



Re-Entry and Good Jobs: Building the Second Chances We All Believe In — Transcript

Hosted by the Aspen Institute Economic Opportunities Program

February 26, 2025

Description

Today approximately 77 million Americans, or 1 in 3 adults have a criminal record. While not everyone represented in this statistic has experienced incarceration, it serves to highlight that the barriers formerly incarcerated people face finding quality jobs are far more commonplace than we might think. Many returning citizens, who worked for little or no pay while incarcerated, will struggle to find quality jobs after release.

Discrimination against those with a record, restrictions on what occupational licenses are available to those with a record, existing debts, punitive court supervision policies, and lack of support to meet basic needs in areas such as housing can force those leaving incarceration into dead-end, low-paying, and exploitative jobs. Some will find they are barred from doing the jobs they worked or were trained to do while incarcerated. And many more lacked opportunities to participate in education or training opportunities while incarcerated.

But across the country, innovative efforts are underway to revamp our re-entry system by opening up access to good jobs. New laws to wipe criminal records and address occupational licensing barriers, legal action aimed at discrimination, and a growing coalition of employers and union leaders are showing that providing a second chance is possible.

In this virtual event — hosted by the Aspen Institute Economic Opportunities Program on February 26, 2025 — we explore the opportunities and challenges accessing good jobs for people after incarceration. Our conversation features opening remarks from Sappho Fulton (Womxn Beyond Borders), followed by a panel discussion with Daryl V. Atkinson (Forward Justice), Beth Avery (National Employment Law Project), Sharon Dietrich (Community Legal Services), Minna Long (Washington State Building & Construction Trades Council), Gina Schaefer (A Few Cool Hardware Stores), and moderator Jamiles Larley (The Marshall Project).

Speakers

Sappho Fulton (Opening Remarks)

– Executive Director, Womxn Beyond Borders; Women's Way Fellow

Sappho Reynan Fulton MA, MSW, PhD (ABD) is a global expert in transformational life coaching and social justice advocacy. As the CEO of Womxn Beyond Borders, she is at the forefront of transforming psychological practices into wellness-based healing spaces. Her organization manages pre-entry services in county jails and reentry services in center city Philadelphia, demonstrating her commitment to supporting marginalized communities. Sappho's extensive experience in social work, community organizing, and nonprofit management is complemented by her academic achievements, including master's degrees in social work and organizational leadership and her ongoing pursuit of a PhD in International Psychology.

Sappho's expertise extends to program development, event planning, public speaking, grant writing, fundraising, and volunteer management. Her passion for social justice and community empowerment is evident in her focus on equity and inclusion, particularly for LGBTQ+ individuals and cisgender women of color. Her global impact is underscored by her service in over seven African countries. Sappho's personal journey, including over 20 years of involvement with the carceral system followed by nearly two decades of successful reintegration, adds depth to her professional expertise in reentry and second chances. Currently working towards her licensure, Sappho serves on several prestigious boards and advisory councils, including the Homeless Assistance Fund, Inc., CAB-UPenn's Nursing Advisory Team, and Marc Arthur's Advisory Council, further solidifying her position as a respected leader in her field.

Daryl V. Atkinson

– Co-Director and Co-Founder of Forward Justice

Daryl is the co-director and co-founder of Forward Justice. At Forward Justice, Atkinson serves in several critical roles, including leading movement building litigation, advancing public policies that address the needs of people with criminal records, and offering tremendous thought leadership through scholarship and public speaking on criminal justice, race, and democracy. For example, Atkinson was the lead attorney in the seminal felony disenfranchisement case, *Community Success Initiative v. Moore*, that challenged North Carolina's felony disenfranchisement regime. Atkinson and Forward Justice were the central advocates that ushered in the passage of the Second Chance Act, which expanded eligibility and access to criminal record clearance for people with records. Atkinson was an editor of "What We Know", a compilation of innovative policy proposals developed by currently and formerly incarcerated people; a contributing author to "Parsimony and Other Radicals Ideas", a compendium of articles on creating transformational change in the criminal legal system.

Prior to joining Forward Justice, Atkinson was the first Second Chance Fellow for U.S. Department of Justice (DOJ). At DOJ, Atkinson was an advisor to the Second Chance portfolio of the Bureau of Justice Assistance (BJA), a member of the Federal Interagency Reentry Council, and a conduit to the broader justice-involved population to ensure that BJA heard from all stakeholders when developing reentry policy.

Most notably, in 2014, Atkinson was recognized by the White House as a "Reentry and Employment Champion of Change" for his extraordinary work to facilitate employment opportunities for people with criminal records.

Mr. Atkinson is a founding member of the North Carolina Second Chance Alliance and is on the Board of Directors for the Clean Slate Initiative. Atkinson has appeared in numerous media outlets including The Washington Post, CBS, NowThis, and MSNBC. He received a B.A. in Political Science from Benedict College, Columbia, South Carolina and a J.D. from the University of St. Thomas School of Law, Minneapolis, Minnesota.

Beth Avery

– Fair Chance Program Director, National Employment Law Project

Avery is the Fair Chance Program director at the National Employment Law Project (NELP), a leading nonprofit advocacy organization with the mission to build a just and inclusive economy where all workers have expansive rights and thrive in good jobs. Beth leads NELP's advocacy to [advance the rights of workers with records](#). Since joining NELP as an attorney in 2015, Beth has provided legal and technical assistance focused on removing unfair barriers and expanding employment opportunities for people with arrest and conviction records. In partnership with allies across the country, Beth has advocated for "fair chance hiring" ("ban the box") policies and "fair chance licensing" reforms for nearly a decade. For example, Beth worked with a statewide coalition of advocates and formerly incarcerated leaders to enact the California Fair Chance Act in 2017 and continues to co-lead a coalition seeking to build on the rights established by that law. As part of her advocacy, Beth has testified before state legislatures, advised lawmakers and local advocates on policy design and implementation, and authored amicus briefs to federal and state courts.

Sharon Dietrich

– Litigation Director, Community Legal Services

Ms. Dietrich has been an attorney with the Employment Unit of Community Legal Services (CLS), Philadelphia, since 1987. She became CLS's managing attorney for Public Benefits and Employment in 1997, and its litigation director in 2014. A focus of Ms. Dietrich's work has been issues involving the employment of people with criminal records.

Ms. Dietrich was one of the architects of Pennsylvania's innovative Clean Slate law (Act 56 of 2018), which seals minor criminal records by automation. Almost 46 million cases have been sealed in Pennsylvania to date. She also was a leader in the campaign in Pennsylvania to expand Clean Slate to drug felonies. In addition to facilitating the legislation and implementation of Pennsylvania's Clean Slate law, she speaks widely about automated sealing and provides technical assistance in other states looking to adopt and implement Clean Slate.

In addition, Ms. Dietrich has represented thousands of people who have been denied employment because of their criminal records. She founded CLS's work in the National Record Clearing Project, to provide technical assistance nationwide for provision of expungement and sealing representation. She has litigated national class actions against background screeners and constitutional challenges of overbroad laws restricting work opportunities.

Ms. Dietrich received numerous awards for her work on Clean Slate, including from the National Legal Aid and Defender Association, the Pennsylvania Bar Association, and the Pennsylvania Legal Aid Network. She also has received awards from the Pennsylvania Prison Society (2002), the Philadelphia Bar Association (2005), the American Civil Liberties Union of Pennsylvania (2011), and the University of Pennsylvania Law School (2016).

Minna Long

– Strategic Programs Manager, Washington State Building & Construction Trades Council; Journeyman Ironworker, Ironworkers Local 29

Minna has a diverse educational background, including holding two bachelor's degrees from Ohio University, and is currently earning a master's in Law, Justice, and Culture. She is also a member of Ironworkers Local 29, where she excelled in her craft and was the first woman to represent her local in the National Outstanding Apprentice Competition. Having facilitated anti-harassment and anti-discrimination classes for apprentices, receiving the Wanda Hall Legacy Award for mentorship in the trades, and now working for the Washington State Building & Construction, she is passionate about advocating for others. She has volunteered with organizations such as the Washington Defender Association and Incarcerated Mother's Advocacy Project, where she played a pivotal role in passing legislation and providing mentorship. Today, Minna continues her work reducing barriers and advocating for folks both at work and in her personal life. Her greatest joy outside of work is being a mom to twin boys.

Gina Schaefer

– Former CEO, A Few Cool Hardware Stores; Author of “Recovery Hardware: A Nuts and Bolts About Building a Community, and Renovating Lives”

Gina Schaefer is the founder and CEO of 12 hardware stores in Washington DC, Baltimore, and the surrounding areas. As a member of the Ace Hardware Cooperative, Gina leads a multimillion-dollar business that employs more than 260 people. She is dedicated to maintaining a strong corporate culture and has begun a transfer of ownership through an employee stock ownership plan to her teammates. She is also the author of “Recovery Hardware: A Nuts and Bolts Story About Building a Business, Restoring a Community, and Renovating Lives,” which was published in September 2022.

