

COUNCIL OF THE CITY OF PHILADELPHIA
COMMITTEE ON COMMERCE AND
ECONOMIC DEVELOPMENT

Room 400, City Hall
Philadelphia, Pennsylvania
Wednesday, November 13, 2013
10:15 a.m.

PRESENT:

COUNCILMAN W. WILSON GOODE, JR., CHAIR
COUNCILWOMAN JANNIE BLACKWELL
COUNCILMAN BOBBY HENON
COUNCILMAN CURTIS JONES, JR.
COUNCILMAN MARK SQUILLA

BILL 130769 - An ordinance amending The
Philadelphia Code by replacing the term
"ex-offender" with the term "Returning
Citizen," and by making conforming changes...

- - -

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COUNCILMAN GOODE: Good

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morning. This hearing is called to

4

order. This is a public hearing of the

5

Commerce and Economic Development

6

Committee on Bill No. 130769. My name is

7

W. Wilson Goode, Jr., Chair of this

8

committee.

9

To my right, Councilwoman

10

Jannie Blackwell. To my left is Majority

11

Leader Curtis Jones, and to my far left

12

is Councilman Mark Squilla, the Vice

13

Chair of the Committee.

14

The title of the Bill No.

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130769, amending The Philadelphia Code by

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replacing the term "ex-offender" with the

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term "Returning Citizen," and by making

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conforming changes, under certain terms

19

and conditions.

20

Our first witness, Bill Hart.

21

(Witness approached witness

22

table.)

23

COUNCILMAN GOODE: Good

24

morning, sir.

25

MR. HART: Good morning,

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2 Councilman.

3 Good morning, Councilwoman.

4 COUNCILMAN GOODE: Please state
5 your name for the record.

6 MR. HART: My name is William
7 E. Hart, the Executive Director of the
8 Mayor's Reintegrated Services.

9 Good morning, Councilman Goode
10 and members of the Commerce and Economic
11 Development Committee. Again, my name is
12 William Hart. I'm the Executive Director
13 of the Mayor's Office of Reintegrated
14 Services. I want to thank you for the
15 opportunity to appear before you today on
16 behalf of the Nutter Administration to
17 offer testimony concerning Bill 130769.

18 This bill would amend The
19 Philadelphia Code by replacing the term
20 "ex-offender" with the term "returning
21 citizen" by making conforming changes,
22 under certain terms and conditions.

23 This code amendment would
24 establish provisions addressing
25 successful reentry back into Philadelphia

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2 communities. My guys -- and I say it
3 pejoratively, not just males but both
4 females included -- are often hindered by
5 conditions of generational poverty and
6 the lack of academic credentialing and
7 certification and industry-related job
8 training. These things, combined with a
9 changing Philadelphia economy and the
10 collateral consequences of convictions,
11 contribute to high recidivism rates.
12 This also means and it clearly means
13 decreasing public safety and increasing
14 the costs to taxpayers for police and
15 prisons.

16 The City of Philadelphia has
17 taken many steps to ease the transition
18 of returning citizens, including the "ban
19 the box" legislation for employers
20 operating in the City and expanding
21 services offered by RISE. Currently,
22 RISE begins its pre-release programming
23 for inmates at seven of the Philadelphia
24 Prison System's facilities. Upon
25 release, RISE's direct service delivery

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2 model programs for six weeks and case
3 manages clients for up to a year,
4 depending on their needs.

5 My tenure began in 2011. Since
6 that time, we have serviced over 6,500
7 returning citizens and actively enrolled
8 a little more than 1,800 persons and
9 moved 800 of our clients into employment.

10 With that said, it is important
11 that we reexamine how we refer to people
12 no different than you and I. The
13 commonly used term "ex-offender" carries
14 with it a stigma which increases the
15 challenges of many who are already hard
16 to serve. The term "returning citizens"
17 more appropriately focuses on their
18 activities in the process of
19 reintegration.

20 If I may quote you, Councilman
21 Goode, you said it very succinctly and
22 well. This legislation is important in
23 changing the public's perceptions of
24 people who have served their time, paid
25 their debts to society, and want to

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2 reenter Philadelphia as hardworking,
3 tax-paying citizens.

4 Under this ordinance and the
5 Mayor's Executive Order No. 2-10 as
6 revised October 24th, 2013, RISE will
7 continue its mission to promote safer
8 communities and reduce our taxpayers'
9 burden by assisting returning citizens to
10 be constructive parents, community
11 stabilizers, and productive citizens.

12 Thank you, and I'll be happy to
13 answer any questions that the members of
14 the Committee may have at this time.

15 COUNCILMAN GOODE: Thank you,
16 Mr. Hart, for your testimony. Just a few
17 questions for the record.

18 The Mayor signed the Executive
19 Order on October 24th. It is
20 self-explanatory. So the executive
21 branch will carry out that order. It's
22 not debatable. It's already in effect;
23 is that correct?

24 MR. HART: Correct.

25 COUNCILMAN GOODE: And the

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2 purpose of this bill introduced on behalf
3 of the Mayor is to make conforming
4 changes to The Philadelphia Code. Those
5 changes only relate to actions carried
6 out by the executive branch of
7 government; is that correct?

