assist offenders in overcoming the barriers to their employment. Much of the training was oriented to precisely this problem. I inform you of this to highlight the fact that we at the Illinois Department of Corrections are highly sensitive to the fact of barriers faced by offenders wishing to return to the workforce upon their release and we are motivated to find ways to help them overcome those barriers.

As to the Subcommittee recommendations specifically addressed to the IDOC: I will list the relevant recommendations and pair each with a comment.

IDOC should work with the Social Security Administration, so that inmates can apply for SSI or SSDI.

- The Department has entered into a memorandum of understanding with the Social Security Administration to help ensure that the two agencies work cooperatively to ensure that offenders can obtain replacement social security cards. The cards, as you know, are fundamental to the process of obtaining SSI or SSDI, as well as to obtaining employment. We currently have Social Security Liaisons at each facility to help offenders make contact with SSA as needed, and will be offering training on the new MOU in January.

Create additional Adult Transition Centers which would, among the services offered, teach post-discharge individuals how to manage housing options.

- The IDOC stands eager to open (or, as the case may be, re-open) ATC's. We have several shuttered facilities (in Urbana, Rockford and Chicago) and have considered locations to serve with additional such facilities. Funding has been and remains the obstacle.

Establish a streamlined process with IDOC and the Secretary of State's Office so that a state ID can be obtained immediately after release, if the reentering individual possesses a social security card and birth certificate.

- It can come as no surprise that obtaining the Social Security card and birth certificate in the first place is the first barrier to be overcome, and we are working to remedy that barrier, as is demonstrated in part by our new MOU with the SSA. We are certainly willing to cooperate with the Secretary of State's office on this matter, as it is one of vital importance.

IDOC should explore initiatives taken by other states that provide ID within the prison.

- The Illinois Department of Corrections has been in contact with other states. The barrier preventing assistance for our offenders has been the implementation of the Real I.D. Act by the federal government. The legislation has made it very difficult for offenders in any DOC custody to obtain identification. With the upcoming Memorandum of Understanding with the Social Security Administration and our agency, we will be able to assist offenders prior to release. IDOC is also governed by the Temporary Identification program that was implemented in 2005. The program has been put on hold due to the federal requirements of the Real I.D. Act.

IDOC must fill all vacant positions, especially those involving education. They must also back-fill positions. This means when a DOC transfers to an open position the vacant position must be filled. It is the subcommittee's understanding that this is not occurring.

- The subcommittee's understanding is accurate. Some positions have been filled but the resulting new vacancies have generally not been. We are currently under a hiring freeze because of impending lay-offs at Pontiac. It is our fervent desire to fill

positions, including those in the area of education, but funding has to date been inadequate to accomplish this.

IDOC should submit to the General Assembly an annual report that includes: the number of inmates on waiting lists for adult basic education classes and GED classes; the median duration of the wait for education; what steps the Department is taking to significantly reduce the waiting list delays; and costs related to the initiatives to reduce waiting lists.

- The need for such reporting would be essentially obviated if the vacant education positions (see above) were filled. The costs to dramatically reduce and in some facilities virtually eliminate waiting lists are for the additional personnel and some commodities. We have the physical plant and equipment in place.

IDOC officials should review education initiatives adopted by other states, and make a determination whether they should be implemented in Illinois.

- This kind of information is routinely sought by correctional education professionals in their e-mail correspondence among themselves. We are open to implementing new initiatives as funding and other resources allow.

Promote Distance Learning.

- The Department has recognized the need for a coherent, standardized, state-wide policy governing offender access to correspondence courses within our facilities. A policy has been drafted and is currently being reviewed by officials at Southern Illinois University and Roosevelt University for their input. It is our desire to eliminate roadblocks which we may inadvertently be putting in the way and to actively facilitate offender access to distance learning.

Expand higher educational programming in prisons.

- The Department is favorably disposed to re-opening vocational programs closed due to the loss of instructional staff at any time that funding for such staff is made available. We are also interested in opening new programs that dovetail with the needs of the modern workforce. This, however, is contingent upon funding for personnel and up-to-date equipment and instructional materials.

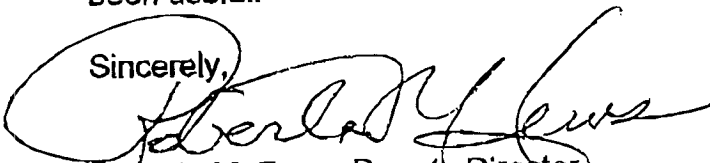
Make existing educational programs more available to inmates.