Schaefer draws her inspiration from fellow entrepreneurs who strive to be creative, think differently, and help make a difference — people like Judy Wicks, founder of the White Dog Cafe in Philadelphia, from whom Schaefer learned innovative business strategies; Paul Saginaw and Ari Weinzwieg, founders of gourmet food group Zingerman's Community of Businesses in Michigan, who inspired her to use her voice as a force for good; and Father Gregory Boyle, founder of Homeboy Industries in Los Angeles, who taught her that nonprofit organizations need to think beyond simple charity.

Schaefer has received numerous accolades for her many accomplishments. She is the recipient of the Women Who Mean Business award from the Washington Business Journal of 2009; she was recognized as an industry Top Gun in 2011 by the National Retail Hardware Association; she was honored by Profiles in Diversity Journal as one of its “Women Worth Watching” in 2013; and she was recognized by Hardware and Building Supply Dealer as one of 14 of the 2016 “People of the Year.” In 2020, she received a Top Women in Hardware & Building Supply award.

She serves on the corporate board of CCA Global and the nonprofit board of the Institute for Local Self-Reliance.

Moderator

Jamiles Larley

– Staff Writer, The Marshall Project

Jamiles Larley is a New Orleans-based staff writer for The Marshall Project and the primary author of the outlet's award-winning "Closing Argument" newsletter. Previously, he worked as a reporter for the Guardian covering issues of criminal justice, race and policing. Jamiles was a member of the team behind the award-winning online database "The Counted," tracking police violence in 2015 and 2016. In 2016, he was named "Michael J. Feeney Emerging Journalist of the Year" by the National Association of Black Journalists. In his off time, Jamiles is an avid drummer, playing and recording with artists in the New Orleans area.

Transcript

Matt Helmer (00:00:04)

Welcome, everybody. I'm Matt Helmer. I'm the managing director of the Economic Opportunities Program. It's great to have you all today for this exciting conversation, Re-Entry and Good Jobs: Building the Second Chances We All Believe In. This event's actually the second part in a little two-part series we've been doing called Work Behind and Beyond Bars: Improving Job Quality During and After Incarceration, in which we try to look at the challenges that people have with labor and work when they're incarcerated and behind bars, and then some of the challenges and opportunities they have hopefully when they're released in the labor market. So, this conversation is also part of our larger series called Opportunity America, in which we try to look at the changing nature of economic opportunity in the United States and really try to think about how we create an economy that works for everyone.

Before we get started, just a few technology notes here. Everyone's muted. Please use that Q&A button at the bottom of your screen to submit and upvote questions. We have a really large audience today. We're not going to get to everyone's questions, but we'll try to get to as many as possible. Please use that chat though to share your perspective, your resources, your ideas, anything you want in there. If you want to post

about the conversation on any social media platform, we use #TalkOpportunity. If you do run into any technical issues today, you can message us in the chat or email us at eop.program@aspeninstitute.org. We are going to record this event of course, you'll get a recording via email, and we'll also post it on our website if you want to take another look at it later or if you have to leave early. Close captions are available for the discussion. You just have to click that CC button at the bottom of your screen.

Stay tuned for our next event on March 19th in which we're going to look at the challenges of workers in the trucking industry. But let's talk about today's discussion. As I said in part one of this series, we really took a closer look at prison labor and the need for dignity, human rights and opportunity for people who are working behind bars. Today, we're focusing on those returning home from incarceration who often face very similar challenges when it comes to finding stable dignified work. When we were putting this discussion together, we talked to a lot of people, a lot of inspiring work going on out there, a lot of organizations doing great work around supporting those at re-entry. Everyone from those involved in workforce development to affordable housing and healthcare. Just a tremendous amount of great work going on around the country really embodying, I think, the values that we all aspire to, or at least most of us aspire to around equal opportunity and second chances.

This event has actually drawn our largest audience ever, which I think speaks to the challenges of this work, but also speaks to the commitment of this work in the hope for addressing some of the barriers we're going to talk about today.

So, we've made a lot of progress on those values when we think about equal opportunity and second chances, but I think as we're seeing today, we're starting to get pushback against some of those once again. So, we still have this long road ahead I think to realize these values of equal opportunity and second chances. And I think it's important to say too that many never even get that first chance. As I think many of us know on this webinar, that opportunities are often unequal, the ZIP code that you're born into often impacts your future and your opportunity more than anything else. And a second chance is also hard to come by. It's hard to come by because so many of our jobs today in our economy don't provide fair wages. They don't provide benefits, they don't provide the conditions that allow people to lead stable lives. So, for many, limited access to good jobs is not just something they experience when they're coming out of incarceration, but for many it could have been a contributing reason why they went down the road of becoming incarcerated in the first place.

So, I think I'll just close out by saying too often I think our ideas are ideals of equal opportunity and second chances. We all aspire to those. We all hope for those. We all have a deep commitment to those, but oftentimes they run into and clash with discrimination and racism and policies that really block access to quality jobs. And we all know that quality jobs, not just a job, but a quality job in the context of today's conversation is really important in preventing recidivism. And too often those leaving incarceration or those with a record, they're forced into a job very quickly, oftentimes at the expense of a good job. So, these challenges like I said aren't unique to many Americans. Many Americans are struggling to access good jobs today, but those coming home from incarceration have some unique barriers and we really want to dive into those today. So, we'll discuss how we can rethink our policies, our mindsets, our incentives, our funding and our systems to hopefully expand access to good jobs for those coming home.

And we have a great panel that's going to explore this today, but I'm going to turn it over to my colleague now, Amanda Fins, we call her Finny, a senior research associate on our team who's going to say a few words and introduce our first speaker. So, Finney, I'll turn it over to you.

Amanda Fins (00:05:25)

Thank you, Matt. Hi, everyone. My name is Finney and I'm a senior research associate with the Economic Opportunities Program, and it's my pleasure to get to address you all today and introduce our opening speaker. Today's conversation, as Matt mentioned, is going to focus on the challenges that are unique to those who've been previously incarcerated. Those who are looking to rebuild their lives after release are often faced with insurmountable odds in finding work while simultaneously having little support and in fact, many obstacles for doing so. Often prisons lack viable opportunities for career training that folks can take with them once they've served their time. And afterwards they're forced to enter the workforce at a disadvantage, often facing barriers such as occupational licensing restrictions, employer discrimination and exploitation, needing support for things like health and housing while still navigating systems such as parole and the impacts that that can have on a burgeoning career.

It's our hope that you all will take away a deeper understanding of these challenges as well as a few solutions for how we can improve job quality for those previously incarcerated. And with that, it's my pleasure to introduce our opening speaker Sappho Fulton. Sappho is the CEO of Womxn Beyond Borders, managing pre-entry services in

county jails and re-entry services in Center City, Philadelphia, demonstrating her commitment to supporting marginalized communities. She's also a current Change the Narrative fellow at Women's Way, where she's honed her storytelling skills to challenge assumptions about incarceration and advocate for a liberatory economy. Sappho's personal journey, including over 20 years of involvement with the carceral system, followed by nearly two decades of successful reintegration adds depth to her professional expertise in re-entry and second chances. And we're so honored to have her here with us today to kick off our discussion. So, I will turn it over to you, Sappho.

Sappho Fulton (00:07:14)

Thank you. Thank you so much, Sappho Fulton. And I just want to kind of go straight into the stories. Thank you for reading such an excellent bio and introduction of me. So, yes, so my experience with the carceral system, I want to talk about, I'm overcoming 30 years of hard crack addiction. I'm born in the 60s, so I came through the hard crack era. So, we're talking about unaddressed mental health, unaddressed substance abuse usage, homelessness, yeah and not being able to find a job. So, I think that finding a job was like the least of my worries coming out of the carceral system. It was like, "I don't know what to do." Because we're talking about the trauma of incarceration, we're talking about the cultural adjustment because you live and exist in a culture inside the penitentiary and you learn a behavior of survival. So, when you come home to re-enter society, there's an adjustment. There's an adjustment, and there is a learned mannerism that may not always be as accepted in certain communities.

And that's the biggest challenge with, I think even doing the job interview because I'm going through an experience and as an individual coming home, I want to get a job, I want to work, I can work and I'm going to be a good worker, but I don't know how to really fill out an application and I really don't know how to interview and my mannerism may come off a little awkward in a professional space. So, that's one point, and I'm going to leave some more room for some other people to add some things there. But we're talking about major barriers back to back, not being able to...

