

# HOW THE 2021 SECOND CHANCE LAW BENEFITS ALL GEORGIANS



## JOB SEEKERS

### A CHANCE TO ACCESS OPPORTUNITY THROUGH RECORD CLEARING

For the first time, Georgia recognizes rehabilitation and allows individuals to petition the court to restrict and seal (expunge) certain misdemeanor and felony convictions. A person may petition for restriction and sealing of up to two misdemeanor convictions four years after the most recent conviction and may petition the court to expunge certain felony convictions if they have received a pardon.



## EMPLOYERS

### GEORGIA'S NEW LAW PROTECTS EMPLOYERS WHO HIRE PEOPLE WITH A CRIMINAL RECORD

Georgia now has some of the strongest employer liability protection for second chance hiring in the country. It protects employers who hire people with a criminal history by limiting the admission of evidence in a civil case if the criminal record information is not relevant or has been restricted, if the individual has received a pardon, or if they were arrested but not convicted.

*Georgia Justice Project is a 35-year-old non-profit that strengthens our community by demonstrating a better way to represent and support individuals in the criminal justice system and reduce barriers to reentry. GJP promotes innovative change through direct legal representation, policy advocacy, education, and coalition building. With bipartisan and business community support, we have successfully advocated for 21 changes in the law to remove barriers to reentry and increase economic opportunity for people with criminal records.*

# WHY THIS MATTERS

## INCREASES PUBLIC SAFETY

The financial stability, structure, and social networks gained from employment help people with a record **rehabilitate and reduce their likelihood of re-offending**, increasing the safety of all.



In Illinois, steady employment led to a **62%** reduction in recidivism among individuals with a record.<sup>1</sup>

According to the University of Michigan, only

**1%**

of people were re-convicted of a felony within 5 years of expungement.<sup>2</sup>

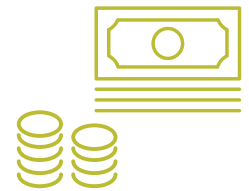


## IMPROVES EMPLOYMENT OPPORTUNITIES

A University of Michigan study found that a cleared record **increased likelihood of employment by 11%** and wages by **22%** within the first year.<sup>3</sup>



A Stanford University study found that record expungement led to **an average increase of \$6,190** in yearly income per individual.<sup>4</sup>



## STRENGTHENS THE ECONOMY

Qualified job candidates with a record are often passed over, leaving **employers unable to fill open positions** in a tight labor market.

The national economy would regain the **\$87 billion** and **1.9 million** in GDP workers that are lost when people with a criminal history are excluded from the labor market.<sup>5</sup>

A Stanford University study found that the benefits of expungement outweighed costs by **\$5,760** per individual.<sup>6</sup>



Georgia's new expungement law (Senate Bill 288) was unanimously passed by the Georgia General Assembly, signed by Gov. Brian Kemp, and took effect January 1, 2021. It amended O.C.G.A. § 35-3-37 to allow restriction and sealing of certain convictions and provides liability protection for Georgia employers who engage in second chance hiring.



<sup>1</sup>Safer Foundation. Safer Foundation three-year recidivism study (2008).

<sup>2</sup>Prescott, J.J. and Starr, Sonja B., Expungement of Criminal Convictions: An Empirical Study (2020) Harvard Law Review.

<sup>3</sup>Prescott, J.J. and Starr, Sonja B., Expungement of Criminal Convictions: An Empirical Study (2020) Harvard Law Review.

<sup>4</sup>Chapin, M., Elhanan, A., Rillera, M., Solomon, A.K., & Woods, T.L. (2014). A cost-benefit analysis of criminal record expungement in Santa Clara County. Stanford Public Policy.

<sup>5</sup>Bucknor, C. and Barber, A. (2016). The price we pay: economic costs of barriers to employment for former prisoners and people convicted of felonies. Center for Economic and Policy Research.

<sup>6</sup>Chapin, M., Elhanan, A., Rillera, M., Solomon, A.K., & Woods, T.L. (2014). A cost-benefit analysis of criminal record expungement in Santa Clara County. Stanford Public Policy.