- The Department is supportive of this recommendation as a guiding philosophy, as education of prisoners has been demonstrated to be crucial to their successful reintegration into society. Making educational programs more available to inmates requires, as discussed in comments associated with previously addressed recommendations, addition of staff, the re-opening of programs not currently up and running, and research and purchasing organized around ensuring that additional programs which can be made available are relevant and suited to the demands of

the world of work in the 21st century. These initiatives require funding that has not been directed to this Agency to date.

Thank you for the opportunity to respond to these recommendations. I hope my input has been useful.

Sincerely,

A handwritten signature in cursive script, appearing to read "Roberta M. Fewes". The signature is written in black ink and is positioned above the printed name.

Roberta M. Fewes, Deputy Director
Program and Support Services



December 8, 2008

The Honorable Constance A. Howard
 State Representative, 34th district
 401 S. Spring, Room 270 South
 Springfield, IL 62706

Re: Request to Review and Comment to Recommendations of the Task
 Force on Employment of Persons with Past Criminal Convictions

Dear Representative Howard:

This is in response to your letter dated November 25, 2008.

Please find enclosed our response to the recommendations made in the subcommittee reports of the Task Force on Employment of Persons with Past Criminal Convictions.

If you have any questions, please feel free to contact me at 217/557-5950 or James.Preckwinkle@illinois.gov.

Sincerely,

James Preckwinkle,
 Legislative Liaison

Rod R. Blagojevich, Governor
 Maureen T. O'Donnell, Director

33 SOUTH STATE STREET
 CHICAGO, ILLINOIS 60603-2802
www.ides.state.il.us

IDES				
Employment	Issue	Recommendation	IDES Position	Notes
Private Employment	A1	Ban the Box	Support	Eliminating the felony question box would allow ex-offenders better opportunity to obtain interviews thus better opportunities to market the benefits to employers in hiring them.
Private Employment	A2	Expand Certificate	Support	The certificates assist in securing employment. Will assist in securing employment. However, employers may oppose this because it may prohibit them from disqualifying ex-offender applicants because of the type/severity of offense, length of time since offense occurred, lack of demonstration of rehabilitation and because they're a reasonable risk to the employer.
Private Employment	A3a	Anti-discrimination laws based on dismissed criminal charges	Concerned	This legislation would increase an ex-offenders chances of obtaining an interview and thereby better opportunities to market the benefits to employers in hiring them.
Private Employment	A3b	Anti-discrimination laws based on conviction records not related to position	Support	
Private Employment	A4	Align in-prison training with job market needs	Support	IDES would support partnering with DCEO and IDOC to align in-prison training with job market needs.
Private Employment	A5	Review, implement, and expand on national models	Support in theory	Actual support would depend on the national model advocated. IDES can assist through outreach activities and has developed many employer relationships. We do this via notifications through our on-line automated job matching system-Illinois Skills Match, Internet exposure, workshops, employer visits, job fairs, business symposiums and other outreach activities.
Private Employment	A8	Marketing and outreach strategy through legislation and relationships w/business	Support	
Private Employment	B1a	Lifting certain restrictions	Support	Having the state law mirror the federal WOTC law would increase the number of businesses that qualify for state tax incentives.
Private Employment	B1b	Increasing amount of tax credit	Support	Incentive to employers in hiring ex-offenders. This has funding implications for IDES. The process could be hampered by the WOTC backlog and IDOR tax filing cycle.
Private Employment	B1c	Applying through WOTC	Concerned	Having the state law mirror the federal WOTC law would increase the number of businesses that qualify for state tax incentives.
Private Employment	B1d	Marketing to CEOs and CFOs	Support	CEOs and CFOs influence policy decision
Private Employment	B1e	Education about tax credit	Support	This is something IDES already does when they do outreach to the formally incarcerated.
Private Employment	B1f	Upon discharge, provide inmates documentation about tax credit and bonding and verify eligibility for the programs	Concerned	IDES currently provides tax credit and bonding information to inmates prior to release through the IDOC Prison Reentry Summit Program statewide. Providing a pre-certification is one of the required steps in the initial meeting with the liaison therefore redundant work for IDOC staff.
Private Employment	B2a	Develop and disseminate a one-page document	Support	IDES has completed this task.

