



**HEARING BEFORE THE SUBCOMMITTEES ON CIVIL RIGHTS AND CIVIL LIBERTIES AND GOVERNMENT
OPERATIONS OF THE COMMITTEE ON OVERSIGHT AND REFORM
U.S. HOUSE OF REPRESENTATIVES**

March 13, 2019

Testimony of Holly Harris
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Chairman Raskin, Chairman Connolly, Ranking Member Roy, Ranking Member Meadows and Members of the Committee, I thank you for the invitation to participate in today's hearing on the Fair Chance Act.

My name is Holly Harris and I am the Executive Director of the Justice Action Network, the largest bipartisan organization working at the state and federal levels to make our justice system fairer and more effective. The Network is a relatively young organization. We launched in 2015, and started with three target states. We are now built-out in 17 states across the country, in which we have helped to pass more than seventy pieces of significant criminal justice reform legislation. At the federal level, we were honored to support, and serve as the bipartisan convener for, many of the organizations and lawmakers that worked to pass the First Step Act.

The legislation on which we engage at the Network falls within the confines of a policy set that was curated by advocacy groups ranging from the far right to the far left. Fair chance hiring tops our list of legislative priorities, and its passage at the federal level is long overdue, given the number of states that have implemented this policy, either by executive order or through legislation.

Fair chance hiring, or ban-the-box, as many people refer to it, has a vaunted place among our legislative victories, because it was the very first bill we helped pass in the states. House Bill 56 in the battleground state of Ohio passed with near-unanimous support on both sides of the aisle in both chambers at the close of 2015, the year we launched the Network. Since then, we have successfully urged implementation of ban the box in Arizona, Louisiana, Oklahoma, Pennsylvania, Indiana, and in many of your home states.

Not to play favorites, but I'll start with the Commonwealth of Kentucky. Representatives Massie and Comer, in our very first meeting with Kentucky policymakers in 2016, we urged executive action on ban the box, and in 2017, the policy was implemented, thanks in no small part to Kentucky's federal delegation, which includes many pioneering voices in criminal justice reform. Representatives Lynch and Pressley...you represent another great Commonwealth, Massachusetts, which became one of the first states to pass ban the box by legislation back in 2010. Chairman Raskin, Representative Sarbanes, your state legislature in Maryland was next, banning the box for public employment in 2013. That same year, Representative Kelly, Illinois' Governor issued an executive order banning the box for government employers, and the following year, your state legislature passed an even more expansive version. In 2014, Representative Norton, the District of Columbia banned the box for public and private employers.

Congressman Hice, I had the honor of meeting Governor Deal, who previously led your home state of Georgia. As you well know, Governor Deal was a national leader in all areas of criminal justice reform policy, from sentencing reform to fair chance hiring, the latter he implemented by executive order in 2015. Chairman Connolly, that same year Virginia's Governor also signed an executive order banning the box. 2015 was a big year for fair chance hiring...because, Representative Maloney and Representative Ocasio-Cortez, New York also banned the box for state employment. The very next year, Representative Grothman, Wisconsin banned the box for government jobs. And just a week later, Representative Clay, Missouri followed suit, implementing fair chance hiring for public employment. Representatives Speier, Khanna and Gomez, the California State Assembly passed ban the box for public and private employers in 2017. And in 2018, Representatives Lawrence and Amash, your home state of Michigan implemented ban the box for government jobs by executive order. Finally, and not to be outdone, Representative Plaskett, the legislature of the U.S. Virgin Islands banned the box for public and private employers in November that same year.

Other witnesses will cite to data showing that a job can be the greatest deterrent to returning to a life of crime, others will share their own compelling stories of the consequences of incarceration, not just on themselves, but on their children. My role here is to remind everyone that we are not reinventing the wheel with this legislation, we're simply asking Congress to catch up to what is happening in your own backyards. All in, 33 states, diverse in population, geography, and political ideology, have implemented fair chance hiring policies that at the very least ensure people with records have an opportunity to get their foot in the door and present their skills and qualifications before they have to disclose their criminal histories.

At a time when some studies show that as many as 1 in 3 American adults have a criminal record, we simply cannot afford to exclude this population from employment opportunities. And as a woman who hails from Kentucky, a state that has been ravaged by the drug scourge, I can tell you we aren't ready to throw in the towel on our friends and family members struggling to overcome addiction...who have made mistakes, but simply want a chance to get back on their feet, support their families and be productive members of society again.

I'd like to close today by noting how truly remarkable it is that a Democratic-led committee in such a politically turbulent time would call as their witness a conservative campaign strategist from deep-red Kentucky. This speaks both to the extraordinary bipartisanship that continues to safeguard the criminal justice reform movement, and your commitment to fixing our broken justice system, one of the civil rights issues of my generation.

I'd like to commend Reps. Cummings and Collins, the courageous and unlikely partners leading the charge on the Fair Chance Act in this chamber, and their counterparts Senators Booker and Johnson, one a Democratic presidential candidate and the other a Republican in a hotly-contested swing state. History will smile on these courageous leaders and all who stand with them in their efforts to put the American people above partisan rhetoric.