

Entrepreneurship: Supporting the Goal of Self- Employment

Roberta Meyers-Peebles

Many of us have read and heard about, and even encountered, the legal and practical barriers to employment faced by people who have criminal histories. To avoid these barriers and for other reasons, some individuals with criminal records may be eager to explore the possibility of owning their own businesses.

The advantages of being a business owner can include the freedom to make decisions and being solely responsible for your own earnings. Another reason may be to avoid the potential negative reaction that might result from revealing one's criminal record to an employer.

Workforce development providers may not want to explore entrepreneurship or self-employment opportunities with their clients because of some of the risk factors associated with owning a business, which include but are not limited to financial risks. Community corrections officials may insist that the probationers and

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Effective Job Placements: Strategies for Working with Large Corporate Employers

Glenn Martin

Valerie is a 32-year-old woman with a single misdemeanor fraud conviction from over six years ago. In an attempt to remove herself from public assistance, she applied for a job as a tile-cutter at a Best Price Home Furnishings in Wisconsin. On the application, which asks for her criminal history for the past three years, she does not reveal her conviction. However, she signs an agreement to have a credit check done on her as part of the application process. The local store allows her to begin on-the-job training, while their corporate office further processes her application. Subsequently, after the credit report reveals the conviction, she is not permanently retained. The corporate office's reasoning is that the store has a policy of utilizing personnel in a range of positions to maximize employee output. The main office made the connection between the crime and the position by insisting that there is a strong possibility Valerie will handle money. Best Price Home Furnishings rescinds its offer and Valerie loses the job, but not before court fees and victim restitution are garnished from her first week's paycheck. Hence, Valerie is back to her job search after having lost a degree of determination and belief that she will ever be able to leave her past behind her.

Obtaining employment is one of the most difficult hurdles faced by people with convictions during reintegration. With the huge loss of local 'mom and pop' stores to national chains, the job search process can be further complicated by employers whose corporate hiring policies, when considering applicants with criminal histories, are inconsistent with their local stores. Obviously, as a job developer, maintaining dependable contacts that are willing to give your clients a second chance is a priority. However, if the local store hires a person with a criminal record in good faith and then the corporate headquarters conducts a more extensive background check and applies a more stringent criterion that leads to your client's dismissal, your client may find him/herself in a worse financial situation than prior to being employed.

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parolees under their jurisdiction be in a more structured environment. Some view entrepreneurship as allowing an individual too much autonomy and not providing enough accountability. However, the reality of our economic downswing requires workforce development providers and corrections officials to be creative about addressing the employment needs of their clients.

Some people have a high level of entrepreneurial propensity and may need guidance on the nuances of starting and operating a small business. There are organizations and resources that exist to support the efforts of a budding small business owner, the largest organization being the U.S. Small Business Administration (SBA). The SBA offers invaluable information about how to develop a business plan, access start-up finances, and other relevant and essential techniques to developing a successful new small business (see www.sba.gov). The SBA also funds a non-profit organization called SCORE – Counselors to America’s Small Business which provides small business counseling and training. SCORE members are retired business men and women who volunteer their time to assist aspiring entrepreneurs and small business owners. There are SCORE chapters in every state. For more information, see www.score.org.

In most states, a license may be required to own and operate a business. It is important to research potential statutory bars that may exist because of a criminal record. If legal barriers exist, individuals should explore ways to address those obstacles. This may include the attainment of executive clemency or a pardon or the granting of a certificate of rehabilitation in the few states that offer them.

In these trying economic times, we need to foster diverse employment opportunities for people with criminal records. Entrepreneurship can both provide meaningful employment, as well as encourage responsibility and a strong sense of ownership and community connection. Helping someone realize the goal of becoming a small business owner can be as simple as directing them to useful resources, serving as an advocate or liaison when problems arise, or just reinforcing someone’s dedication and vision. ❖

More progressive employers may only ask for criminal justice information going back three, five, or seven years, but the actual retaining of the applicant may be contingent on the corporate office conducting a more extensive background search. While this practice may not be illegal, it may lead to a dismissal, which has many implications for your client, including loss of self-esteem, the triggering of garnishments, and further accumulation of child support obligations. There are several important things to keep in mind when dealing with a corporate employer that operates multiple franchises:

- If a company maintains an office or store location in your state, the company is bound to adhere to that state’s employment laws, including those that forbid discrimination based on arrests or conviction records. For example, a company’s corporate office may maintain a policy of considering arrests that did not lead to a conviction as a criterion for extending an employment offer to your client. However, your state may be one of the 12 states in the United States that limit consideration of arrest records by public and private employers. (See “[Are Employers Permitted to Ask Job Applicants About Arrests?](#)” in the Resources and Assistance section of the National H.I.R.E. Network’s website, www.hirenetwork.org.) Hence, if this information is used in the company’s decision to terminate your client, it may be violating state law.
- For a person with a conviction history who has been incarcerated for a considerable amount of time, a week or two of employment may actually be more detrimental than no employment at all. Some of the collateral consequences of a conviction may include overdue utility bills, rent arrears, parole supervision fees, repossession judgments and, in most cases, a considerable amount of child support arrearage. Many of these unpaid obligations, often referred to some sort of a collection agent during the individual’s incarceration, become active once the client’s social security number begins to show activity. This can lead to garnishment orders being sent to the employer, which can amount to over 50% of a person’s net income. In the case of child support, it may also trigger default judgments, which will further compound the arrears.

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- It is wise for job developers to take the time to research a company's official hiring policies before placing individuals. With today's technology, this can usually be done via the Internet through the Better Business Bureau's website (www.bbb.org) or available search engines (i.e. Yahoo, Google). You may use this information to contact the corporate office's counsel for clarification of its hiring policies. Or, if you feel as though an employer's policies towards job applicants with criminal records may constitute employment discrimination, you should consider contacting an employment attorney in your state to pursue any remedies that might be available to your client (see *Resource and Assistance* section at www.hirenetwork.org).

The employment of people with criminal records can be the key to success and reduced recidivism, but only if the employment placement is concrete and lasting. ❖

From the Media to Practice

This is the second of a series in which we will highlight an issue raised by a recent press article.

Roberta Meyers-Peeples

We recently disseminated an article to National H.I.R.E. Network members entitled "[Let's Hear It For Employers Who Give Ex-cons a Chance](#)" (Mary Mitchell, *Chicago Sun Times*, July 20, 2003), which shed light on the stigma a criminal history can pose to a job applicant. This article highlighted one example of how we can begin to create opportunities for dialogue with and among employers, an important partner in promoting the employment of qualified people with criminal records.

The Westside Health Authority, a community-based organization based in Chicago, pulled together several local business owners--those who have a history of hiring people with criminal records and those who did not--to discuss the successful experiences and challenges of hiring people with criminal records. This forum encouraged candid employer-to-employer discussion, as well as the opportunity for individuals with criminal histories to express their difficulties in getting employed despite their qualifications.

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H.I.R.E. on the Hill

Federal Advocacy Update
Alexa Eggleston

Congress has begun its month long August recess without passing legislation reauthorizing the Workforce Investment Act (WIA) or the Temporary Assistance for Needy Families (TANF/welfare) program. While the House of Representatives passed legislation for both programs, the Senate has not yet introduced legislation for either. It is possible that the Senate will introduce reauthorization legislation for both programs shortly after their return in September from the August recess. Both WIA and TANF programs are authorized through September 30, 2003. For more information, please contact Alexa at aeggleston@lac-dc.org or (202) 544-5478.

Upcoming Conferences of Interest

Aug. 24-27, 2003

American Probation and Parole Association 28th Annual Training Institute

The Rising: A New Generation of Community Justice

Cleveland Convention Center
Cleveland, OH

Contact: APPA Institute

www.appa-net.org

Sept. 10-13, 2003

National Network of Sector Partners: "Staying Ahead of the Game: The Power Of Partnership For Economic Growth"

Westin Copley Place Boston
Boston, MA

Contact: NNSP c/o The Balcom Group

505 N. Manchester Street

Arlington, VA 22203

Tel: 703-807-2281

http://www.nedlc.org/nnsf/2003_reg_booklet.pdf

Sept. 14-17, 2003

National Conference on Addiction & Criminal Behavior

Marriott Pavilion Hotel

St. Louis, MO

Contact: www.gwcinc.com

Oct. 8-10, 2003

21st Annual Governor's Conference on Workforce Development: "Increasing Missouri Business, Advancing Workers, Business & Economic Growth"

Tan-Tar-A Resort

Osage Beach, MO

Contact: Sue Sieg

Tel: 573-751-3106

Fax: 573-526-8204

Email: ssieg@wfd.state.mo.us

www.ded.state.mo.us/wfd (go to bottom of page)

Presentation bids currently being accepted.