8 MR. HART: Correct.

9 COUNCILMAN GOODE: Those
10 actions are related to employment; is
11 that correct?

12 MR. HART: Correct.

13 COUNCILMAN GOODE: Can you give
14 us an update on your efforts in securing
15 employment for this demographic? I know
16 that you said 800 jobs. Can you just
17 tell a little bit more about that
18 picture.

19 MR. HART: Absolutely,
20 Councilman. RISE had started a strategic
21 pilot a little more than two years ago.
22 The concept, as we looked at it, was a
23 real simple one, multiple components to
24 it.

25 With that said, we targeted

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2 industries that usually had very high
3 turnover, low retention rates, that
4 typically as a profile paid minimum wage
5 above or more, with or without benefits.
6 And our thinking in doing that was it was
7 probably the course of least resistance
8 of moving returning citizens into
9 employment.

10 Our thinking, again, was as we
11 moved our guys into employment, it did a
12 number of things. It increased the
13 distance and the time from their
14 detention to where they are now in terms
15 of real work experience. It also allowed
16 for documented work experience on a
17 resume and the ability to have
18 references.

19 We also looked at the pool of
20 clients that we were moving into what we
21 called our Tier 1 pilot work as a talent
22 pool that once they performed, is a
23 master of all the foundational skills of
24 getting to work, obviously doing a real
25 good job managing their -- the way they

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2 get evaluated on the jobs, that we could
3 use this pool as a clientele to tier them
4 up to higher paying wage jobs.

5 I took the liberty -- and if
6 you don't mind, if I approach.

7 Councilman, in just breezing
8 through this document very quickly, some
9 of the things that we realize to be
10 challenges, the first challenge would be
11 this: returning back to Philadelphia
12 after incarceration. At least 63 percent
13 of the clients that we serve recidivate.
14 Big challenge. On any given year coming
15 to Philadelphia just based on our data,
16 we're looking at about 1,500 guys
17 returning from federal detention. We're
18 looking at about 5,000 guys returning
19 from state corrections. And as we look
20 at the data that's being released from
21 the Philadelphia Prison System, on any
22 average year there are approximately
23 32,000 to 34,000 guys being released.
24 And I say that deliberately because we
25 have clients that get arrested, get

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2 released, get rearrested, and each
3 release is counted as unique individual
4 coming back home -- or not a unique
5 individual. Excuse me. But with that
6 said, our best guesstimate is that
7 Philadelphia's population right now is
8 currently about 1.5 million residents.
9 My conservative guesstimate would say
10 that there are approximately 200,000
11 citizens that have the collateral
12 consequences of their convictions. My
13 liberal count would be close to 300,000.

14 Here's where it gets fun. If
15 you take the average guy that was
16 incarcerated and they return home and
17 suddenly they're responsible for an elder
18 parent or a dependent child, so then
19 there becomes a multiplier effect where
20 the collateral consequences of my
21 convictions not only impact myself but
22 now they're impacting families. So where
23 that conservative count was 200,000, it
24 may be 300,000 to 500,000 Philadelphia
25 residents that are impacted by the

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2 collateral consequences of convictions of
3 our guys returning back to Philadelphia.

4 On an average -- there's some
5 things that we didn't realize, but as we
6 did our research, an average two-thirds
7 of our inmates were typically employed
8 prior to detention, which is a huge
9 number. It also suggests that there's a
10 strong connection between employment and
11 criminogenic behavior. Typically if our
12 guys are employed, they're focused on
13 other things.

14 That said, we've put together a
15 pilot, as I mentioned a little earlier,
16 that we're targeting specific sections of
17 the economy. We're targeting specific
18 employers. Our goal would be to tier up
19 to have the resources now to take clients
20 that are working in our Tier 1 level jobs
21 that are prepared and qualified to do
22 other work, to tier up to jobs that pay
23 more wages, 10, 12, 13, 14 dollars an
24 hour with benefits, and create a pipeline
25 for employment where we can backfill jobs

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2 that we have at our Tier 1 level.

3 Summarized simply this is, with
4 expansion of the RISE employment pilot,
5 conceivably during the course of a year,
6 we could move 700 to 800 of returning
7 citizens into employment in the course of
8 a physical year. While that doesn't
9 solve the issues in the total numbers of
10 clients and residents in Philadelphia
11 that have collateral consequences of
12 convictions, but it is a course of action
13 that we're moving in the right direction.

14 COUNCILMAN GOODE: Thank you.
15 Is RISE the only agency that deals with
16 employment for this demographic?

17 MR. HART: The answer is no,
18 Councilman. There are several other,
19 I'll say, peer organizations that we work
20 pretty closely within our network.
21 Impact Services being one, Connection
22 Training being another, Urban Renewal,
23 People for People, and Mothers in Charge,
24 organizations that we work pretty closely
25 with that have an employment component.

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2 On a parallel track, though, we also have
3 Philadelphia Works.

4 COUNCILMAN GOODE: I'm speaking
5 within the City Administration.

6 MR. HART: Within the City
7 Administration? My apologies,
8 Councilman. Within the City
9 Administration, it would be Philadelphia
10 Works, the workforce system.