Category	Item	Description	ID Position	Comments
Private Employment	B2b	Connect employers w/community organization	Concerned	Is this something IDES would be required to do? IDES has limited knowledge about organizations that provide drug testing, treatment, etc. Would probably require a interagency collaboration. Does this have legal implications if we refer a client to someone who who causes them harm?
Private Employment	B3	Incentives in the procurement process	Support in theory.	However, it would really depend on what the recommendation entails
Public Employment	1	State agencies, boards and commissions compile list of statutes/rules that affect employment of persons with a criminal conviction by their agency.	Support	IDES would support a review that concludes with CMS developing a statewide policy for all agencies to follow. Thereby showing our employers that we are not asking more from them that we are asking of ourselves and that the state is acting as a model for employers.
Public Employment	2	General Assembly analysis	Neutral	
Public Employment	3	Brochure about executive clemency, criminal record expungement, criminal record sealing, certificate of relief from disabilities, certificate of good conduct and other applicable provisions.	Neutral	What agency would be required to do this brochure? Would have concerns if IDES were required to produce the brochure because of fiscal implications.
Public Employment	4	Gov's out new position: Executive Clemency Attorney	Neutral	
Public Employment	5	Staffing up Prisoner Review Board	Support	This would provide expeditious processing of clemency requests.
Community Support	1a	Legislative study of agencies clients served year to year w/focus on outcome based models	Supportive in theory/opposed based on fiscal implications	IDES would have to change how it tracks clients. This could have fiscal implications because additional staff may be need to provide more comprehensive service based on outcome based models.
Community Support	1b	Est. an annual report on post discharge individuals returning to high impact communities	Support	This could be done by IDES (Economic Information and Analysis Division) based on the wage records if we had social security numbers for all the post discharged individuals. However, non-employment related discussions (housing, recidivism, etc) would require interagency collaboration.
Community Support	2a	Identify existing barriers	Support	IDES attempts to do this and needs additional ways to reduce these barriers
Community Support	2b	Focus on pipeline jobs	Support	IDES would like to be involved in these discussions.
Community Support	2c	Sentencing changes	Neutral	
Community Support	2d	Expanding legal assistance	Support	Many clients come to our offices for services and haven't had access to legal assistance.
Community Support	3a	State issues id transferred	Support	The ID is a "Must Have" for pre-employment services to be effective
Community Support	3b	Real name	Support	An inmate's real name, if proven, would be used on all ID documentation as it aids pre-employment service effectiveness.
Community Support	3c	Mobile ID unit	Neutral	
Community Support	3d	Waive the ID fee	Support	Waiving the fee greatly improves the chances for reentry success as these people have no money. This is a large employment barrier to ex-offenders without ID.
Community Support	3e	One free birth certificate	Support	Individuals need this support documentation for employment
Community Support	3f	Funding plays a key role in effecting change	Support	IDES would like state funding to assist with expansion of our current program (Now Federally Funded). This would help us to support Illinois's initiative to reduce recidivism
Community Support	4a	Pass SB2302 and HB4714	Neutral	
Community Support	4b	Require coordination between agencies and community based organizations	Support	It is only through coordination and collaboration that reentry programs truly work. This is a fundamental reentry best practice.
Community Support	4c	Allow inmates to apply for SSI and SSDI	Neutral	

Issue	Item	Description	Response	Comments
Community Support	5a	Create/Expand database for treatment and other support.	Support	There are currently federally designed shared database programs available that coordinate services among reentry agencies.
Community Support	5b	Fee structure changes for mandated services	Support	When ex-offenders are mandated services it would be beneficial to waive the fees for these services in order to encourage more effective success i.e., post release drug treatment.
Community Support	5c	Prisoner Review Board Flexibility to update parole policy.	Neutral	
Community Support	5d	Funding to substance abuse programs	Support	Many clients require these services to maintain job retention. It is important that they remain available and affordable.
Community Support	6a	Work w/Public Housing Authority f access to public housing	Support	Housing is a huge employment barrier that often affects parole. Additional Adult Transitional Centers or implementing the idea within correctional facilities (expanding the Transitional Housing Unit concept) would better transition inmates in their reentry. ATC's garner some of their operating budget from inmate employment while inmates earn money and savings thereby increasing their chances at successful reentry.
Community Support	6b	Create additional Adult Transition Centers	Support	
Community Support	6c	Include in state wide supportive housing plan	Support	Any initiative that assists in the housing barrier to employment is beneficial to ex-offenders.
Community Support	6d	Pasa HB1831	Neutral	
Community Support	6e	Direct part of \$53m to IDHA for post discharge housing.	Neutral	
Preparing for Employment	1a-d	Sec of State to est procedure for acquiring state ID.	Support	See previous statements regarding ID employment barrier.
Preparing for Employment	2	State law amended no IDs returned to inmate upon release	Support	See previous statements regarding ID employment barrier. It is vital that inmates records be carefully and efficiently transferred to eliminate additional health and employment concerns throughout incarceration and through the reentry process.
Preparing for Employment	3a-d	State law amended to compel counties to provide IDOC w/inmates background and medical info.	Support	
Preparing for Employment	4a	Short term inmates converted to community program or a county jail.	Neutral	
Preparing for Employment	5a	IDOC fills positions	Neutral	
Preparing for Employment	5b	IDOC annual report on classes and waiting list	Neutral	
Preparing for Employment	5c	IDOC review education initiatives by other states	Support	IDES would benefit from any additional tools, information or "Best Practices."
Preparing for Employment	5d	Promote distance learning	Support	Any additional training to build more employable ex-offenders is beneficial.
Preparing for Employment	5e	Expand higher education programming	Support	See 5d
Preparing for Employment	6a	Medicaid suspended rather than terminated	Neutral	
Preparing for Employment	6b	Inmates permitted to apply for public benefits	Neutral	
Preparing for Employment	6c	Partnerships between to screen inmates for SSI eligibility and assist with applying for benefits	Neutral	
Preparing for Employment	7a	State should contract with an independent institution to perform a longitudinal study of outcomes.	Support	IDES could benefit from this data and the recommendations
Preparing for Employment	7b	Ested. groups like SAFER track outcomes and there are too many start up groups not tracking and success rates cannot be determined.	Support in theory.	Would like to see tracking outcomes and follow up reviews. However, IDES may have to change how it tracks clients. This could have fiscal implications because additional staff may be need to provide more comprehensive service based on outcome based models.



