



Position Paper: Licensure Reform for the Formerly Incarcerated

CoreCivic believes that formerly incarcerated individuals should have the opportunity to work in fields for which they are qualified without punitive measures. We support reforming licensure laws to make it easier for former inmates to find and keep jobs in licensed fields following their release from prison.

Licensure Reform Policies that We Support

- Legislation similar to the Tennessee's [S.B. 2465](#) and Wyoming's [S.F. 0042](#), which were signed into law last year with CoreCivic's support
- Removing bans on individuals with a criminal history from obtaining a professional license in areas wholly unrelated to the crime that sent them to prison
- Allowing the formerly incarcerated to petition a licensing board at any time to determine if their criminal history would keep them from obtaining a given license
- Removing vague references to "moral character" in the standards used to determine license eligibility
- Specifically listing which criminal offenses would disqualify an individual from each license

Why We Support Licensure Reform

In 2018, CoreCivic supported five bills that amended licensure requirements through our Ban the Box initiative. We supported the bills after determining that licensure reform adhered to the core principle of access to employment opportunities without discrimination that forms the basis of Ban the Box policies. However, after seeing the amount of work that still needs to be done surrounding this issue, we decided to name licensure reform as an independent policy focus area within our broader Reentry Policy Initiative in 2019 and 2020.

According to the Institute for Justice, 18 states have reformed their occupational licensing laws to make it easier for the formerly incarcerated to find work in state-licensed fields since 2015.¹ This includes efforts in Tennessee, Wyoming, Kansas, and Oklahoma, where CoreCivic had previously expressed its support for licensure reform. It is our hope that by putting greater emphasis on licensing, we can help more states pass legislation this year.

¹ <https://ij.org/activism/legislation/state-occupational-licensing-reforms-for-people-with-criminal-records/>



Position Paper: Restoration of Rights

CoreCivic believes that individuals who have paid their debt to society should not only be allowed but encouraged to participate civically in their communities. We support the restoration of voting rights to the formerly incarcerated following their release from prison.

Restoration of Rights Policies We Support

- Restoration of voting rights to individuals immediately upon their release from prison
- For states that have a waiting period, we support decreasing the time individuals must wait until their voting rights are restored following their release from prison

Why We Support Restoration of Rights

There is reason to believe that the act of voting may build positive connections to society for the formerly incarcerated. In a 2018 Pew Research Center survey, 74 percent of respondents listed election participation as a very important determinant of good citizenship – the highest of all categories, including paying taxes and following the law.¹ If former inmates feel that they are ready to move on with their lives and become civically engaged, it is important that they are given the opportunity to show their commitment to their communities in ways that society values.

In November 2018, Florida's ballot initiative on restoring voting rights for the formerly incarcerated received overwhelming support, with 65 percent in favor to 35 percent opposed. This demonstrated strong public support for voting rights restoration, and it is our hope that other states will take further steps to restore the rights of formerly incarcerated people across the country.

¹ <http://www.people-press.org/2018/04/26/the-public-the-political-system-and-american-democracy/>



Position Paper: Restoration of Pell Grants for Inmates

CoreCivic believes that education is one of the greatest opportunities for the advancement all people, including incarcerated individuals. We support restoring the right for inmates to apply for Pell Grants with regionally and nationally accredited colleges.

Pell Grant Restoration Policy Ideas that We Support

- Legislation that restores the right of inmates to apply to regionally and nationally accredited colleges similar to the REAL Act and the Second Chance Pell Initiative
- Educational opportunities for inmates to attain their GED and college degrees or otherwise learn under college professors
- Support for formerly incarcerated individuals to pursue higher education

Why We Support Pell Grants for Inmates

Studies have consistently shown that education reduces recidivism. In addition to the psychological and motivational effects that education has on an inmate's outlook on life, the pursuit of higher education provides inmates and former inmates with the skills they need in order to reenter society, find employment, and contribute to local economies by increasing the pool of skilled workers. In fact, according to a 2019 report by the Vera Institute of Justice and the Georgetown Center on Poverty and Inequality, expanding access to postsecondary education in prison would increase former inmates' expected income by 10 percent and is likely to result in a decrease in incarceration costs across states of \$365.8 million per year.¹

Inmates became ineligible for Pell grants nearly 30 years ago. It is time for this outdated policy to be changed for the good of incarcerated individuals who meet certain criteria and for the safety, prosperity and progress of society as a whole.

¹ <https://www.vera.org/publications/investing-in-futures-education-in-prison>



Position Paper: Ban the Box

CoreCivic believes that the formerly incarcerated should have the opportunity to be evaluated on their professional qualifications. We support Ban the Box provisions, which delay a prospective employer asking about an individual's criminal history until after they have been granted an initial interview.