11 COUNCILMAN GOODE: And what
12 does Philadelphia Works do for the
13 demographic?

14 MR. HART: Philadelphia Works,
15 for the most part, provides a level of
16 service that anyone walking through the
17 door can have, I'll say, basic services,
18 resume writing, interview skills, how to
19 manage the foundational skills of keeping
20 employment. That's the baseline.
21 However, there's another level of
22 services that the workforce system
23 offers, and it's called the "We Are
24 Registered," and those are the clients
25 that get more intensive services as it

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2 relates to skill sets and particularly
3 moving them into employment, and that's
4 the area where I believe that there's
5 opportunities for synergies to improve
6 the work that we do as RISE, a City
7 agency, and certainly as Philly Works as
8 a City agency.

9 COUNCILMAN GOODE: So do we
10 have numbers on Philadelphia Works?

11 MR. HART: Most recently the
12 reported numbers from Mark Edwards, the
13 CEO of Philadelphia Works, was that there
14 were about approximately 530 returning
15 citizens moved into employment. We're
16 waiting for the documentation for that,
17 and the part of the reason I say that,
18 Councilman, is that if in fact there are
19 a number of employers outside of the RISE
20 world that are hiring returning citizens,
21 we believe that there will be a
22 multiplier effect, if we could work with
23 those employers and market the tax
24 credit, PREP, which is a great
25 incentivizer for employers to hire not

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2 only one, two or maybe three employees
3 and take advantage of the \$10,000 per
4 year per client up to three years.

5 COUNCILMAN GOODE: Well, what
6 I'm asking the Administration for is to
7 submit to this committee an update on all
8 the actions in securing employment for
9 this demographic, including data from
10 Philadelphia Works. Are there any other
11 agencies we need data from within the
12 City Administration?

13 MR. HART: As best I can tell,
14 it would be Philadelphia Works and
15 clearly RISE, and we're prepared to offer
16 up our information also.

17 COUNCILMAN GOODE: I'd like
18 from the Administration a consolidated
19 report based on all the actions to secure
20 employment.

21 And that's all I have.

22 Councilman Jones.

23 COUNCILMAN JONES: Thank you,
24 Mr. Chairman, and thank you for
25 continuing to raise this issue, important

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2 issue for citizens returning to our
3 ranks.

4 A couple of quick questions,
5 and this is probably the first time I've
6 received a written plan to address the
7 issue in a meaningful way that kind of
8 connects the dots into our reality and
9 the reality of a returning citizen. So
10 thank you for that work submitted to the
11 Committee.

12 In a regular perfect world --
13 we are in a recession, and employment is
14 probably difficult for people without the
15 challenges of a record. Would you agree
16 that --

17 MR. HART: Absolutely.

18 COUNCILMAN JONES: -- it is
19 harder for someone with a record?

20 MR. HART: If I may, and I
21 apologize for taking this on a tangent,
22 but in my view, America isn't working
23 right now. We're experiencing a recovery
24 but, for the most part, a jobless
25 recovery. If I may give you an example,

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2 and I'll use Temple University as my
3 indicated example.

4 If in fact funding were cut and
5 someone had to be let go because there
6 wasn't funding to employ them, they're
7 laid off, and we get that. But at some
8 point, funding comes back and Temple is
9 in a hiring mood, the hierarchy of
10 employment would sound something like
11 this. It would sound like Bill Hart
12 was -- he was laid off, no fault of his
13 own. He gets the first look at the new
14 employment opportunities. And then we
15 would follow up with, for example,
16 Mr. Green, who is a current Temple
17 employee that's doing really good work
18 and is looking to go professionally
19 within the organization, is qualified for
20 the position, he would get the second
21 look at any employment opportunity while
22 the job is still internal.

23 At some point once the job is
24 external, then we talk about the macro
25 world out there looking for employment,

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2 and some of the examples I would give you
3 is, as we look at the data, it seems to
4 appear that part-time temporary
5 employment is driving our employment
6 numbers nationally.

7 But with that said, there are
8 people that are working two, three
9 part-time jobs without benefits that
10 would literally kill to have one
11 full-time job with benefits. That. Then
12 we would also look at, for example, the
13 numbers of professional administrators,
14 and I'll use the School District as the
15 indicated example that had layoffs and
16 there are thousands of qualified folk in
17 the workforce. Start to layer that with
18 our veterans, who deserve a preference
19 around employment, and let's not negate
20 the fact that we have some of the finest
21 academic institutions in Philadelphia,
22 Penn, Temple, St. Joe's, LaSalle, that
23 each year they're graduating classes with
24 seniors that are not working in their
25 majors and, if working at all, will

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2 accept any job that would have a minimum
3 benefit and also allow them to start
4 paying their student loans off.

5 So I bubbled up that way to say
6 the competition for employment is
7 challenging at best, and when it comes to
8 returning citizens that have the
9 collateral consequences of their
10 convictions, the challenge becomes even
11 greater.

12 COUNCILMAN JONES: So my point
13 being two things. One, we need to assess
14 how the colloquy at the time of
15 sentencing impacts the future viability
16 of a returning citizen to exercise their
17 craft in a non-threatening way to
18 whatever they were convicted for. So if
19 I was an embezzler, then maybe I don't
20 work in finance, but if I worked in
21 construction -- you shouldn't limit the
22 employment opportunities of an individual
23 trying to work their craft in a
24 meaningful way.

