

Collateral Consequences of Convictions Workgroup

Meeting Minutes

Tuesday, November 15, 2016

Members in attendance: Judge Alex Williams, The Judge Alexander Williams, Jr. Center for Education, Justice & Ethics; Christi Megna, Department of Health and Mental Hygiene; Rachel Sessa, Department of Public Safety and Correctional Services; Glenn Fueston, Governor's Office of Crime Control and Prevention; Shaina Hernandez, Greater Baltimore Committee; Yariela Kerr-Donovan, Johns Hopkins HR Department; Victoria Wilkins, Department of Labor, Licensing and Regulation; Jeff Tosi, Department of Labor, Licensing and Regulation; Caryn York, Job Opportunities Task Force; Marsha Netus, America Works; and John Huffington, Living Classrooms.

I. Welcome and Introduction

Judge Williams called the meeting to order at 12:14 PM. He welcomed everyone to the meeting of the Collateral Consequences of Convictions Workgroup and reviewed the agenda for the meeting. Judge Williams thanked everyone for dedicating their time to this important issue. Every member had the opportunity to introduce themselves to the rest of the Workgroup and attendees. The minutes from 10.31.16 were unanimously approved.

II. Scope of Workgroup

The Workgroup will blend two tasks—one laid out by Governor Hogan to develop a set of recommendations to minimize collateral consequences which impede reentry without jeopardizing public safety. This could include difficulty getting a job or starting a business, challenges accessing public services or programs such as student loans and housing, or trouble volunteering in the community. Our other task is the one laid out by the Justice Reinvestment Act to make recommendations regarding potential barriers to employment, licensing, and entrepreneurship for individuals with a criminal record, including the denial, suspension, or revocation of occupational licenses for criminal convictions as well as the criminalization of occupational license violations, including the practicing of an occupation without a license.

III. Main Discussion

The Collateral Consequences Workgroup sought to explore the collateral consequences experienced by persons with criminal records in the State of Maryland. In providing recommendations, the Workgroup hopes to minimize collateral consequences that impede reentry without jeopardizing public safety. Given the testimony received and the research presented, there are numerous challenges that affect returning citizens and persons with criminal records.

The recommendations were discussed in depth and provided much more detail. A brief overview is reviewed below. These are not the final recommendations by the Workgroup.

Recommendation 1: Require Maryland agencies to begin collecting, analyzing, and reporting relevant data

Recommendation 2: Encourage Maryland state agencies to publish more information and guidance on data regarding the issuance of licenses to persons with criminal records

Recommendation 3: Establish uniformity in, and publish guidance on, the review processes of state licensing boards

Recommendation 4: Ban all “blanket ban” occupational licensing laws that require permanent and mandatory disqualifications

Recommendation 5: Ensure that the need for public safety is being balanced with the needs of people with criminal history

Recommendation 6: Provide each returning citizen with a valid driver’s license upon release

Recommendation 7: Remove unnecessary legal barriers that would limit career-advancement opportunities for individuals with criminal histories

Recommendation 8: Renew Maryland programming that protects private employers and encourages them to hire returning citizens

Recommendation 9: Provide best practice guidance to private employers in hiring individuals with criminal backgrounds

Recommendation 10: Provide individuals who have successfully completed supervision with positive information to balance certain aspects of their criminal history

Recommendation 11: Commission a Maryland-specific study on the impact of collateral consequences

Recommendation 12: Mandate State licensing agencies to collect, store, and report data

Recommendation 13: Ensure a smooth transition and continuity of care for returning citizens

Recommendation 14: Reform Maryland Judiciary Case Search/Public Information Access

The Workgroup will turn in a final report to the Governor on December 1, 2016.

V. Adjournment

The meeting was adjourned at 3:00 PM.