Ban the Box Policies That We Support

- Legislation similar to the Fair Chance Act of the 116th Congress, ([H.R 1076, S. 387](#)).
- Maintenance of [President Obama's November 2015 Executive Action](#) and the [Office of Personnel Management's December 2016 Final Rule](#), which banned the box in the federal hiring process.
- State-level legislation that prevents companies from inquiring about a candidate's criminal history prior to an interview.

Why We Support Ban the Box

The formerly incarcerated are often eliminated at the start of the hiring process due to their criminal history. In a 2001 survey administered by academics from Georgetown University, the University of California, Berkley and the University of California, Los Angeles, employers from Los Angeles were asked if they would accept an applicant with a criminal record. More than 40 percent of employers responded by saying they would "probably" or "definitely" not be willing to hire an applicant with a criminal record for a job that did not require a college education.¹

Ban the Box legislation provides the formerly incarcerated an opportunity to clear the first hurdle in the employment process without their criminal history automatically disqualifying them from a potential job opportunity. Provisions have been passed or have gained traction in many jurisdictions across the country. 33 states plus Washington, D.C. and the federal government have adopted policies for hiring in government agencies and government contractors.

In addition, 13 states and Washington, DC have banned the box for private industries. Major retailers, including Walmart and Target, have eliminated the criminal history question from their job applications nationwide. States that have passed Ban the Box measures represent every region of the country with state legislatures and governorships controlled by both parties, indicating broad political support for these provisions at the local level.

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¹ <https://www.irp.wisc.edu/publications/focus/pdfs/foc232h.pdf> (Page 41)



measures represent every region of the country with state legislatures and governorships controlled by both parties, indicating broad political support for these provisions at the local level.

CoreCivic supports efforts at the state and federal levels to promote the employment prospects of those individuals leaving our facilities and reentering their communities. We are proud that the many programs offered in our prisons and residential reentry centers help those formerly in our care gain and keep employment.

Beginning in 2016, CoreCivic's employment application form no longer contains a "check the box" for applicants to disclose prior criminal history. In order to comply with certain federal and state requirements, as well as contractual requirements of our government partners, the application process does contain

some questions aimed at specific crimes (e.g. prior domestic abuse convictions) that may impact eligibility for employment.

While government restrictions and the security nature of corrections may prohibit the hiring of people with criminal histories for certain jobs, as a matter of company policy people who were formerly incarcerated who are otherwise qualified applicants are not automatically excluded from employment consideration. In fact, the company has employed formerly incarcerated individuals in meaningful careers such as substance use treatment counselors.



Position Paper: Protections for Employers that Hire Formerly Incarcerated Individuals

CoreCivic encourages government officials to create robust protections for employers who hire individuals with criminal histories. When employers hire people who have been incarcerated, they incur legal risk which consequently decreases the likelihood of employment for these individuals. However, if that risk can be reduced, the job prospects for former inmates can be improved.

Employer Protection Policies that We Support

- Legislation similar to that of Arizona's [H.B. 2311](#), which was enacted in 2018 with CoreCivic's support and endorsement
- Increased funding for inmate work programs within the Commerce, Justice, Science, and Related Agencies Appropriations Act

Why We Support Employer Protections

Barriers to employment increase recidivism. In a 2012 study from the University of Missouri-St. Louis, employed former inmates were 32 percent less likely to be arrested for any crime and 42 percent less likely to be arrested for a drug crime.¹ This underscores the important role that having steady work can play in a person's reintegration into society.

Laws governing the practice and liability associated with hiring former inmates vary from state to state. For example, states differ over what background information employers can access during the hiring process. In instances when employers are not allowed access to information, they are generally not liable for negligence in hiring.

Protecting employers during and after the hiring process will encourage increased employment and broaden the range of placements for formerly incarcerated individuals. All stakeholders benefit when employers are granted these protections. Former inmates are given a job, businesses expand their talent pool, families are strengthened, communities are empowered, and governments reduce recidivism and prison overcrowding.

At present, there are several federal programs and public-private partnerships that aim to protect employers and incentivize them to hire people with criminal histories. Some states have passed additional legislation to incentivize employers to hire former inmates. We believe these are important steps to breaking down barriers to employment for these individuals and support similar efforts at the state and federal level.

¹ <https://rsoresearch.files.wordpress.com/2012/01/drug-abuse-treatment-and-probationer-recidivism.pdf>
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Position Paper: Reentry Program Funding

CoreCivic urges government leaders to invest in effective reentry programs that are proven to reduce recidivism, including education and GED programs, vocational training programs, substance use treatment programs, faith-based programs, victim impact programs, post-release employment programs, and residential reentry.