25 MR. HART: Absolutely.

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2 COUNCILMAN JONES: So we need
3 to look at that whole process so that it
4 is not a life sentence given to people,
5 but a temporary sentence. That's number
6 one.

7 The other thing that I would
8 encourage you to continue in your cadre
9 of things that you are providing for a
10 returning citizen and which I don't see
11 here is entrepreneurship. If you cannot
12 find a job, then we can create them.
13 Meaning that at any given time, there are
14 27,000 vacant properties in the City of
15 Philadelphia, and you may have paid
16 attention to the news about this body's
17 interest in construction and demolition
18 and being safe. So Councilwoman
19 Blackwell has been a proponent of getting
20 individuals certified under OSHA-10,
21 OSHA-30 and all the way up to get into
22 the construction/demolition market.

23 In addition, trades that we can
24 provide returning citizens so that -- in
25 my district, we have one of the largest

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2 contingent of senior citizens. That's
3 not Councilman Goode. He's younger than
4 me. But there are a lot of senior
5 citizens in my district that need home
6 repair and affordable, reliable home
7 repair. And so there is a virgining
8 market for those kinds of trades in the
9 inner city from the communities that many
10 of these individuals are returning to.

11 So if we can start to look at
12 not just the model of let's go to ABC
13 corporation -- and many of them have
14 responded to ex-offenders. Shop Rite is
15 one good citizen that --

16 MR. HART: Absolutely.

17 COUNCILMAN JONES: -- has been
18 in the forefront of this, but to create
19 jobs.

20 The other day we were talking
21 and a young man, they now have a cottage
22 industry where they're painting addresses
23 on curbs, \$10 an address, and are using
24 that as an entrepreneurial opportunity
25 that I applaud them for. That's looking

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2 at what is needed, creating what is
3 necessary, and making a job in the
4 process.

5 So the next time I see this
6 report, I want to see how we're doing by
7 way of creating the next painting jobs,
8 exterminating jobs, repair jobs, most of
9 which can be capitalized for less than
10 \$4,000, \$5,000.

11 MR. HART: Councilman, to your
12 point, you're exactly right, and you
13 articulated it exceptionally well. We
14 are working in partnership with the
15 African American Chamber, who just
16 recently received funding to do
17 entrepreneurial training specifically for
18 returning citizens. So we're working in
19 conjunction with them. As a part of our
20 regular service delivery model, we're
21 bringing entrepreneurs in to not only
22 talk about themselves personally but how
23 they went through the process of getting
24 to where they are.

25 On a parallel track -- you said

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2 something that stimulated a lot of
3 thought from my side -- it would be
4 helpful if we were able to access some of
5 the funding sources to do training; in
6 particular, for the OSHA certification
7 10, the OSHA certification 30. I believe
8 one of the intended consequences of the
9 DROP legislation was that we as a City
10 Administration could plan forward where
11 vacancies would be, and I believe if I'm
12 looking at the data correctly, we're
13 looking at a Water Department that might
14 have a number of vacancies in the future,
15 and if in fact we could get our guys
16 certified with the 10, with the 30 and
17 other trainings that will be germane for
18 them to do work in the Water Department,
19 fixing and repairing pipes and
20 infrastructure, it would be a proactive
21 way that the City Administration could
22 address just what you're talking about.

23 COUNCILMAN JONES: Agreed.

24 Thank you, Mr. Chairman.

25 COUNCILMAN GOODE: Thank you,

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2 Councilman.

3 Councilwoman Blackwell.

4 COUNCILWOMAN BLACKWELL: Thank
5 you.

6 Certainly we thank our Chairman
7 for his work in this area and his
8 commitment, and certainly thank Bill Hart
9 for his commitment and excellent job
10 you're doing. We and -- our Majority
11 Leader reminded me that we're starting a
12 new different kind of a model, a vending
13 program in an area where we -- we're kind
14 of a bombed out area, and we have a lot
15 of offenders and unemployed African
16 American men who have been trying a long
17 time. So we've already started
18 discussions on this whole vending model
19 that we're trying to do around Woodland
20 Avenue between my area and Kenyatta
21 Johnson's area. We'll keep the Majority
22 Leader informed, because this is one of
23 the things he likes to work on. And we
24 appreciate this legislation and your
25 request that we be open, and we hope the

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2 rest of our city and all those who hire
3 will consider this and our Chairman,
4 Wilson Goode's, other legislation that
5 gets people tax credits.

6 MR. HART: Absolutely.

7 COUNCILWOMAN BLACKWELL: People
8 only go home. When they're no longer in
9 prison, as we all know, they only go
10 home. So we've got to find a way to let
11 them be home and partake of all that that
12 implies. So thank you very much.

13 Thank you.

14 MR. HART: Thank you,
15 Councilwoman.

16 COUNCILMAN GOODE: Are there
17 any other questions from members of the
18 Committee?

19 (No response.)

20 COUNCILMAN GOODE: One final
21 question. I think I know the answer to
22 this question. What prohibits RISE from
23 finding employment for more than 800
24 returning citizens?

25 MR. HART: Capacity.

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2 COUNCILMAN GOODE: In other
3 words, if you had more money, you could
4 place more people in jobs?