So, summarizing some of the experiences and looking for work after being incarcerated, I never had a job, so I don't even know what kind of work I was looking for. I know that I didn't want to do a labor job that was going to pay minimum wage because my thought process was to get a house. I want to meet back with my family. I want to be respected in society. I want to have some things that are substantial. For me, my experience was I decided to go back to school and I did everything they

wanted me to do. Well, I did everything that was normal and accepted in society more or less. Because it was like, "Go back to school, get a degree, do something to better yourself so you can get a good job." So, I did that. I got an associate's degree, I got an undergraduate degree.

I've traveled the world. I got two master's degrees, I got a PhD, so let me stop at the second master's degree. I got a master's in organizational leadership and a master's in social work. So, when I went to take the test, I don't know where all these brain cells came from because I promised you I smoked most of them during that 30-year period of addiction. But when I got the MSW and I went to go get my licensure for the MSW, they were like, "Oh, you have felonies on your jacket. You can't get a licensure. You need to go through different procedures to get the licensure." So to me, what I heard is fear, rejection and no. I'm not saying that it was impossible, but it was a very strategic challenge of trying to obtain your license with robbery, with gun possession charges, with possession with intent to deliver.

I'm not talking about any homicides and I'm not talking about any sexual assaults, I'm not talking about any child endangerment. I'm talking about things that come along with substance abuse usage. So, that was problematic. So, I went even further to get the PhD. I don't know if I'm going to be able to get a license with a PhD. I've been pretty successful in 20 years. I'm still struggling with trying to get a pardon. Yeah. So, when I go to a job, it always comes up. And we were talking about this the other day when I was talking with Finney and Matt, and I was saying, "Even today I finally found someone that would let me work under their licensure as an LPC." And so, I can get at least an LPC because most of our funding says you have to have a licensed practitioner and I have a private practice, but...

So, I finally found someone to let me work under the licensure. I was saying that the challenge, the fears that come with moving forward to even fill out the application for the licensure. Now listen, I am outspoken. I think I'm pretty assertive, but those paralyzing fears have almost stopped me from completing the application for the licensure. I've been working under this licensure practice for six months, but I don't understand that until I get right in front of it. So, supports. one of the things that I designed with my program is a re-entry supportive service. The other thing that we designed with Womxn Beyond Borders is that with everything, with all of my fears, I still keep pushing forward. I go inside the jail and I do planning inside the jail. I meet with people where they are. I do parenting with men, parenting with women, I work with trans folks, I work with LGBTQ

folks. And then we have a wraparound re-entry supportive services. And we just don't stop with, "Hey, listen, get a job."

We are like some of the barriers that are coming up, like literacy issues, people can't read. I remember one of my sentences, I went up state up Muncie and I tested on the second grade reading level. Was I unable to read? I thought I could read, but substance abuse and induced mental health conditioning had proven otherwise based on testing. Do you know what I mean? So, those things come up. So, when we're talking about policy and standards, now we don't have the DEI programs, now we don't necessarily have to work with compromised communities. We don't have to go above and beyond professional development. But I want to work, I want to show up. I'm committed to showing up. In fact, when we were upstate, we had to go to work every day or we would be locked in our cells. We were some of the best workers. And we work hard because we're overachievers because we've done so much damage in life that all we want to do is just have another chance and we deserve to be paid for that. We don't deserve to be underpaid at a minimum wage.

Yeah. I hope I set the tone. I'm a little nervous because I had to do all that in like three minutes. So, I want to pull back and then I'll be here for more questions and answers. But I think that there's some stuff to unpack in there and we can add to whatever work that other folks are doing on this panel. Thank you.

Matt Helmer (00:13:30)

Great. Great job, Sappho. Thank you so much for sharing your story. And Sappho's going to be around for our audience Q&A towards the end. So, hopefully we'll have some more time to hear a little bit more of Sappho's expertise and perspective on some of these issues. But now I want to turn to our panel and it's a great panel. You can read more about them and their impressive bios on our website. But right now I'm just going to put names to faces so that we can get into the conversation. First, we have Daryl Atkinson. He's the co-director and co-founder of Forward Justice. We have Beth Avery joining us from the National Employment Law Project where she's the Fair Chance Program director. We have Sharon Dietrich, litigation director at Community Legal Services of Philadelphia. We have Minna Long, strategic program manager for the Washington State Building and Construction Trades Council. Minna's also a journeywoman ironworker with Ironworkers Local 29 out here in Washington State.

And then finally we have Gina Schaefer. Gina's a longtime friend of The Aspen Institute and someone we've had on previous discussions. She's the former CEO of A Few Cool

Hardware Stores, which is in the DC Metro area, and she's the author of *Recovery Hardware: A Nuts and Bolts Story About Building the Community and Renovating Lives*. And it's our pleasure today to welcome Jamiles Lartey who's the staff writer at The Marshall Project to moderate today's conversation. Jamiles is the primary author of The Marshall Project's award-winning newsletter, *Closing Argument*. He was previously the reporter for The Guardian where he covered issues of criminal justice, race and policing, and was member of the team behind the award-winning online database, *The Counted*, which tracked police violence in 2015 and 2016. He has been named the Michael J. Feeney Emerging Journalist of the Year in 2016 by the National Association of Black Journalists. Jamiles, I'm glad you're here with us today, and I'll turn it over to you to guide the rest of today's conversation.

Jamiles Lartey (00:15:29)

Thanks so much, Matt, for that introduction. And I really want to say thank you to The Aspen Institute for inviting me to participate in today's event. Re-entry, rehabilitation, collateral consequences, these are all topics that regularly come up in my work on The Marshall Project's newsletter and just more broadly in our newsroom. And so, I'm really excited to have this opportunity to dig a little bit deeper with a panel of experts who I think you'll find bring diverse connections and perspectives to this conversation. So, to get started and kind of jump right in, I would really, we have a big panel, and so that's something that we're just going to have to manage. But I'd like each of you to take about two to three minutes to introduce yourself, talk about your work in this area, and talk about why this conversation is important. But I'd also really love for us to get specific and not just speak in broad strokes, so I'm going to challenge each of you to raise a specific story, person, a law, a moment, something that can ground us in the practical realm of this topic.

And so, I'm going to start with Beth. I'm going to ask you to please introduce yourself and NELP and give us an example that demonstrates some of the challenges that we're talking about today.

Beth Avery (00:16:49)

Thank you. Hi, I'm Beth Avery. For the past decade, I've worked for the National Employment Law Project as an attorney and the Fair Chance Program director now. So, NELP is a non-profit advocacy organization with a mission to build a just and inclusive economy where all workers have expansive rights and good jobs. And so, I think that's

why this conversation today is so important because the good jobs part of re-entry is often overlooked and not given enough attention. And so, I think it was suggested that I should maybe ground us a little bit in some overview, some facts in the situation we're facing. So, I think when I start explaining this issue to people, I highlight the breadth and depth of this problem.

We're talking 80 million people with some sort of record that's nearly one in three US adults. And so it's broad and we're talking deep, long-lasting and unevenly distributed and nonsensical barriers. So, lifelong reduction in employment and wages, barriers to building wealth, upward mobility, families, communities, particularly communities of color because we have a legal system that routinely criminalizes our communities of color. And I think that the fact that I need to underscore, and I think everyone needs to have in mind when we have this conversation is that there is no evidence that people with records are more likely to engage in workplace misconduct. Our current system takes for granted that criminal background checks help employers make better hiring decisions, and I don't understand why that unproven background fact is to be the background assumption. So, I'll end there.

Jamiles Larley (00:18:44)

Thank you so much, Beth. I'm going to move over to Daryl now. This work to support people coming out of incarceration with employment has a long history. So, I was hoping you could tell us about yourself and Forward Justice, but also give a sense from your perspective about where this movement is today and where it's come from.

Daryl V. Atkinson (00:19:04)

Yeah, thank you for having me. I thank The Aspen Institute for addressing this important issue. I didn't one day wake up and decide I wanted to co-found a civil rights advocacy organization. My life trajectory propelled me in that direction. In 1996, I was convicted of a first-time non-violent drug crime, convicted of drug trafficking and given 10 years in prison in the Alabama Department of Corrections. I wasn't offered any post-secondary educational opportunities. I went inside with the high school diploma, and came out with the high school diploma. This is 1996, two years after the passage of the 1994 Crime Bill, which ended any Pell Grant assistance to incarcerated people. Fortunately enough for me, I had a loving family to return to that provided me food, clothing, and shelter. I didn't have those immediate Maslovian pressures pressing down upon me and I could think and work a plan. I went back to school and got my

associate's degree, bachelor's degree, law degree, and was licensed to practice law for over 17 years in both Minnesota and North Carolina.