Oct. 19-22, 2003

10th National TASC Conference on Drugs & Crime Partnerships for Building Safer Communities: Candid Conversations, Effective Responses

Sheraton Raleigh Capital Center Hotel

Raleigh, NC

Contact: www.nationaltasc.org

Oct. 20-22, 2003

4th Annual Centerforce Summit "Inside-Out: New Directions for Integrating Services for the Incarcerated and Their Families"

Westin Hotel

Millbrae, CA

Contact: RDL Enterprises

Tel: 916-443-0218

Email: Karl@RDLEnt.com

Or visit: www.centerforce.org

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Organizations that provide employment services exclusively to clients with criminal records, such as the Safer Foundation, the Center for Employment Opportunities, and the Osborne Association/South Forty Employment and Training Services, recognize that it takes time and extensive communication with employers to build the trust, respect, and comfort necessary to make solid job referrals and placements. Job developers from these agencies regularly meet with employers who hire their clients in order to share successes, air concerns, and strategize to find solutions to create win-win opportunities for employers in need of good workers and qualified job seekers in need of jobs. These meetings serve as vehicles to recruit new employer partners by encouraging current partners to invite their peers.

Another way to embrace employers is to pull together a partnership of community stakeholders to recognize those employers who have a strong commitment to diversity and hiring from targeted populations, including individuals with criminal records (see http://www.oedworks.com/whatsnew/news_exoffender_break.htm).

We know that many of you who work directly with clients to provide job training, placement, and retention services have developed other successful strategies for partnering with local employers. We would love to share your experiences with others, especially those that have worked to place clients with other barriers to employment. If you are interested in us highlighting your achievements to other H.I.R.E. Network members via our website and through future issues of our newsletter, please contact Glenn Martin at gmartin@hirenetwork.org. ❖



Hot Off the Press: Recent Reports

[Boom Times a Bust: Declining Employment Among Less-Educated Young Men](#) by Elise Richer, Abbey Frank, Mark Greenberg, Steve Savner, and Vicki Turetsky (July 2003). Available on the Center for Law and Social Policy's website: www.clasp.org

[Dollars & Sentences: Legislators' Views on Prisons, Punishment, and the Budget Crisis](#) by Robin Campbell (July 2003). Available on the Vera Institute of Justice's website: www.vera.org

Oct. 22-25, 2003**"The Soul Knows No Bars: A National Conference on the Role of the Church, Family Members, and the Community in the Ex-Offender Reentry Process"****Convened by The Covenant Collaborative Consulting & Training, LLC and The Body of Christ Ministries International of Atlanta, GA**Renaissance Hotel
Washington, D.C.Contact: <http://www.ccct.us>

Tel: 800-484-568, code #0091

Oct. 24-26, 2003**A National Prison Aftercare Conference: "Faithful to the Vision"****Convened by Transition of Prisoners, Inc.**The Westin Hotel Detroit-Southfield
Southfield, MIContact: <http://www.topinc.net>**Dec. 11-12, 2003****The Workforce Alliance's 2003 National Conference: "Bringing It Back Home: Advocating for Workforce Training After the Reauthorizations"**Capital Hilton
Washington, DCContact: <http://www.workforcealliance.org>**March 21-24, 2004****National Correctional Industries Association Enterprise 2004 National Training Conference and Exposition:****"Transformation: The Challenge of Change"**Adams Mark Hotel
St. Louis, MO

Contact NCIA

Tel: 410-230-3972

Fax: 410-230-3981

April 14-16, 2004**Center for Mental Health Services & Criminal Justice Research First Biennial Conference: "Reentry to Recovery: People with Mental Illness Coming Home from Prison or Jail"**The Sheraton Society Hill Hotel
Philadelphia, PA

Contact: Kristen Gilmore

Tel: 732-932-1225

Email: cmhs&cjr@ihhpcpar.rutgers.edu

Meet the H.I.R.E. Network Staff:

MICHELLE HARRISON

My name is Michelle Harrison and I am the Membership Coordinator, Webmaster, and Administrative Assistant for the National H.I.R.E. Network. In this capacity, my objective is to facilitate the consistent and accurate flow of information to our constituency.

It is my responsibility to insure that anyone who joins the Network's membership, visits our website, or contacts us is presented with clear, concise, and helpful information in a user-friendly format. I have assisted with the design of our website so that the information we provide is easily accessed, current and useful to all who utilize it. I consider this work to be vital. Please [notify me](#) or one of my colleagues as soon as possible if you are having problems accessing our website or receiving our newsletter and I will be more than happy to assist. I also welcome any suggestions or comments that you may have on ways to improve the presentation of the information we provide.

My commitment to H.I.R.E. is a personal one. I am an individual with a criminal history and I know the hopelessness of being released from jail without any direction, prospects or knowledge of where to find help. I consider myself fortunate to have received the help I needed to turn my life around. This year, an estimated 600,000 individuals will be released from federal and state prison alone facing the same barriers that I encountered. For all of our sakes, we must insure that they have access to resources that will help them reenter society successfully.

Contact us:

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