Rod R. Blagojevich
Governor

Erwin McEwen
Director

Illinois Department of Children & Family Services

December 16, 2008

Constance A. Howard
Representative - 34th District
401 S. Spring, Room 270 South
Springfield, Illinois 62706

Dear Representative Howard:

Attached are our comments on the recommendations made in the subcommittee reports of the Task Force on Employment of Persons with Past Criminal Convictions. The work of the four sub-committees is impressive and we have provided comments and impact statements for the population we serve that would be affected.

Sorry to get this to you late, but I have been traveling quite a bit and catching up with my mail a little late. If I can be of any further assistance, let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'Erwin McEwen', is written over a horizontal line.

Erwin McEwen

Office of the Director
406 E. Monroe Street • Springfield, Illinois 62701
217-785-2509 • 217-524-3715 / TTY



ACCREDITED • COUNCIL ON ACCREDITATION FOR CHILDREN AND FAMILY SERVICES

LEGISLATION TASK FORCE ON EMPLOYMENT OF PERSONS WITH PAST CRIMINAL CONVICTIONS

COMMENTS

Barriers to Private/Public Employment

Concur with all recommendations;

- Work with Diversion groups such as the JISC
- Create definite time frames
- Partner with groups such as Lutheran Child and Family Services, Rebound
- Partner specific corporations to determine needs and establish employee pool
- Provide incentives to inmates and employers

Post-Discharge Community Support Systems

Concur with all recommendations;

- Look at case by case situations and report on actual numbers and percentages
- Work with current organizations involved with expungement (Sullivan House)
- Provide the ID service upon release.
- Utilize the money on inmates books to pay fees for ID cards
- Inmate provide some type of community service for receiving benefits/fees
- Transitional Living/Independent Living programs

Preparing Incarcerated Persons for Employment

Concur with all recommendations;

Copies of all records made available upon release

Keep all identification in prison file and returned to inmate upon release

Start process of obtaining birth certificate, SS card and ID 3 month prior to scheduled release

Mobile DMV outstanding

Short stay inmates to provide community service

Night reporting

Assure that the youth in the Department of Juvenile Justice that qualify are afforded the same opportunities

Outsource data collection service to monitor and provide reports

Impact on DCFS

- The big box legislation will afford youth with certain type of offenses to honestly complete employment applications without fear of being discarded prior to interviews.

- Better collaboration between state agencies allows tracking and services for dually involved youth to be seamless and consistent.
- Short sentencing options will afford youth access to services (educational, substance abuse, and mental health) that they may not receive while incarcerated for less than 90 days.
- Providing ID in conjunction with Secretary of State's office will result in cost savings.
- Passing of HS1831 would afford emancipated youth an opportunity to obtain housing.
- 53 million in federal funds directed to post discharge will assure that less youth remain incarcerated past Administrative Review Date due to lack of placement.
- Transferring of medical records between jurisdictions will ensure that youth's DCFS files are current.
- Passing legislation, mandating that counties use standard paper processes, will create statewide continuity for workers with youth in multiple jurisdictions.
- Filling educational positions in DOC gives dually involved youth the opportunity to participate in GED, vocational, and HS programs without being put on an indefinite waiting list. This will allow for higher chance of success upon release from incarceration.

Acknowledgment of Community Support

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