And my practice area exclusively focused on the restoration of the civil and human rights of people who've been to prison and jail. So, that's kind of how I got into work. And the origins particularly of fighting against the structural discrimination that people with records and people leaving incarceration face originated from those people. Grassroots organization by the name of All of Us or None coined the term Ban the Box, which really was trying to get people a fair shot at being able to get a job where they aren't immediately discriminated because they have a criminal record, but you can assess them on all of their skills and qualifications. And I think that's critically important to really ground us in any of these particular policy prescriptions. The people who are closest to the problem are closest to the solution, but the furthest away from power and privilege. We who have access to different power and privilege access on ramps should be making space for those people to come with the solutions that they know they need.

Folks know what they need. It isn't like some big science experiment where we have to have task force after task force to try to study and come up with solutions. Let's go talk to those directly impacted people about what they need. And what they needed was to stop getting their application thrown in the trash even though they had certification and education and all of the necessary qualifications. So, I'll pause there so we can make sure we can have a fulsome discussion, but that's kind of what brought me to the work and what has grounded me throughout is being both willing to continue to grow and evolve and sharpen my saw while also being humble enough to go to the folks who are suffering and ask them what they need and listen to them and try to actualize their dreams.

Jamiles Larley (00:22:14)

Thank you, Daryl. Next, I'm going to turn to Gina and I'd love it if you could tell us a bit about yourself, tell us about A Few Cool Hardware Stores and about what this conversation means to you today.

Gina Schaefer (00:22:28)

Yeah, thank you. Although I'm not sure how to follow that, I'm so impassioned now listening to Daryl speak. I own and operate and founded 13 hardware stores in the DMV, members of the Ace Hardware Cooperative actually. And so this conversation for

me started almost by accident as my entrepreneurial journey started in 2003. And I'll just give you two quick anecdotes as to why this means a lot to me. Throughout the years because of the way I accidentally fell in to the reason I'm in this conversation, I was called things like a stupid employer, a crazy woman, why on earth would you hire that person? And I was hearing these conversations or these comments over and over again, which really made me hone in on the stories that got me to where I was and why I was going to continue to use my voice hopefully for some sort of good.

The very first person that I hired in 2003 had been incarcerated for 17 years, and I did not know that because when I downloaded the application from a Washington DC website, a district website, it had the box because it hadn't yet been banned. And I remember saying, "Well, that's a rude question." And I scratched it out. And Tommy applied for the job and I gave him the job. And probably about six months later, I became aware of his past and he worked with me and taught me how to be a really great boss for 11 years. And I like to believe that I would've had that experience had I left the box on the application, but I'm so incredibly grateful that he kicked us off on that trajectory. My second teammate was in recovery for a crystal meth addiction and on house arrest for selling drugs.

And the real moment of empathy for me, having never had any experience with an incarcerated community in the past, I remember him saying that no one would give him a job, but he still had to pay his rent, which might sound obvious to everybody on this call, but to me it was, "Why would he not take an unsafe or unhealthy job or return to crime if he needs a place to live?" And so, this conversation means so much to me because of my involvement with The Aspen Institute and meeting so many folks who have worked for me, I've been able to realize that I'm not crazy. This is the way the world should be. There's so much that I still have to learn and can learn from, and that what we've been doing all of these years has been worth every second of it.

Jamiles Larley (00:25:02)

Thank you so much, Gina. Minna, I want to turn to you next and have you introduce yourself and tell us about the Ironworkers and the work of the Building Trades Council in Washington and how that fits into today's discussion.

Minna Long (00:25:16)

Thank you so much. I'm super excited to be here, and I feel like that's also a very difficult one to follow, Gina. So, essentially, the Washington Building Trades Council is an

intermediary body that works on behalf of 46 different building and construction trades unions in the State of Washington. We work on policy and legislative efforts around mainly wages, benefits, working conditions, childcare and apprenticeship. And as mentioned, I'm a member of one of those affiliated unions. I'm a journeyman at Local 29 Ironworkers. Fast-forward to today and my current position, one of the things I have the honor of doing is advocacy and outreach for currently and formerly incarcerated folks who are interested in joining our affiliated apprenticeship programs throughout the state, no matter where they're released from or to and no matter their circumstances. And how I found myself in this position isn't just because I am a member of an affiliated union, but I actually am formerly incarcerated and I graduated from a prison based pre-apprenticeship program that taught me how to be an ironworker apprentice.

And so, I joined that apprenticeship after my release and then found myself here, lucky to be involved in helping those coming behind me. And since we've been challenged with the story, the first thing that came to mind is that I've been in this position for almost a couple of years, but about a little more than a year ago, I actually lost this job because of my record and not because the people here didn't want me here, but because of an archaic federal law from 1959 that bars folks from essentially any position in a union other than just being a member.

And it was shocking to me when I reached out to folks for legal advice to figure out how to circumvent this issue and get my job back because I am a born advocate, especially because of my life experiences, nobody knew what I was talking about. So, I had to go full pro se. It was one of the most devastating situations I've ever been in, but I ended up grassroots pro se getting my job back and here I am and now it's my mission to absent being able to change that law, help folks know that it exists, know that there is recourse. At least here in Washington, there are a lot of options for post-conviction relief. And so, that's become one of my personal and work missions to help folks with that.

Jamiles Larley (00:27:58)

Thank you so much for that. Last, and certainly not least, Sharon, I'm going to ask you to please introduce yourself and tell us a little bit about the history of the Community Legal Services and how it became involved in re-entry and the clearing of records.

Sharon Dietrich (00:28:14)

Thank you. I'm Sharon Dietrich. I have been with Community Legal Services in Philadelphia since 1987. CLS is the largest legal aid provider in the city, and I've been an employment lawyer the whole time I've been there. And my story has to do with the first time that I realized that criminal records were going to be an issue in my legal practice because honestly at that time in the late 1980s, employment lawyers around the country did not think of criminal records as being an employment law issue. But one day, one evening, I was out doing some community education and a man came up to me at the end and he said, "Listen, can you help me? I've got a record. I keep getting turned down from every job I applied to. It's worse now than it was when I got out of jail in the 1970s. Is there anything you can do?"

And I remember this moment clearly going on four decades later because I felt like my brain exploded at that time because I'd never thought about this. And immediately it occurred to me that this has got to be something that is very important to a lot of people and what on earth are the remedies? Because again, at that point, it wasn't even thought of as an employment law issue. So, that was just the first person that I met who presented the issue of how their record kept them from getting work. And it was the first of thousands of people. This work really chose Community Legal Services by who walked in the front door and what they wanted from us as an employment law matter. And the answer was that fully two-thirds of the cases that come to CLS of low-income Philadelphians who are looking for work have to do with criminal records. Out of all of the barriers to employment that exist, criminal records far and away, number one.

And that led us to really think about what kind of legal and policy advocacy we could do to try to help our clients who had records. And we ended up devising a bunch of different strategies, first of all, discrimination cases to make sure that people were not being unfairly denied work because of their records, challenging laws like what Minna just described that caused her to lose her job, where the employer might be perfectly happy to hire you, but the law says they're not allowed to. And we filed legal challenges under our state constitution and had many of those laws declared unconstitutional in Pennsylvania. We sued background screeners for putting out really awful products that didn't comply with the law called the Fair Credit Reporting Act. And most of all, we cleared records as expansively as we could because as Daryl says, people know what they need and they come to CLS and they say, "I want my record

cleared." And those are the sorts of work that we do, and I'll talk about them more over the next hour. Thanks.

Jamiles Larley (00:31:30)

Thank you so much, Sharon. And that point about what comes through the door being a big part of determining what the programming is, I think that was very well said and something that people who work in these kinds of spaces should keep that thought in their minds. I'm going to stick with you actually, I would love for you to talk to me about some of the challenges of discrimination against those with a record, despite there being some laws to protect those folks.

Sharon Dietrich (00:31:57)

Sure. So, when I first got involved in this work all those years ago, and we're talking now late 80s, early 1990s, for like two decades, employers would say to me, "Well, yeah, you're here telling me this person should be able to work, but this is at-will employment and I can do whatever I want and what I want is to not hire this person." And it would often manifest itself as an across the board policy in which employers would say, "You have to have a clear record or a clean record," however they wanted to refer to it, or you can't work here. Now, that is absolutely not legally correct, and fortunately here in 2025, you don't hear that as much because it has over the years managed to be demonstrated to the employment community. There are limits on when employers can reject people based on their records

Many of them come from federal and state laws, the Fair Chance Laws, the Ban the Box laws that you've heard about so far, and Beth's organization, the National Employment Law Project has a wonderful web page with a cataloging of those laws around the country, which I'm going to ask to be dropped into the chat for you to take a look at. But I would also say don't underestimate Title VII, the Federal Race Discrimination Law that prohibits employers from acting with race discrimination. There is a guidance put out by the Equal Employment Opportunity Commission back in 2012 about consideration of criminal records and how employers were required to consider them. And there are a lot of nuances to what employers are legally allowed to do.