Reentry Program Policies that We Support

- Reintroduction of legislation containing language on reentry programming similar to that contained within the Sentencing Reform and Corrections Act of 2015 ([H.R. 3713](#), [S. 2123](#)) of the 114th Congress*
- Reintroduction of legislation similar to the Shift Back to Society Act of the 115th Congress ([H.R. 799](#)), which would provide funding for HBCUs to teach entrepreneurship classes in prisons
- Increased funding for reentry programs within the Commerce, Justice, Science, and Related Agencies Appropriations Act

Why We Support Re-Entry Programs

Providing robust, effective reentry programming in correctional facilities is the first step toward preparing inmates to be successful upon their release. In addition to improving outcomes, it is cost-effective. A landmark 2013 study by the independent RAND Corporation found that every dollar spent on inmate education reduces incarceration costs by \$4 to \$5 in the first three years post-release.¹

With regard to each specific program:

- *Education and GED Programs:* Inmates who obtain GEDs while incarcerated are 30 percent less likely to return to prison.²
- *Vocational Training Programs:* Individuals who participate in vocational training programs while incarcerated are 28 percent more likely to find post-release employment than non-participants.³
- *Substance Use Treatment Programs:* A 2014 outcome evaluation performed by the California Department of Corrections and Rehabilitation found that the recidivism rate after three years for those who completed substance use treatment in prison and aftercare programs was 21 percent versus nearly 56 percent for those who did not.⁴
- *Faith-based Programs:* A 2011 analysis in *The Journal of Offender Rehabilitation* found that faith-based programs work to reduce recidivism.⁵

* CoreCivic has a long-standing policy not to advocate for or against any policy that serves as the basis for – or determines the duration of – an individual’s incarceration or detention.

¹ <https://www.rand.org/news/press/2013/08/22.html>

² https://www.rand.org/pubs/research_reports/RR266.html (Page 57)

³ https://www.rand.org/pubs/research_reports/RR266.html (Page xvii)

⁴ <https://justicenotjails.org/wp-content/uploads/2015/07/2014-Outcome-Evaluation-Report.pdf> (Page 43)

⁵ <http://www.tandfonline.com/doi/abs/10.1080/10509674.2011.582932>



- *Victim Impact Programs:* Inmates participating in these programs gain a better understanding of the impact of their crimes, and they are encouraged to accept responsibility.
- *Post-Release Employment Programs:* Employed former inmates are 32 percent less likely to be arrested for any crime and 42 percent less likely to be arrested for a drug crime, according to a 2012 study from the University of Missouri-St. Louis.¹
- *Residential Reentry:* In a 2013 assessment of San Diego County, participants in the three evaluated community corrections programs had significantly lower recidivism rates than all “other sentenced” jail inmates.²

¹ <https://rsoresearch.files.wordpress.com/2012/01/drug-abuse-treatment-and-probationer-recidivism.pdf>
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² <http://www.jfa-associates.com/publications/jss/San%20Diego%20County%20Community%20Corrections%20Evaluation.JFA%20Institute.2013.12.02.pdf> (Page 2)



Position Paper: Social Impact Bonds

Social impact bonds are a form of public-private partnerships in which the government enters into an agreement with the private sector to manage a public program with certain targets and outcomes that must be achieved. In the event the program does not meet those goals, then the government does not have to pay the bond. CoreCivic supports the creation of pilot programs to test the use of social impact bonds as a way to fund programs that combat recidivism.

Social Impact Bond Policies that We Support

- Re-Introduction of legislation similar to the Social Impact Partnerships to Pay for Results Act of the 115th Congress ([H.R. 576](#))
- Increased funding for “Pay for Success” grants within the Departments of Labor, Health and Human Services, and Education, and Related Agencies Appropriations Act, which could be used to fund social impact bond pilot programs

Why We Support Social Impact Bonds

Social impact bonds were first adopted in the United Kingdom in 2010. The Ministry of Justice and Social Finance, the third-party intermediary, received £5 million from private charities and investors to provide services to individuals incarcerated at HMP Peterborough Prison. The program’s stated goal was to reduce recidivism by 10 percent for each cohort or 7.5 percent overall. Social Finance recently reported that recidivism rates of individuals leaving Peterborough decreased by 9 percent, with a return to investors of just over 3 percent.¹

Although this is a relatively nascent financing tool, CoreCivic believes that it can complement existing efforts to provide innovative ways to encourage recidivism reduction. These programs incentivize successful work, as they do not require government payment if certain benchmarks are not met. They also offer unique work experiences to formerly incarcerated individuals.

¹ <https://www.socialfinance.org.uk/sites/default/files/news/final-press-release-pb-july-2017.pdf> (Page 1)