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February 25, 2011

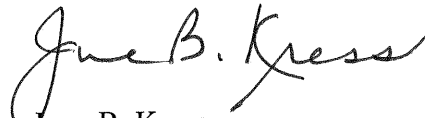
The Honorable Michael Brown
Chair, Committee on Housing and Workforce Development
Council of the District of Columbia
1350 Pennsylvania Avenue, NW
Suite 112
Washington, DC 20004

Dear Councilmember Brown:

I write on the behalf of the Council for Court Excellence ("CCE") to submit a written statement for the record regarding the performance hearing for the D.C. Department of Employment Services, held on February 18, 2011. The CCE statement is attached.

Thank you, and please let me know if you have any comments or questions.

Sincerely,


June B. Kress

Enclosure



COUNCIL FOR COURT EXCELLENCE

**Statement
of the Council for Court Excellence
before the
Committee on Housing and Workforce Development
Council of the District of Columbia**

**Agency Performance Oversight Hearing
on the
Department of Employment Services**

February 25, 2011

The Council for Court Excellence submits the findings from our survey of DC previously incarcerated persons (PIPs), discussed below, to assist with the Department of Employment Services, particularly as it relates to the work of Project Empowerment. No judicial member of the CCE board participated in the formulation of this statement.

The unemployment rate among the over 550 respondents¹ to CCE's PIP survey is devastatingly high, at 46% - quite close to the 50% unemployment rate of PIPs reported in a July 2008 Washington Post report.² **It is very difficult to get steady employment with a criminal record, in good economic times or bad.** This figure is particularly troubling considering that about 90% of all respondents were on government supervision through probation, parole, or supervised release, which suggests that even government agencies face difficulty helping their clients secure employment.

The unemployment rate among respondents was about the same after incarceration as it was prior to incarceration, even among those who used their time in prison productively to increase their skills. Over 30% indicated that they received a GED or higher in prison and 35% indicated receiving a job training certificate of some kind. In our sample, we found no difference in the unemployment rate for those who had earned a GED or job certificate in or after prison compared to those who did not. Perhaps those who did not advance their skills in prison or after their release already possessed a high level of skills, perhaps not. In the end, in our sample, it did not matter.

On the positive side, 75% report finding steady employment within seven months of their release and just over 60% report that there is opportunity for them to move up in their company. We will discuss other findings in more detail in our forthcoming report, expected in late Winter or early Spring of 2011.

¹ Respondents were either those who, in Summer and Fall 2010, voluntarily appeared at the OEOA offices seeking assistance or were under the supervision of the US Probation Office and responded to a letter request from a probation officer.

² Pierre, Robert. "Ex-Offenders Protest Dearth of Jobs, Services." *The Washington Post*. July 2, 2008. Page B04.



COUNCIL FOR COURT EXCELLENCE

The Council for Court Excellence's DC Reentry Initiative is working to identify and address some of the systemic barriers to employment for former DC offenders, a goal that happens to converge with DOES and Project Empowerment's missions. CCE has surveyed DC employers and former offenders about their employment experiences and conducted a best practices review of other jurisdictions' efforts to address legal barriers to employment for persons with a criminal record.

CCE's DC Reentry Initiative's next steps are to release a full report with specific major policy recommendations, including possible legislative initiatives, which at this point include certificates of rehabilitation or employability and potential bases for liability protection for employers who hire former offenders. Both initiatives, particularly certificates of rehabilitation, are of interest to the Initiative members and have been implemented in other jurisdictions. These topics are also of interest to employers who completed our survey.

The agencies and organizations that are involved in the committee include: the Federal Bureau of Prisons, the U.S. Parole Commission, Court Services and Offender Supervision Agency, U.S. Attorney's Office for D.C., D.C. Public Defender Service, D.C. Superior Court, D.C. Criminal Code and Sentencing Commission, Alliance of Concerned Men, Visitors' Services Center, D.C. Chamber of Commerce, the D.C. Prisoners' Project of the Washington Lawyers' Committee, and the D.C. Office on Ex-Offender Affairs.

In the past four years we have worked constructively with the DC Council on matters relating to the issue of former offenders. In 2006 the CCE Expungement Subcommittee proposed legislation that was largely adopted by the DC Council as the Criminal Record Sealing Act of 2006. More recently, CCE provided testimony to the Public Safety and Judiciary Committee on the Parole Credit Maintenance Amendment Act of 2008.

The Council for Court Excellence is a local nonpartisan civic organization founded in 1982 to improve the administration of justice in the courts and related justice agencies in the District of Columbia. For nearly 30 years, CCE has been a unique resource that brings together members of the civic, legal, business, and judicial communities to work in common purpose to identify and promote court reforms, improve public access to justice, and increase public understanding and support of our justice system.