So, it is well worth you taking a look at that guidance to see what EEOC said, what kind of factors should be considered, things like how long it's been since a person's conviction, what their history has been since then, how they rehabilitated themselves, is the conviction related to the crime where they never convicted and it was only an

arrest. These are all really important things that are relevant to the legality of an employer to turn somebody down based on the record. And I'd ask that the link to the EEOC guidance be put in the chat as well.

Jamiles Larley (00:34:38)

Thank you so much, Sharon. Minna, one common challenge often cited in helping people at re-entry connect to good jobs is the lack of effective education and training behind bars. Can you tell us a bit about that challenge and what is different about the TRAC Program in the Pacific Northwest?

Minna Long (00:34:58)

Yeah. So, for those who don't know, the TRAC Program stands for Trades Related Apprenticeship Coaching. It's a Washington State recognized apprenticeship program that's located inside two of the women's prisons, Washington Correction Center for Women and Mission Creek Correction Center. And there are actually similar programs inside six of the men's prisons in Washington. So, the programs themselves prepare students to enter several different apprenticeship programs in the community. So, they're not only gaining entry-level skills to start those apprenticeships after release, but they're also getting to take advantage of the partnerships that those prison-based programs have with other community entities and with the apprenticeship programs themselves. And I really want to emphasize that the TRAC program and its counterparts in the male facilities, those partnerships that they have with community entities is really what makes them work. They are not siloed. When I was in the TRAC program, we would have representatives come in from the various trades, especially the ones that have articulation agreements with those programs to accept folks that graduate.

They would come in and do their entry-level testing, they would come in and share their stories, and now I get to go in and do the same thing for folks in there. And so, as a TRAC graduate, it's pretty fulfilling and pretty impactful. I wouldn't be here today without those partnerships and that training and the resources that help me along the way even after release. So, a huge part of those efforts are not just preparing folks, but providing wraparound supports after they come out of incarceration. And then not too long ago here at the Building Trades Council, we started a second chance committee where we actually have folks, most of them with lived experience, but leaders from various trades who perform outreach in different parts of the states to these facilities and that keep the relationship with the instructors and the prison staff as much as

possible just to help facilitate folks through that re-entry process and get them set up for success when they come home.

And finally, I wanted to mention one thing about the education piece in a different light that's really, really important and part of the work that we do here. Someone can graduate from one of these prison programs, get released, get lined up with all of this community support that I'm talking about, and then boom, their probation officer for some arbitrary reason won't let them travel to the neighboring county. Could be like five miles. I mean, whatever the case is. Or for me, living in Vancouver, Washington, just right across the bridge to Portland to apply to the local that is housed right there across the bridge. And so, some of the educating that we do is for not just the TRAC participant and the graduate and what the opportunities are that are available to them, but educating folks who have a stake in their success or who create barriers to their success. So, there are still gaps there, and so there's still work to be done. So, that's an important part of what we do here.

Jamiles Larley (00:38:12)

Yeah. Thank you so much. Beth, would you say, is it fair to say that people with records tend to wind up in more exploitative relationships with their employers compared with the general public? If so, why is that and what are some of the ways to address that power imbalance?

Beth Avery (00:38:32)

Yeah, I think all the examples that are being lifted up today really underline that that is the case. Too often, our conversations about workers' rights and re-entry are separate, but the interests are overlapping, they're aligned. If we're going to ensure that all workers have access to good jobs, then we got to make sure that all workers have access to good jobs and allowing employers to exploit workers through their workers with records through underpaid, unsafe, precarious work that can lower the floor for all workers impacting wages and working conditions across the board. So, we're all in this together. Let's keep that in mind. And so, we can't be satisfied with substandard jobs. It's unfair to the worker, it's unfair to their families, the communities that depend on them, and it detracts from the collective power of all workers. So, I think I wanted to start with why it's so important to focus on job quality, but you asked how workers are exploited.

And I think that there are a lot of different ways, but I think the crux of the issue is that when you allow employers to discriminate against workers with records based on

convictions that have no real bearing on their ability to do the job, people with records end up rejected over and over again. That pattern makes people more desperate and more easily exploitable for fear of being fired. People with records are less likely to complain about wages or working conditions. I'll lift up one specific example from New York, especially a stark example. It was the body shop industry in New York. So, what body shops are, what they call themselves, I should say, are private labor brokers that target workers on parole and supervision for dangerous temporary construction jobs. And it took workers and their local union Laborers' 79 demanding regulation of that industry to start to address the exploitation they were facing.

I think frankly, we expect people with records to be grateful for even the worst job opportunities. And in addition to just the overall discrimination, there are some things that exacerbate that problem. Minna touched on one, probation, parole requirements. People can be required to maintain employment as a condition of their parole or probation under the ultimate threat of re-incarceration. People with records have court ordered debt to repay. People have curfews, they have monitoring requirements that can limit their job options, a lack of savings to fall back on. Often people with records are denied the social safety nets that the rest of us can rely on if we don't have a job. SNAP, TANF, unemployment insurance and workers on parole and probation can even be legally prohibited from going on strike to protest bad working conditions. So, there's a lot of ways that the power is skewed, and as a result, we set people with records up to be exploited.

Jamiles Larley (00:42:06)

Yeah. And I want to build off of what Minna and Beth have just mentioned. Gina, we've touched a lot on discrimination today, but as we're kind of getting into, it's also an issue that our economy has a lot of jobs that just broadly don't pay well and don't offer good benefits or stability. You've done a lot of work advocating for higher minimum wage and better jobs. Talk to us about the importance of good jobs in the context of this conversation from a business perspective and some of the things that you've tried to put in place to offer better jobs to your employees, including those who faced incarceration.

Gina Schaefer (00:42:42)

Sure. I really like this question because people have asked me over the years how many folks in recovery are coming home from prison I've had to fire or who have done

something nefarious at the job, but they never asked me how many folks who weren't in recovery or didn't have some sort of relationship with the penal system. They never asked me the converse, which to me just means that the level playing field is not level in most people's minds. And we decided a long time ago that we wanted the playing field to be level. So, let me back up into this a little bit. We started advocating on behalf of raising the minimum wage because one, 13 states still have the federal minimum wage. I think when we started our advocacy in 2011, something like 21 states were still paying \$7.25 as the federal minimum wage, which hasn't been raised since 2009.

Those are not livable wages for anybody. It doesn't matter where you live. However, now, 2025, I am not delusional enough to think that a \$18 minimum wage in Washington DC is something that I want all of my teammates to have to live with the rest of their life because DC is very expensive. So, I always feel a little disingenuous when I talk about this because we do pay slightly above what the DC minimum wage is now, but I want people to learn something and move on. I think it is my responsibility to bring folks in at that pay grade if that's all we can afford, and teach them and encourage them and then move them on to a higher paying job. And so that's kind of been our move through or move up process. Folks who have access to the benefits that we provide.

And so, we've added a whole host of services around the actual wage piece, which is across the board, no matter what your status with any kind of system is, include health benefits, a 401(k), paid leave, time off, vacation, all of the respectable things that we have in white collar jobs or our office jobs that are not always afforded for entry level or retail level jobs.

And we offer those for a variety of reasons. One of the things that we realized a long time ago is that if you are being paid subpar wages and or are in a subpar work environment, you may have to have two or three jobs. And that leads to a lot of instability for families. For me as an employer, frankly, if I'm being selfish about it, if I have to work around you having two or three schedules to juggle, there was a time where employers could change someone's schedule on a whim, which means if you're relying on those hours to feed your children or pay for your transportation, and your boss says, "Sorry, we don't need you today." They were allowed on a moment's notice to change your schedule.

And so, when those things started to change, and now you have to offer so many weeks in advance, we started adding those benefits into, some of them were legal, we had to, but adding on to just the entry level wage that we were paying so that people

could start to build a more stable life to themselves and or their families regardless of whether or not they were coming home, regardless of what their history was.

And then on top of that, I would say people often talk about creating a workplace where you can bring your entire self to work. Now, this is an intangible, this is not a benefit. You don't put this in your pocket, but when you can start to create a culture where people can come to work and be who they are and they're not worried to talk about all of the experiences that they've had in the past, they also start selfishly to become a better teammate, better at providing customer service, a better employee, and they give themselves, they earn for themselves really that stability that they need then hopefully to move on and up to something bigger and better.

