



**Testimony of John Seward**  
**Support of HB21-1214**

House Finance Committee

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Mr./Madam Chair, members of the committee.

My name is John Seward, and I am a researcher in the Scrivner Institute of Public Policy at the University of Denver. I study labor and employment as it relates to criminal justice. Thank you for giving me an opportunity to speak with you today.

I want to talk to you today about collateral consequences. A collateral consequence is a penalty, prohibition, bar, or disadvantage, however significant, imposed on an individual as a result of their involvement with the justice system. Collateral consequences consist of nothing more than a direction to an official decision-maker to conduct a criminal background check, frequently understood as an unspoken warning that it is safest to reject anyone with a criminal record. Others are implied by a requirement that eligibility for a benefit or opportunity depends upon a person having “good moral character,” a status considered unattainable after criminal involvement.

Collateral consequences effect every part of someone’s life, they prevent you from getting licensed, they keep you from getting a job, renting an apartment or even getting into college or trade school. No Colorado law prohibits discrimination by private employers based on criminal history, and employment can typically be terminated for essentially any reason. Often, individuals with arrest records are surprised to learn that even if they are fully acquitted or found “not guilty” of the charges brought against them, their arrest records can still haunt them for years.

I want you to think about this bill less as a social justice criminal reform bill but instead as business bill, a liberty bill. Because what this bill does is gives people the opportunity to get jobs, it gives them the opportunity to make money and it gives them the opportunity to become successful members of society.

You heard earlier about the impact of a second chance, giving people a second chance saves the state a lot of money in the long run. I look at data all do, so I thought I’d share some of it only 7.1 percent of those with a sealed record are rearrested within five years of the sealing order. What this means is by sealing someone record and giving them a second class not only are getting them a job but we’re also saving the state money because they don’t reoffend.

I understand there are concerns with the fiscal note and I share them. But it really is the state spending money to save money. I crunched the numbers and determined that approximately

57,000 jobs would belong to a well-qualified candidate had that candidate been able to seal their record. Collateral consequences have cost the \$5.6 billion in economic activity.

But I hear your concerns about what sealing records does for the press, I used to be a journalist and can personally attest to importance of the work they do. But what I'm asking for you to do here is make a decision should keep the records opened and leave a person condemned to a life of consequence or do we innovate and find new ways to tell the stories. Does the flashy headline on the cover of the newspaper substantially out way the prejudice of a criminal record? I would hope, because in the country we don't have second class citizens. That is why it is on each of us to ensure all people have a second chance to succussed in life.

Over the last 30 years we have identified a number of trends, these data indicate that a white person with a none sealed criminal record will get the job he applies for, but a black guy with literally the same record will not. We've conducted a rather intensive study of this issue; this is just one of many trends I hope you ask me about, but I am running low on time.

So let me conclude by saying that this bill is not after social justice, it's a business bill, it's a liberty bill. Because once a record is sealed the economic opportunity that opens up to that individual is enormous. We have to work together to ensure that everybody can get a job. That's what this bill does we take the first step towards getting people back to work.

I ask for your support of this bill.

I really hope you ask me about the data trends we identified or about anything else related to collateral consequences this is what I research day in and day out.

Thank you.