5 MR. HART: I'd like to believe
6 that's the case, Councilman. There's
7 best practices that suggest the approach
8 that we're taking is an appropriate
9 approach. We did research with former
10 Mayor of Newark, Booker's, program of
11 immediately attaching guys from detention
12 to employment and how that's impacted
13 recidivism. We've also did research with
14 the opportunities economic organizations
15 in New York City that has a really unique
16 model that any returning citizen, as soon
17 as they get to the street, get to the
18 organization, there's a week of
19 programming, but then they're guaranteed
20 75 hours of work as a transitional step
21 to move them into full-time employment.

22 So I say it all to say this, is
23 that there are a number of best practices
24 that support the immediate engagement of
25 returning citizens into employment,

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2 transition them up Tier 1, Tier 2,
3 however you want to call the model.

4 COUNCILMAN GOODE: We served on
5 the Jobs Commission together and we
6 talked about a strategy, try before you
7 buy, and in addition to the tax credit
8 resources, we talked about
9 on-the-job-training resources.

10 If we were able to utilize
11 either money from Philadelphia Works or
12 if Council set money out of the operating
13 budget, what could you do with a million
14 dollars?

15 MR. HART: That's kind of --
16 that makes my head spin what we could do
17 with a million dollars. I'll give you an
18 indicated example. We've mentioned that
19 Shop Rite has been a very good citizen as
20 an employer in Philadelphia. We had a
21 scenario as Shop Rite was gearing up for
22 their new facility on Fox Street, that
23 they were looking to hire 300 clients,
24 RISE clients, to move into employment.
25 Strategically it lined up very well with

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2 our strategic plan where we would target
3 the industry, which would be the
4 supermarket industry, trained
5 specifically for the employer, which
6 would be Shop Rite.

7 That said, 150 of those
8 positions were for cashiers, which
9 required a certain level of training.
10 With the appropriate funding, we would
11 have been able to train 150 of returning
12 citizens to do cashier work that we could
13 have targeted both for Shop Rite but also
14 for other supermarkets in the industry.

15 So utilizing that type of
16 strategy, we could move a lot more
17 clients that will be prepared for
18 employment opportunities in a strategic
19 way in Philadelphia.

20 COUNCILMAN GOODE: Just give me
21 a preliminary number. What would a
22 million dollars buy?

23 MR. HART: And this would be my
24 best guesstimate. A million dollars
25 would buy 600, maybe 700 employment

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2 opportunities for returning citizens once
3 you deduct out what some of the
4 administrative costs and some of the
5 incentivizers might be.

6 COUNCILMAN GOODE: Thank you.

7 MR. HART: That combined with
8 what we're already doing, conceivably
9 that would be a thousand returning
10 citizens moved into a pipeline employment
11 within a year. While, again, it will not
12 solve the challenges that we have with
13 the overall number, but it's a meaningful
14 impact, public safety, family
15 strengthening, and certainly addressing
16 some of the challenges related to
17 poverty.

18 COUNCILMAN GOODE: Thank you.

19 Any other questions?

20 Councilman Squilla.

21 COUNCILMAN SQUILLA: Yes.

22 Thank you.

23 And I sort of agree, and the
24 money would help tremendously, but I
25 think we have to change also the

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2 perception of the businesses to
3 understand the benefit of this type of
4 opportunity, because we could have a
5 well-trained force of people there, but
6 without opportunity and businesses ready
7 to accept them or to hire them, they have
8 nowhere to go. So maybe we have to do a
9 better job also in creating these
10 opportunities to afford the businesses as
11 far as the tax credits or other
12 opportunities for them and, therefore, we
13 could have a lot more openings and
14 direction of where we could train the
15 people that are coming in.

16 MR. HART: Councilman, you're
17 absolutely right. We're working in
18 conjunction with Commerce, particularly
19 with Kevin Dow's line of business, where
20 we're starting now to go out with the
21 business service reps and have that type
22 of dialogue with employers, allowing them
23 to understand the dynamics of the tax
24 credits. And also -- and it's a small
25 thing -- often times when we think of the

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2 term "ex-offenders," we think of violent
3 offenders, but it's not necessarily the
4 case. I can't tell you how many
5 well-educated, tenured, experienced
6 accountants we've had come through our
7 office, and it would be great for a small
8 business to get the services of a former
9 CFO at the price of a \$13, \$14, \$15 an
10 hour employee. So there's a lot of
11 talent in our pool also.

12 COUNCILMAN SQUILLA: Thank you.

13 COUNCILMAN GOODE: Thank you.

14 Any other questions?

15 (No response.)

16 COUNCILMAN GOODE: Thank you
17 very much.

18 MR. HART: Thank you,
19 Councilman. Thank you, Committee.

20 COUNCILMAN GOODE: The other
21 witness I have is Wayne Jacobs.

22 (Witness approached witness
23 table.)