So, I think that's really cool. The biggest benefit that we've provided then I'll stop there, is in 2003, I decided I was going to step down as CEO and as part of my succession plan, we created an ESOP, which is an employee stock ownership program. So, essentially a trust that owns the company on behalf of the team. And this was probably, I mean, my favorite moment as a leader because the day that we announced that we were forming an ESOP and the employees didn't need to put any money in, 130 of my teammates automatically became owners, including one of my very dear teammates named Mike, who had been incarcerated. He had been homeless, he had dealt with substance issues. And when he retired from working on the sales floor at Logan Hardware, he retired as an owner in my company. And so, that to me was the ultimate benefit to be able to offer, to help level the playing field. And it's something that so many employers can do. It's not something that somehow my company had the privilege to be able to do this.

Jamiles Larley (00:47:32)

Thanks so much, Gina. And I think that, not to put too fine a point on it, but one of the things that I was thinking about as you were speaking was just that good job is somewhat "subjective," and I think wages are the most obvious and probably the most pressing and important matter of what makes something a good job. But there's a wide spectrum of things that I think need to be included in that conversation when we're talking about people having access to good jobs. And that can include things like what you've mentioned in terms of ability to have an ownership stake, the culture of the place, the fringe benefits, all of these things. It's wider than just wages for as important as that is. Daryl, so we're going to stick on good jobs for a moment. You've been involved in this work from many different positions and angles, including through a

presidential administration, as a grassroots activist, as an employer, what do you see as the biggest challenges, policy or otherwise in providing access to good jobs?

Daryl V. Atkinson (00:48:38)

Structural discrimination. We live in, we all have been swimming in this dirty pond. Let me just say it that way. I would be remiss if I didn't contextualize this moment. In Black History Month, Devah Pager, a noted sociologist, a criminologist who died a few years ago, did a study on the probability of people getting called back for jobs if they had a criminal record. And one of her baseline findings was that white men convicted of felonies got callbacks at higher rates than black men without felonies who had college degrees. And I put that top line finding out to illustrate that we are swimming in a dirty pond of structural discrimination that we refuse to address forthrightly in this country. Black folks landed on the shores of this country in 1619 were emancipated in 1865, 246 years, 1865 to 2025 is 160 years. The math ain't mathing.

Black people have been enslaved in this country longer than they've been free. In fact, it won't be until 2112 that black people would've been freed longer than this country than enslaved. So, in that 160 years of so-called freedom from 1865 to 2025, you had 99 years of legalized apartheid called Jim Crow. Add that to the 246 of chattel slavery, we got 345 years of state-sponsored oppression from the government. And I want to be generous and say since the passage of the Civil Rights Act in 1964, we've had 61 years of opportunity. So, as the young people would say, "The math ain't mathing," formally incarcerated people come into that existing structure when they're trying to get employment, housing and a litany of other benefits. So, the solutions to these issues are really deep longstanding commitment, and we try at Forward Justice, try to be a value-based employer.

It isn't about a program, it isn't about a project. It isn't about certain positions, it's value-based because we believe that people with lived experience can excel at any number of positions. I've been everything from a produce manager now to a licensed attorney and the executive director of \$2 million corporations. So, the longstanding barriers that exist in this country, there's no single silver bullet. There's no one policy or program that's going to solve it. We have to have a deep longstanding commitment to see ourselves in each other. To Beth's earlier point, we are better when we have a virtuous economy where everyone can participate, where everyone can have an opportunity to be a contributor. And that's what we're striving for. There have been waves of policy prescriptions that have been more popular during certain times. We

talked about some of the fair hiring stuff. Now we have clean slate with cleaning records. There is no single thing that's going to do it for this population. We have to have a sustained commitment to address this particular problem, to remedy the state sponsored harm that we've caused a majority group of these folks.

Jamiles Larley (00:52:32)

Daryl, I know you have a time commitment, so I actually want to stick with you for another question. You've done a lot of work to understand what people leaving incarceration see as the solutions. What is the value of having those voices represented in creating solutions? What are the challenges in engaging those voices and what have you learned from that work?

Daryl V. Atkinson (00:52:57)

Yeah, the value, I would say, you can ground it in the academic literature. I was a part of the National Academy of Sciences that were looking at racial inequality in the criminal justice system. And one of the founding principles that they had, or tenets that they had is that communities that are at the intersection of crime and violence, communities that are at the front door of these particular issues have to be integral players in the formulation, the implementation, the evaluation of programs, policies and procedures. That way you know that the meal that's being prepared is going to be suitable for the folks that are sitting down to eat it, if you will. I've found that to be quite effective, not only for the efficacy of whatever particular program or policy that you're focusing on, but also for the culture shift.

One of the things that I learned in the administration, Valerie Jarrett would say before every meeting when we were in the Obama administration, "Culture each strategy for breakfast." And when you sit down with people different from you, so you got formerly incarcerated people, you got employers, you got licensing board people, you got risk management folks, and folks are working over a period of time to come up with a set of solutions, you know what happens, Jamiles, we find out that we aren't so different, that we don't have five heads and six arms, that you drop your kids off just like me at school, which I got to run and pick mine up from violin practice, that we go to church, that we shop at the supermarket, that we aren't so different, right?

And when you can shrink that proximity of "othering", because that's when we do bad shit. Sorry, I didn't mean to curse. That's when we do bad stuff to people, when we can other them and make them so different from us. When you can shrink that proximity, I

found that just putting people in the room and making them work across differences is a way to shrink that proximity. You start sharing stories, you start sharing air. You may even share a meal together and find out that we aren't so different and we all want the same things out of life.

Jamiles Larley (00:55:23)

Thank you so much, Daryl. We're going to let you run off to violin practice, but we really appreciate your insights today. Gina, Daryl mentioned culture and that old adage that culture eats policy for breakfast. How can businesses build a workplace culture that is supportive of the success of those coming home and looking for opportunities? Describe some of the systems and processes and attitudes that you put in place to try to foster that.

Gina Schaefer (00:55:53)

I'm not sure I actually heard that phrase before, but I'm going to tattoo it somewhere now. I think it's awesome. So, I think I had the benefit of when I started the first location in 2003 to not know anything. I didn't know how to use tools. I didn't know how to run a business. I didn't know what I didn't know, which I think worked to my benefit. And I had the great fortune to read a couple books in those first couple of years that really laid the foundation. I always wanted an adult to come save me. Who's the adult that can teach me what I don't know? And one of the very first adults that I turned to was Father Gregory Boyle at Homeboy Industries, which I feel like most of you probably know or have heard of. And he said in his first book, *Tattoos on the Heart* that even gangs have a culture.

And what that meant to me as a young leader was that if you wanted a culture that would not be associated with a gang i.e negatives, you had to define it, nurture it, and grow it. And so, one of the very first things we did as we were getting ready to expand was to document our core values. I hired a business coach. She was the adult in the room who taught me how to do this. And I think this is the foundation that every business owner needs to go through, which allows them to build the kind of open and inclusive and thoughtful work environment that we're trying to create here. So, documenting what those core values are, layering on the policies and procedures that work for every single person in the organization, and then creating the non-negotiables that go along with it. And the non-negotiables for me were what really created, I

probably have been teased about it, but a relationship with my team that is nurturing, not coddling.

Everybody needs support in a workplace regardless of where they've come from. And by nurturing using the same values, the same procedures, the same non-negotiables, everybody has an opportunity to rise within that occasion. So, I'll give you kind of a silly example, but I had a teammate who I loved who was really, really good at her job. One of our non-negotiables was being late to work 14 times, which is a pretty generous rule. And we had to terminate this teammate because she was late 15 times to work. She liked her job so much [inaudible 00:58:04] every week until we gave her her job back. So, you don't have to stick to those non-negotiables or those rules until you're blue in the face, but you have to have them so that everybody has a level playing field to know when they come to work, what's expected of me as a leader, what kinds of things should I be upholding, training to, teaching, et cetera and so on.

And so, laying the foundation of that culture by being completely honest about what you want to be when you grow up, meaning as a business, and then making sure that you had sound policies to build what you wanted to be. And then the repercussions, accountability, non-negotiables, whatever you want to call it. And I'll just reiterate again because I don't think I can say this enough. This is what every good business owner should do, regardless of who and how you're trying to hire, which I think is the way we... I think they should hire the way we hire. I don't know if that answers your question.

Jamiles Larley (00:59:03)

It does. I love that story actually. And it makes me think of the concept of the difference between, I apologize, I lost my train of thought. Yeah, the difference between the letter of the law and the rule of the law. The point of a rule is to make sure that your employees like that would be that... Your employees are committed to the work, they're committed to the workplace, they're committed to contributing, but by showing up, by showing that kind of stick-to-it-iveness, you saw it, you didn't see it in the place where you expected to see it, but you ultimately saw it in a way that while it may not have fit the letter of that rule, the spirit of that rule was embodied in a way that you able to adapt and change and do something differently.

