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## Baltimore life, unnecessarily hard [Commentary]

A bill to ban the criminal history check box on employment applications could help thousands in the city

April 09, 2014 | By Mark Matthews Sr

"Oh, Baltimore, ain't it hard just to live?"

Nina Simone lamented in song about life in the city back in 1978, and not much has changed since then for the tens of thousands of residents who are living in poverty, are homeless or who are suffering unemployment due to a background check that prevented them from getting work.

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Legislation currently before the Baltimore City Council — Council Bill 13-301, to ban the checkbox that asks about a job seeker's criminal history on the employment applications of companies doing business in the city — has been held up by critics and is in danger of dying. The Greater Baltimore Committee and some members of the City Council who are concerned about putting restrictions on private industry either do not truly understand the bill, are misguided in their concerns or have little regard for the many Baltimore residents who simply want an opportunity to be interviewed before their fate is decided.

The hiring of "convicts" has been a point of contention since the days of the pillory and stocks in the town square, where the guilty were shamed in a public display. The modern day pillory is online and causes a lifetime of unemployment for some of those whose past misdeeds are forever recorded on the Internet. This bill would open up employment opportunities for not only those individuals who have served hard time and made a life change but also the tens of thousands of Baltimore citizens who have been arrested or convicted of relatively minor offenses, by delaying the point at which an employer can inquire about a criminal history until after a conditional offer of employment has been made.

We must remember Baltimore has a predominantly African American population. A decade ago, when Gov. Martin O'Malley was mayor, he implemented a zero tolerance crime policy that, coupled with the high incidence of racial profiling at that time, decimated the African American workforce in the city and led to an extremely high unemployment rate. According to Maryland's Department of Labor, Licensing and Regulation, the average unemployment rate in Baltimore was 9.8 percent for 2013, compared with 6.6 percent for all of Maryland. Traditionally, the African American unemployment rate is twice that of the white community, according to the Pew Research Center. If those who have stopped looking for work are factored in, the rate skyrockets. Most people with a criminal record are no longer looking, the constant denials and lack of call-backs having driven home the reality that no employer will give them a job.

Unfortunately, the "box" on employment applications is largely used to filter out a huge segment of the population who are ready, willing and able to get hired. People with a criminal record often make the best employees. There are Baltimore employers who only hire the "returning citizen" or ex-offender because these employees show up early and are more productive. They know their options are limited and that they have something to prove.

This demographic goes into debt getting trained and educated but never gets an interview because of the current application process. The skill set and education gets trumped by "the box." Taxpayers spend millions on "Welfare to Work" programs that are largely ineffective in helping the participants get hired due to background checks that disqualify them before their skills or specific life circumstance have been considered. All the while, the city and state spend money on public benefits to support people who want to work but cannot get hired.

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It has been suggested that the hiring of people with records be incentivized; increasing the Work Opportunity Tax Credit from 12 months to three to five years is worth investigating. However, in the meantime, simply removing "the box" would afford many more excellent workers an opportunity to sit in an interview and sell themselves to a potential employer. Business owners will not have an added burden placed upon them if this bill passes. A background check can still be performed, just later in the process. By waiting, there is no danger to the employer of violating the law, thereby incurring no criminal or civil penalties.

My hometown has a strong, underutilized workforce waiting to help raise the fiscal tide and float all boats. Our mayor has a goal of attracting 10,000 new families to Baltimore. This legislation would help her see that her 10,000 thousand working families are already here. The potential bread winner just needs an interview, and an opportunity to make life in Baltimore a little less harder to live.

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