24 COUNCILMAN GOODE: Good
25 morning, Mr. Jacobs.

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2 MR. JACOBS: Yes. Good
3 morning. First I'd like to say thank you
4 for allowing me this opportunity to
5 address y'all about this issue here. I
6 just wish that this hearing was being
7 held on something more substantial and
8 more meaningful and more productive in
9 terms of helping formerly convicted
10 people. To sit here and talk about what
11 to call us, you know, it's really bizarre
12 to me, because what's more important to
13 me and my folks --

14 COUNCILMAN GOODE: Mr. Jacobs,
15 we just had a half an hour discussion on
16 employment.

17 MR. JACOBS: Okay.

18 COUNCILMAN GOODE: We spent
19 very little time talking about the term
20 "returning citizens."

21 MR. JACOBS: Well, I'd like to
22 address that whole term, because --

23 COUNCILMAN GOODE: So you want
24 to take time talking about the term; we
25 just finished talking about employment.

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2 MR. JACOBS: Okay.

3 COUNCILMAN GOODE: But go
4 ahead.

5 MR. JACOBS: I just want to
6 briefly talk about that, then get into
7 the employment piece.

8 First I want to address that
9 whole issue of returning citizen. One,
10 it's not all inclusive. It only talks
11 about a small segment of those that's
12 convicted. When you look at the whole
13 conviction rate, 80 percent of folks that
14 get convicted receive probation, never go
15 inside, never go to prison. When you use
16 that term "returning citizen" to talk
17 about those that's incarcerated, you're
18 only talking about 20 percent of those
19 that get convicted. What about that 80
20 percent? That 80 percent that receive
21 probation never identify with them being
22 returning citizen, because they never
23 went nowhere.

24 So when you talk about
25 returning citizen, you're only talking

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2 about those that been incarcerated. You
3 are excluding 80 percent of those that
4 been convicted that is being
5 discriminated against in terms of work,
6 education, and housing.

7 You know, when looking at that,
8 when a person receive probation, that
9 person is more in imminent danger than a
10 person that been incarcerated, because if
11 you are -- let's just say you are a
12 school teacher and you might have got
13 arrested for a minor offense of
14 disorderly conduct, right? And you go to
15 court and you plead guilty. You take the
16 deal, without being told of collateral
17 consequences, right? You take that deal
18 and you think you done got -- resolved
19 the issue. Two weeks later, they call
20 you into the office and say, Hey, we got
21 to fire you because you've been
22 convicted. Now that school teacher is
23 now fired from his job, with no income.

24 Next part of that, now it's
25 time for WIP to be paid or mortgage to be

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2 paid. Now that that person is no longer
3 working, him and his family immediately
4 got to go into the shelter. They are now
5 homeless.

6 Do you see what I'm saying?

7 You know, a person that receive probation
8 is faced more imminent danger than a
9 person that's incarcerated, because that
10 person that's incarcerated have time to
11 be able to get those things in order,
12 whereas a person is out here in the
13 street with a probation sentence doesn't
14 have that time. He loses or she loses
15 everything in a matter of months. They
16 would also lose they home. Because why?
17 If they have an apartment or if they're
18 renting a house, they have a decrease in
19 their income, they can no longer afford
20 to pay that rent since they no longer
21 working. Also if they got -- if they
22 live in an apartment and that landlord
23 find out that that person been convicted,
24 they now have to vacate the premises.

25 So people who receive probation

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2 is in more imminent danger than people
3 who are incarcerated.

4 I just wanted to say that, and
5 I just wish that whatever terminology
6 y'all come up with, it has to include the
7 entire population of folks who have been
8 convicted. Let's not just focus on those
9 that go inside.

10 Now --

11 COUNCILMAN GOODE: Mr. Jacobs,
12 I tried to explain this to you before.
13 The Mayor signed an Executive Order on
14 October 24th. It's not debatable. The
15 Mayor made a decision for his
16 Administration to change the term from
17 "ex-offender" to "returning citizen."
18 Have you had a conversation with the
19 Mayor about that?

20 MR. JACOBS: No, I haven't.

21 COUNCILMAN GOODE: Okay. So do
22 you know the purpose of this bill?

23 MR. JACOBS: Purpose of that
24 bill is to --

25 COUNCILMAN GOODE: Do you know

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2 the purpose of this bill?

3 MR. JACOBS: I read the bill,
4 and the bill is to whether or not y'all
5 going to -- it's two parts. One is the
6 employment part, and I'd like to talk
7 about that as well.

8 COUNCILMAN GOODE: The purpose
9 of this bill is only to make conforming
10 changes to the code for something that's
11 already going to happen within the
12 Administration. It only deals with
13 activities undertaken by the executive
14 branch. The executive branch has already
15 been ordered by the Chief Executive to
16 undertake those changes.

17 MR. JACOBS: Okay. So --

18 COUNCILMAN GOODE: Do you get
19 the point?

20 MR. JACOBS: I get the point
21 that the name was going to be "returning
22 citizen."

23 COUNCILMAN GOODE: That portion
24 was already signed on October 24th.

25 MR. JACOBS: Okay.

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2 COUNCILMAN GOODE: Mayor
3 Nutter, newly elected, signed the
4 Executive Order that says that the term
5 under his Administration is going to
6 change from "ex-offender" to "returning
7 citizen." Did you talk to the Mayor
8 about that?

9 MR. JACOBS: No, I haven't.

10 COUNCILMAN GOODE: Why not?

11 MR. JACOBS: I haven't seen
12 him. Well, he been out of town. You
13 know, he been all around the world. You
14 know, so -- and I can't afford to travel
15 to catch up with him. You know, I'm not
16 working neither. I'm a formerly
17 convicted person.