Gina Schaefer (00:59:56)

Yeah.

Jamiles Larley (00:59:58)

So, sticking with laws and rules, Sharon, I would love for you to talk to us more about Clean Slate laws, how they work, and what you've seen as the impacts of those laws in Pennsylvania?

Sharon Dietrich (01:00:11)

Thanks. I'd love to. So, clean slate basically means a fairly simple concept that criminal cases can be cleared by automation, by a computer process. People ordinarily before Clean Slate had to get a lawyer and file a petition and go to court and pay a filing fee, et cetera, et cetera. And there were a lot of barriers along the way, and of course people would get tripped up at any one of them and they were done. But Clean Slate basically does the work for you. You don't even need to know that you're eligible or how to proceed. It simply goes ahead and clears your case. Now, Pennsylvania was the first state to adopt Clean Slate in 2018. And since it went into effect in 2019, 55 million cases have been sealed in Pennsylvania in whole or in part by our Clean Slate process. Clean Slate has now been passed in 12 states.

Many more of them are considering a clean slate law. And why is it so important? Well, as I said before, the vast majority of CLS's clients who come in for help with their records are doing so to ask that their record be cleared. I mean, they could ask for a lot of things. They could ask for my job back with the employer that fired me or an occupational license or many other things. But generally they want it cleared because they know it gives them a second chance, not just at employment, but also at housing, education, lots of other stuff. So, it is a very promising practice and law and policy. If you want to know more about it, I recommend to you the website for the Clean Slate Initiative, which is www.cleanslateinitiative.org.

Jamiles Larley (01:02:17)

Sharon, thank you so much. Minna organized labor unions have historically been on the front lines of trying to make sure that everyone has a good job, but historically they haven't necessarily been proactive in support of those with the record. So, what do you see as the role of organized labor in providing opportunities to people with the record, and what advice do you have to organizers and labor union allies?

Minna Long (01:02:43)

So, there's so much to this question. I wish I had more time to talk about this, but first, I don't think it's a secret that society in general needs a cultural shift with how people with conviction history are viewed. There is a huge talent pool in the justice-impacted community, and folks are missing out on great contributors to their workforce when they overlook a population of people for reasons that have nothing to do with the job in the first place. So, obviously my first piece of advice would be to look at success stories. I mean, people on this call, there are so many success stories out there and be open-minded to engaging with justice-impacted individuals and to see how it can benefit your organization or your company. In Washington State, to be a little selfish, I think we set a really, really great example in terms of labor organizations, especially when you consider the articulation agreements that several trades in the state have with the prison-based pre-apprenticeship programs.

Our second chance committee that I mentioned earlier is comprised of representatives from multiple trades. Most of those folks have lived experience and some of the barriers that folks with conviction-history face in construction, isn't not being able to get into the apprenticeship program because of their record. What I see more, and actually what I've experienced myself is that you can get into the apprenticeship. It's really like is there work available? Okay, yes, we need apprentices, so we're bringing people on. But it's more so not being able to get on job sites because of your record. So, you could be an apprentice, you could be a union member, you could be an active electrician or a pipe fitter or a roofer or whatever, and you just can't go to certain job sites. And so, you are limited in your ability to put food on the table for your family because of your record, even when the door may be wide open to you to get into that apprenticeship.

And so, it really depends on the job. A lot of times it's federally prohibited. I haven't been able to work... I can't work on a military base. I couldn't go do construction work there. The terminal side of the airport, depending on the security level, sometimes it's just up to the client if it's a private job, not a federal job. But I do want to mention that we have entities in Washington State. One of them is Sound Transit, who want people released from prison on their construction projects. They are vocal about it and they're actively engaged with some of our apprenticeship programs to give those opportunities to those people. So, that's one great example of how that open-mindedness can lead to success for everyone involved, the employer, the people who are releasing and need those opportunities. So, as kind of some examples of what's

being done, what we need to continue capitalizing on and the direction we need to keep going in.

Jamiles Larley (01:05:50)

Minna, thanks so much. Beth, I wanted to jump to the question of occupational licensure. From your perspective, give us the baseline situation with those licenses, how formerly incarcerated people are affected by them. And I guess part of the question I'm teasing here is, is there an issue about just equitable access to licensure or is there an issue with occupational licensure altogether?

Beth Avery (01:06:23)

Wow. Yeah, I think your second question might take a whole debate of its own. Well, let me just start with addressing the question. So, Daryl touched on our structural inequality earlier, and a big part of that is occupational segregation. Black workers, women segregated into the lowest paid dirtiest, most dangerous jobs, unstable temp jobs, gig jobs, and the carceral system is a huge driver of that. Now, one clear example can be found in occupational licensing restrictions and how they impact people with records. Sappho mentioned it earlier in her opening remarks. She talked about trying to get her MSW and struggling to get a license. It is very common for state occupational licensing boards or agencies to require strict background checks and good moral character assessments, very vague assessments for individuals to be licensed for an occupation, profession.

And we're not just talking about doctors and nurses, huge swaths of jobs, something like one quarter that requires a license or a certification to be able to do your job. So, people are kept out of whole professions, never even submitting a single job application. And so, I think the real problem there is equitable access to those occupations. We can't keep people out because of records that don't affect their ability to do the job. It just doesn't make sense. There are certainly benefits, public health benefits, wage benefits for the workers themselves to have licensure and certification. So, on your second question, I'd say I lean more toward the former of your options.

Jamiles Larley (01:08:21)

Thank you so much. Looking at the time now, I think it would be a great moment for us to start shifting into question and answer mode. The first question I want to raise possibly

for Gina would be how do we get more employees engaged in this work and investing in the formerly incarcerated workforce? You mentioned that it'd be great for people to hire more in the ways that A Few Cool Hardware Stores hired, how do we get people to do that?

Gina Schaefer (01:09:01)

This is such a great question. I think I always do, I don't know if this answer is enough, but we have to talk about people like my business. And that's not saying I want you to talk about me, but two years ago I wrote a book to tell our stories with the permission of my team. And one of the really cool things that came out of the book events we're finding companies across the country who have similar hiring practices. And so now I talk about those businesses, most of them I've never been to. Some of them I have only barely heard of. But I think the one thing that we have to do is continuously be lifting up what we do to other employers, which is why I don't mind being called crazy or why I continued to put up with that when I was younger and building my business because I wanted everyone to know that we as a team were successful and this is how we were hiring.

So, I think we have to talk about it. We need folks like The Aspen Institute who are writing about it. We need journalists who are sharing the stories of success all across the country from unions to everyone who are lifting up all the employees and then continuing to show that it is possible and we are successful I think, because of it.

Jamiles Larley (01:10:17)

Thank you. I wanted to ask a question that I actually had when I was listening to Sappho speak, and I hope we could potentially get Sappho back onto it to answer this question, but I'm curious if anyone has thoughts on it, which is really like we've spent a lot of time talking about the specific barriers that formerly incarcerated people face in seeking employment, but there are also specific strengths that I think formerly incarcerated people bring to the labor market that people who have not been inside do not have. And I guess I was wondering if that's a theme that anyone would like to elaborate on or expand on. I see Sappho here. So, is that something that you might want to chime in on?

Sappho Fulton (01:11:22)

I'm sorry, could you repeat the question, please? I'm sorry.

Jamiles Larley (01:11:25)

Yeah. Yeah. So, just that a lot of our conversation has been about the restrictions and barriers that formerly incarcerated folks face in trying to get jobs and good jobs. But one of the things that when you were speaking that I was thinking about is that formerly incarcerated people also bring specific strengths, I think to the workplace that potential employees who have not been incarcerated just don't have. And I guess I just was wondering if that's a theme you could expand on.

Sappho Fulton (01:11:56)

Yeah. I was listening to the talk and everyone did a great job. I think that you're spot on by saying that they bring particular strengths. I think that as a personal assessment, I think as an employer and as someone that is justice-impacted, I think that it makes sense to say that sometimes I have to step back and not be so critical, not be so judgmental about how I expect a person to act or respond. Do you know what I mean? While holding a person accountable. Thank you, Gina, for saying that. While holding a person accountable for showing up and being responsible on the job, I think that kind of trusting a person, trusting that the person is going to do a good job. I don't know if I kind of answered your question because I really don't like to answer for everybody. I can't answer. I think it's like an individual case by case basis.

I think about my determination, I remember being incarcerated, like I said, over 20-something years, and I would get up every morning and I wanted to come outside of my cell. I wanted to clean in front of the unit. I wanted to clean outside.

