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## **Why “Ban the Box”?**

*How Increasing Employment Opportunities Reduces Recidivism Rates*

- New Haven’s “Ban the Box” is a proposed ordinance that will remove from all City job applications the “box” or query relating to an applicant’s criminal conviction. The City of New Haven will only inquire into an applicant’s conviction history once it has determined that the applicant is otherwise qualified for the position in question and has made the applicant a provisional offer of employment. The ordinance also provides that the City will review the hiring policies of vendors with whom it contracts in order to ensure that these policies are consistent with the City’s commitment to prohibiting unfair discrimination against persons with past criminal convictions.
- Approximately 25 individuals per week return from Connecticut prisons to the New Haven community.<sup>1</sup> At present rates, almost 10 out of these 25 may be expected to recidivate if nothing is done to intervene.<sup>2</sup> High rates of incarceration disproportionately affect poor and minority communities. Four neighborhoods—the Hill, Fair Haven, Newhallville and Edgewood/West River— accounted for over 60% of New Haven’s reentry population in 2007.<sup>3</sup>
- Cycles of incarceration, left unchecked, also present a threat to public safety. New Haven crime statistics for the first six months of 2008 reveal that 70% of victims of non-fatal shootings and 50% of the suspects in homicides and non-fatal shootings had previous criminal convictions.
- Formerly incarcerated individuals frequently return to society in a state of profound deprivation with regard to almost every area of their lives. Public housing bans, conditions of parole, limited resources or family conflict may make it impossible for individuals to return home to their families upon release. Basic needs such as food and medical care may prove difficult to obtain, since some criminal convictions render individuals ineligible for food stamps, TANF or veterans’ benefits, while practical barriers impede reapplication for benefits suspended during incarceration.<sup>4</sup> According to one study, more than eight in ten former inmates have chronic mental or physical health or substance abuse issues.<sup>5</sup> Formerly incarcerated individuals also often face a range of other obstacles to successful reintegration, ranging from the accrual

<sup>1</sup> Statistics provided by the CT Department of Correction to the New Haven Police Department.

<sup>2</sup> Based on Connecticut’s 39% average recidivism rate; *see Annual Report: 2008 Connecticut Recidivism Study*, Office of Policy & Management Criminal Justice Policy & Planning Division at 1 (Feb. 2008), *available at* [http://www.ct.gov/opm/lib/opm/cjppd/cjresearch/recidivismstudy/20080215\\_recidivismstudy.pdf](http://www.ct.gov/opm/lib/opm/cjppd/cjresearch/recidivismstudy/20080215_recidivismstudy.pdf).

<sup>3</sup> *Id.*

<sup>4</sup> Caterina Gouvis Roman & Jeremy Travis, *Taking Stock: Housing, Homelessness, and Prisoner Reentry*, Urban Institute Justice Policy Center Final Report at iv-v (March 8, 2004), *available at* [http://www.urban.org/UploadedPDF/411096\\_taking\\_stock.pdf](http://www.urban.org/UploadedPDF/411096_taking_stock.pdf).

<sup>5</sup> Kamala Mallik-Kane & Christy Visher, *Health and Prisoner Reentry: How Physical, Mental, and Substance Abuse Conditions Shape the Process of Reintegration*, Urban Institute Justice Policy Center Research Report (Feb. 2008), at 1, *available at* [http://www.urban.org/UploadedPDF/411617\\_health\\_prisoner\\_reentry.pdf](http://www.urban.org/UploadedPDF/411617_health_prisoner_reentry.pdf).

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of taxes and child support bills during their incarceration<sup>6</sup> to custody battles, parenting challenges and other family-related problems.<sup>7</sup>

- An October 2008 study by researchers at the Urban Institute affirmed that individuals who were employed and earning higher wages after release from prison were less likely to recidivate in their first year out.<sup>8</sup> Moreover, this was the case despite the fact that 68% of the population studied had already been incarcerated at least once before their most recent incarceration.<sup>9</sup>
- To expand employment opportunities for their reentering populations, cities across the nation, including Boston, Chicago, Minneapolis, San Francisco, St. Paul and Baltimore, have implemented some form of “Ban the Box” policy to prevent hiring discrimination against applicants with past convictions. As of March 2008, cities including Los Angeles, Philadelphia, Oakland and Newark had proposed similar initiatives.<sup>10</sup>
- The “Ban the Box” ordinance is a major legislative component of New Haven’s recently launched reentry initiative, through which the city seeks to provide opportunities and services for formerly incarcerated individuals in order to make all of our communities safer, stronger and more vibrant. New Haven’s reentry initiative is a multi-pronged strategy aimed at ensuring that formerly incarcerated individuals have the resources and support to make successful transitions back to their respective communities. Effective reentry strategies not only produce public safety gains in the narrow sense by reducing recidivism among formerly incarcerated persons, but also strengthen vulnerable communities by helping families flourish.

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<sup>6</sup> See Kirsten D. Levingston & Vicki Turetsky, *Debtors’ Prison—Prisoners’ Accumulation of Debt as a Barrier to Reentry*, 41 CLEARINGHOUSE REVIEW 187 (2007), available at [http://www.clasp.org/publications/debtors\\_\\_prison2007.pdf](http://www.clasp.org/publications/debtors__prison2007.pdf).

<sup>7</sup> See generally DONALD BRAMAN, *DOING TIME ON THE OUTSIDE: INCARCERATION AND FAMILY LIFE IN URBAN AMERICA* (2004); JEREMY TRAVIS, *BUT THEY ALL COME BACK: FACING THE CHALLENGES OF PRISONER REENTRY* (2005), at 119-150.

<sup>8</sup> Christy Visher, Sara Debus, and Jennifer Yahner, *Employment after Prison: A Longitudinal Study of Releases in Three States*, Urban Institute Justice Policy Center (Oct. 2008), available at <http://www.urban.org/publications/411778.html>.

<sup>9</sup> *Id.* at 2.

<sup>10</sup> National Employment Law Project, *City and County Hiring Reforms* (2008), available at [http://www.nelp.org/site/issues/category/city\\_and\\_county\\_hiring\\_reforms](http://www.nelp.org/site/issues/category/city_and_county_hiring_reforms).