18 But, sir, I'd like to talk
19 about the other end of that, that
20 employment piece.

21 COUNCILMAN GOODE: So the
22 changes proposed to the code only deal
23 with activities undertaken by the
24 executive branch of government related to
25 employment, period. It doesn't go beyond

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2 that.

3 MR. JACOBS: Okay.

4 COUNCILMAN GOODE: It's only
5 programs run by people who work for Mayor
6 Nutter right now. That's the only
7 changes that are taking place.

8 MR. JACOBS: Okay. I want to
9 talk about the second part, and that's
10 the employment. You know, two years ago
11 City Council passed ban the box, and it
12 was a good legislation, a good move in
13 the right direction. However, the
14 Administration failed to implement the
15 second part of ban the box, and that part
16 is the oversight committee. We don't
17 know if ban the box is working or not
18 working, because we don't have an
19 oversight committee to monitor whether or
20 not employers are honoring and respecting
21 the ordinance that was passed by the
22 City.

23 If the City go ahead and
24 appoint this oversight committee, we
25 would be able to tell whether or not ban

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2 the box is a success.

3 I have folks -- we work with
4 people that's no longer on probation and
5 parole. We work with people who have
6 been off parole or probation for five,
7 ten, 15, 25, 35 years, working to help
8 clean up their criminal background
9 records, and these folks don't need job
10 readiness. I have resumes here of folks
11 of formerly convicted people who do not
12 need job readiness. All they need is an
13 opportunity to work at they skill level
14 to bring themselves out of poverty. And
15 ban the box -- and if y'all can get the
16 City or the Administration to appoint
17 this oversight committee, we can be able
18 to do some things to create an
19 opportunity for folks to work they way
20 out of poverty. And I just wish that
21 y'all would look at that, and I wish
22 y'all would hold a hearing on why the
23 City have not implemented the oversight
24 committee.

25 COUNCILMAN GOODE: Thank you

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2 for your testimony, Mr. Jacobs.

3 MR. JACOBS: All right.

4 COUNCILMAN GOODE: Thank you.

5 MR. JACOBS: No questions?

6 COUNCILMAN GOODE: No.

7 Reverend Klein.

8 (Witness approached witness
9 table.)

10 REVEREND KLEIN: I'd like to
11 say good morning to City Council. I'm
12 Reverend Kenneth C. Klein with Chosen
13 People Ministries. I've did missions all
14 over the City, and for 27 years I've been
15 in social services --

16 COUNCILMAN GOODE: Please pull
17 the mike closer to you.

18 REVEREND KLEIN: -- social
19 services and legal services as an
20 advocate. I was one of the speakers for
21 the first start of the ban the box, and
22 as Mr. Jacobs has stated, there's no
23 oversight for the ban the box.
24 Ex-offenders, those that were recently
25 incarcerated but are home now that went

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2 through courses on the -- job readiness
3 courses and resumes, they would go and
4 they would basically come back with the
5 applications and letting us know that it
6 was still on the application, that the
7 very thing that was signed off on, the
8 Mayor signed off on on the ban the box
9 situation, we were all -- basically I
10 think all of us were here in that room at
11 that time, and I testified as one of the
12 ministers for the ban the box.

13 When they go out for jobs, it's
14 still being discriminated against. It's
15 still on the application. And we asked
16 them to bring the applications back so we
17 can see.

18 If they have a chance to get an
19 interview with the question if you
20 haven't been -- have you been arrested or
21 how long you been arrested, when the last
22 time you been arrested, if that wasn't on
23 the application, which then if they get
24 into an interview, they can actually talk
25 to the interviewer and let him know, Hey,

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2 you know, this is what -- we've trained
3 them how to talk about their criminal
4 background. Many of them have been
5 trained, but what happened if they never
6 get the interview, as you know, because
7 the question is still on the application,
8 then they'll never get a chance to get
9 face to face to see you. So you can see
10 my personality, you can see my resume,
11 and then being able to tell you why I
12 have anything about any criminal
13 background.

14 But as I was stating, I was one
15 of the ministers that spoke for the ban
16 the box the first time, and, again, when
17 we take the applications out, they still
18 don't -- they come -- they bring them
19 back to us, and it's still on there, the
20 questions, and the Mayor did sign off on
21 that, you know. And when they bring the
22 applications back, it's still on there.
23 So they're still afraid, you know, or
24 they don't get the interview. And it's
25 no oversight over it, so people still,

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2 you know, have it on the application.

3 Also, the pardons, I wanted to
4 bring this up to -- I sent to each
5 Councilperson an e-mail, and hopefully
6 you'll sign off on my e-mail of my
7 petition, moveonpetitions.com, for
8 juveniles who have been sentenced to life
9 without parole, possibility of parole,
10 and it's up for review now. And the
11 psychologists and psychiatrists have
12 taken into account that at 14, 15, 16, 17
13 years old or whatever, that their minds
14 wasn't consciously able to even assess
15 what they were actually doing.

