



April 25, 2017

Vote “Yes” On House Bill 2373

Dear Representative,

On behalf of The Leadership Conference on Civil and Human Rights, a coalition of more than 200 national organizations committed to promoting and protecting the civil and human rights of all persons in the United States, and Cabrini Green Legal Aid, we are writing to express our support for House Bill (H.B. 2373). This bipartisan legislation would expand the types of criminal offenses that are eligible for sealing, thereby removing some of the barriers to reentry for those who were formerly incarcerated in Illinois.

Currently, there are about 4 million people in Illinois who have returned home to their families, jobs, and communities after serving time in prison.¹ Once released, they face a myriad of barriers to successfully re-entering society and rebuilding their lives. By law, many are excluded from employment, housing, and education benefits and often lack access to other opportunities that are available to those without a record. For example, a study conducted in New York City demonstrated that a disclosure of a criminal record of an otherwise qualified applicant can reduce the likelihood of a callback or job offer by nearly 50 percent.² Furthermore, because of the historical legacy of racism and the persistence of institutional discrimination within the justice system, a disproportionate number of those with criminal records are people of color. The laws we now have in place within Illinois and across this country continue to discriminate against and disenfranchise individuals with criminal records, further marginalizing them from society and preventing their success.

H.B. 2373 represents a small, but important step, in helping to facilitate a successful reentry process for those who were formerly incarcerated in Illinois, by expanding the opportunity to seal criminal records. Under Illinois law, most types of employers are prohibited from inquiring into criminal history records that are sealed.³ Other members of the public – like landlords, educational institutions, and housing authorities – are prohibited from viewing sealed records, as well. Under H.B. 2373, certain felonies that were never before allowed to be sealed would be newly eligible for sealing. For example, the law currently only permits the sealing of certain, listed felony offenses like Class 3 and 4 prostitution, certain drug offenses, and certain theft offenses.⁴ H.B. 2373, would make *all* felony offenses eligible for sealing unless specifically excluded by section (a)(3)). The bill also removes language from current law that prevents individuals from sealing records of any arrests that resulted in felony charges⁵ and adds language that allows misdemeanors for public indecency to be sealed.

Through these critical reforms, H.B. 2373 would enable Illinoisans who are formerly incarcerated to pursue employment, housing, financial, and educational opportunities without

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being denied those opportunities solely on the basis of a criminal record. Helping these individuals get back to work will be especially important, since studies have demonstrated that employment is *the single most important factor* in decreasing recidivism.⁶

It is past time that the Illinois General Assembly fully restored individual rights to formerly incarcerated individuals who have paid their debt to society. Urgent action is needed to fix our broken criminal justice system and the racial and socio-economic injustices that affect formerly incarcerated individuals. For these reasons and the reasons explained above, we strongly urge you to support the passage of H.B. 2373 and vote “Yes” when it is brought to a vote on the floor of the Illinois House of Representatives.

Thank you for your consideration of this critical, bipartisan legislation. If you have any questions, please feel free to contact Sakira Cook at cook@civilrights.org or (202) 466-3311.

Sincerely,

The Leadership Conference on Civil and Human Rights
Cabrini Green Legal Aid

¹ <http://www.cgla.net/criminal-records>

² See Pager, Devah and Western, Bruce and Sugie, Naomi. “Sequencing Disadvantage: Barriers to Employment Facing Young Black and White Men with Criminal Records.” *National Institutes of Health*. May 2009.
<https://www.ncbi.nlm.nih.gov/pmc/articles/PMC3583356/pdf/nihms-439026.pdf>.

³ 775 ILCS 5/2-103 <http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=077500050K2-103> See also 20 ILCS 2630/12
<http://www.ilga.gov/legislation/ilcs/fulltext.asp?DocName=002026300K12>

⁴ see p. 16-17 of the bill

⁵ see p. 9-10 of the bill

⁶ See Berg, Mark T. and Huebner, Beth M. “Reentry and the Ties That Bind: An examination of Social Ties, Employment, and Recidivism.” *Justice Quarterly*. July 30, 2010. <http://www.tandfonline.com/doi/full/10.1080/07418825.2010.498383>.