Thank you, Gina. But yeah, I wanted to work. I went to school when I was upstate and I came home and my certification from upstate didn't work out here. I love what Minna was talking about, taking those programs inside and bringing those certifications outside of the penitentiary because those certifications don't come outside. They're very rare and few. Recently jobs they have you in, then you buff the floors, but you don't get a certification in buffing the floors. Do you know what I mean? So, I don't know if that answers your question per se.

Jamiles Larley (01:13:38)

Yeah, no, I think that's great. And I think Gina also had some thoughts on this question too.

Gina Schaefer (01:13:43)

Well, I would just say that in some broad strokes, some of the things that we've experienced over the years are resiliency, resourcefulness, the ability to get the job done no matter what because frankly, folks are happy to have a job. And I'm not saying they should be happy to have a job, but they are. And so, the ability to show up on time because you're used to your life being regimented. Now, these might seem a little... Yeah, I mean, these are the things that we've seen being happy to have a place to go, feeling a sense of community. I mean, this has been particularly true in our folks from the recovery community, but there's a lot of overlap.

Feeling that sense of community and a belonging and a safe space where you can come, and I've seen this over and over again, trying to make yourself better so you're helping your team get better. Learning everything that you can, showing up on time, definitely being resourceful. I mean, I fortunately have never had to spend any time in a prison, but when I see some of the skill sets of folks who have had to do so much with so little, it's very impressive. And so that served a lot of my teammates well.

Jamiles Larley (01:14:51)

That makes a lot of sense. Oh, yeah.

Sappho Fulton (01:14:56)

[inaudible 01:14:57] respond to Gina. Gina, thank you for saying that because it is about belonging. It is about do you trust me? Will you give me a chance? I'm going to show you. And I'm trying to really kind of take myself back to 20 years of coming home from jail and now working with people coming home from jail. But I remember that feeling like it was such an honor to say, "Do you trust me? Will you give me a chance? Let me show you that I will be the best worker that you have." But that's a two-way street because that's what this conversation is about. I'm human. I'm not going to hurt you or rob you or do anything wrong to you. I personally am not. But that's a two-way street. You're going to value me and pay me and respect me as someone that is giving you that much of myself.

Jamiles Larley (01:15:35)

Yeah. Sappho, can I ask another question to you, which is how do you prepare people for job searches and interviews? What are some of the specific things that you try to bring into that process?

Sappho Fulton (01:15:47)

Yeah, great question. I think it's really about interviewing what not to do. One of the biggest things is completing the application. And we do a lot of emotional regulation, alternative therapeutic modality, breathwork, yoga because literally the trauma that a person experiences from incarceration is so devastating that that paralyzing fear comes up in moments and you would not even understand where it's coming from on the outside, but it's happening on the inside. So, we do a lot of emotional regulation work. Yeah. Dressing up. Constantly, positive affirmations. We also do restorative justice training, and we are consistent and we don't exploit their time. We also give them a stipend and a, "Good job, I see you." A certificate of completion once they're done, I got twisted. And we give them food and we feed them. Good food is always an incentive.

Beth Avery (01:16:59)

May I just interject just to point out one thing. I think it's important to note that everyone speaking today has underlined how workers with records are defying negative stereotypes, have unique traits or individuals. We're not making broad categorizations. And I think it's important to note that one potentially harmful narrative that we can get into if we keep going down this road is telling employers that the reason they should hire people with records is that those workers are going to be so grateful for the opportunity. They'll be the most loyal, most reliable, dependable, hardest working employees. And while that might sometimes be the case, it's almost reinforcing the exploitation that I was talking about earlier. Folks are so desperate that they're going to accept lower wages, worse conditions, and it can also set unrealistic expectations for employers like people with records don't need to be the best worker. They can be like everyone else, right?

Sappho Fulton (01:18:15)

Wow, that's a good point. Thank you.

Jamiles Larley (01:18:19)

Absolutely. One question we have here is what can workforce development organizations do to help more people access good jobs rather than just jobs? So, I think this is a question specifically from folks in that workforce development space. If anyone has anything to instruct.

Sappho Fulton (01:18:43)

Well, I'd like to have everybody's number that is hiring, because the one thing about workforce development is a job referral. Don't have me go through all that and then you don't have a job for me to go to once I complete the program, I would love to send folks that finish our workforce development straight into the trade union. You know what I mean? So, Gina, people would love to own a hardware store. Please, let's make sure that we make these things accessible. Are you hiring on the spot? Don't just show up at a job fair. So, workforce development is about referral systems.

Jamiles Larley (01:19:17)

Great. Thank you so much. And then I think at this point, we had one question someone asked, where can we learn more about these issues and more about collateral consequences? So, I'm going to toss that to our group to either sort of mention a place of resources or more information that you think is helpful or to just give us some general parting thoughts or final thoughts for our panel. And whoever wants to grab the baton.

Beth Avery (01:19:53)

I'll jump in. I think it's important to echo what Daryl put so well earlier, that there are lots of different policy approaches. There are lots of different ways that we can get at this problem and we need to be doing all of it. That there's not going to be one policy that's a silver bullet one approach. It's going to take re-entry and it's going to take training and apprenticeships. It's going to take support for people just out. It's going to take stronger anti-discrimination protections and enforcement. It's going to take all of these things. And so, as a result, there are so many resources. Sharon did a great job of pointing you to a bunch throughout. I'll say that one place that I love to read and learn from is the Prison Policy Initiative, their resources, PPI. It's really fantastic.

Gina Schaefer (01:20:55)

If there's someone listening who's a small business owner or an entrepreneur or a want to be entrepreneur, small business owner, I'm always more than welcome or more than happy to chat about what we've done and how we've done it and sort of strategically think through creating a culture that allows you to be supportive for all of your team. So, I'm happy to talk to anyone about that.

Jamiles Larley (01:21:22)

Sappho, Sharon, Minna, anything else before we wrap up today?

Minna Long (01:21:28)

I would also like to plug, jump on that bandwagon in there. If there's anybody listening who is interested in looking at pre-apprenticeship models for the incarcerated space, I do know that there are at least two other states in the recent years who have started modeling after the TRAC program here in Washington State, and expanding those opportunities for folks in their prisons, New Mexico, I think potentially Delaware. But if that's something that folks are interested in doing, we can get you connected to your local building trades councils, so on and so forth. So, feel free to reach out.

Sappho Fulton (01:22:08)

Absolutely. Absolutely. Because it could be an alternative even to incarceration. You know what I mean? So, yeah, I will be in touch. Thank you, Jamiles-

Jamiles Larley (01:22:28)

Yes.

Sappho Fulton (01:22:28)

... for the Marshall article. I just had to throw that in there because I love Marshall article. I read it all the time every day.

Jamiles Larley (01:22:37)

That means the world to us. Thank you.

Sappho Fulton (01:22:39)

Yeah. Thank you.

Matt Helmer (01:22:42)

Yeah, I'll just-

Jamiles Larley (01:22:42)

Hey, I think-

Matt Helmer (01:22:44)

Go ahead, Jamiles.

Jamiles Larley (01:22:45)

I was just going to turn it over to you, Matt.

Matt Helmer (01:22:47)

I was going to echo just appreciation for The Marshall Project and all the great reporting and work they do. But thank you so much to Daryl, to Sappho, to Beth, to Sharon, to Minna, to Gina, and to Jamiles again for a great conversation. I think one of the things I heard that I'm walking away with is that there are a lot of people looking for answers and solutions, and many of you, I think, are sitting directly across from individuals who are really struggling to navigate these systems and to think about how they can build a better life for ourselves. But going back to what Daryl said, I think, and what others have echoed is there's no silver bullet solution. And if there are solutions, they really are at the more systemic and structural level, which means a sustained commitment to doing more policy work, to doing more community organizing, to thinking really about those bigger structures, those bigger policies, those bigger systems, and how we influence those because those are the things that are pressing down on individuals that we need to fix if we're going to make progress for everyone.

I also love the conversation around culture. I think that conversation is not just a conversation to be had in our workplaces, but it's really about culture within our communities and what today's conversation means for fostering a better culture within

the places that we live with our neighbors, with our business owners, and with others that we see at school events and whatnot.

So, thank you all for a great conversation. I'm certainly walking away with a lot. I know we probably could have got to a lot more. Certainly you have a number of speakers here who I think are willing to be resources to you. If you need help reaching out to them, please reach out to us at Aspen. Stay tuned for our next event. Like I said, it's going to be on March 19th. It's called Driving the Economy That Is the Essential and Undervalued Work of Truckers. Thank you to our team at Architex for putting on today's event and to our team at The Aspen Institute, including Finney, again, Tony, Nora, Frances, Merrit, Maxwell, and thanks to our executive director, Maureen, for all her support in this, and we'll see you next time. So, thanks so much for joining us today.