16 COUNCILMAN GOODE: Reverend
17 Klein.

18 REVEREND KLEIN: Yes.

19 COUNCILMAN GOODE: The ban the
20 box conversation did relate to
21 legislation. This does not.

22 REVEREND KLEIN: Okay. Thank
23 you very much.

24 COUNCILMAN GOODE: Councilman
25 Jones.

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2 REVEREND KLEIN: Again, I'll
3 leave with that.

4 I want to thank Councilman
5 Jones for when I wasn't working, I was
6 able to go to his business center and be
7 able to get work done, you know, when I
8 was -- what I was going to say again,
9 when you're out of work, there should be
10 places where you can go, like Career
11 Center or places like that. But
12 Councilman Jones, Curtis Jones, had an
13 office for all of those that hadn't
14 worked or were looking for starting
15 businesses. You know, we can go there
16 and, you know, do your resumes. You can
17 do your -- had your own cell phone and
18 you had your -- be able to fax, you know,
19 your resumes and actually if you wanted
20 to start a business, you could do it
21 right there. And these are the things
22 that need to be in place for us when we
23 come home.

24 Councilwoman Blackwell has
25 always been open, always been open to

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2 helping ex-offenders and those that --
3 black men and women that -- all people,
4 black men and women that were out of work
5 at the time. I was doing a prison rights
6 advocacy. I worked with Judge Norma
7 Shapiro, and when Judge Norma Shapiro had
8 fined the City because of the prison
9 overcrowding --

10 COUNCILMAN GOODE: Reverend
11 Klein.

12 REVEREND KLEIN: Can I just say
13 this? Of the prison overcrowding and
14 what happened is that those that were not
15 violent offenders were able to be let
16 out, you know, and we had actually social
17 services groups that actually worked with
18 them and then put them into work. And
19 what I'm saying is that if we can still
20 establish through the City to be able to
21 bring that back again, where you have
22 people in place that actually will help
23 them along the way and open up doors.

24 Closing with this, I was at a
25 meeting last night with some contractors,

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2 mostly African American contractors, that
3 will help ex-offenders, you know, get
4 employment, and they will volunteer their
5 services. We can do like a training
6 program. And then if we can get some
7 houses, then we can start working. So I
8 met with some contractors yesterday on
9 that situation.

10 And I want to thank you for
11 your time.

12 COUNCILMAN GOODE: Thank you
13 for your testimony.

14 Councilman Jones.

15 COUNCILMAN JONES: Yes.

16 Mr. Chairman, just for the record,
17 Mr. Jacobs mentioned that the oversight
18 committee was not established. To his
19 credit, he brought that to my attention
20 about six months ago. We sent a letter
21 to the Administration asking what the
22 status of it was. We have not received
23 thus far a response to it and hope to
24 follow up on that request to establish
25 that oversight committee, because I think

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2 if it ain't measured, it ain't managed.

3 If you don't know the effect of ban the

4 box and can't kind of hold people

5 accountable for those kinds of reviews

6 when they're on their application, what's

7 the point of passing a law?

8 So we're going to follow up on

9 that just so that you know and it's on

10 the record.

11 COUNCILMAN GOODE: Mr. Hart,

12 for the record, in addition to the

13 employment information we're looking for,

14 can we get a response to the Majority

15 Leader's letter?

16 MR. HART: Yes.

17 COUNCILMAN GOODE: Thank you.

18 Is there anyone else to testify

19 on this bill?

20 (No response.)

21 COUNCILMAN GOODE: Seeing none,

22 we will move from our public hearing into

23 a public meeting to consider Bill No.

24 130769. I have an amendment after

25 drafting the legislation. It covered the

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2 PREP program. It did not cover the Job
3 Creation Tax Credit program. So I'm
4 changing the language within the Job
5 Creation Tax Credit program as well for
6 this amendment.

7 The Chair recognizes Councilman
8 Squilla, Vice Chair of the Committee, for
9 a motion on the amendment to Bill No.
10 130769.

11 COUNCILMAN SQUILLA: I make a
12 motion to amend Bill No. 130769.

13 (Duly seconded.)

14 COUNCILMAN GOODE: All in
15 favor?

16 (Aye.)

17 COUNCILMAN GOODE: Those
18 opposed?

19 (No response.)

20 COUNCILMAN GOODE: The bill is
21 amended.

22 The Chair recognizes Councilman
23 Squilla for a motion on Bill No. 130769,
24 as amended.

25 COUNCILMAN SQUILLA: I'd like

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2 to make a motion for Bill No, as amended,
3 130769 be passed out of Committee with a
4 favorable recommendation and suspension
5 of the rules.

6 (Duly seconded.)

7 COUNCILMAN GOODE: All in
8 favor?

9 (Aye.)

10 COUNCILMAN GOODE: Those
11 opposed?

12 (No response.)

13 COUNCILMAN GOODE: Bill No.
14 130769, as amended, is reported out of
15 this committee with a favorable
16 recommendation and suspension of rules to
17 allow first reading at our next Council
18 session.

19 This concludes our public
20 meeting. Thank you very much.

21 (Committee on Commerce and
22 Economic Development concluded at 11:00
23 a.m.)

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CERTIFICATE

I HEREBY CERTIFY that the
proceedings, evidence and objections are
contained fully and accurately in the
stenographic notes taken by me upon the
foregoing matter, and that this is a true and
correct transcript of same.

MICHELE L. MURPHY
RPR-Notary Public

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