
Wisconsin Legislative Council

MINUTES



STUDY COMMITTEE ON INCREASING OFFENDER EMPLOYMENT OPPORTUNITIES

411 South, State Capitol

Madison, WI

October 21, 2022

10:00 a.m. – 4:30 p.m.

COMMITTEE MEMBERS PRESENT: Sen. Mary Felzkowski, Chair; Rep. Michael Schraa, Vice Chair; Sen. Lena Taylor; Reps. Evan Goyke and Shelia Stubbs; and Public Members Jan Allman, Sadique Isahaku, Eli Rivera, and Elizabeth Roddy.

COMMITTEE MEMBERS EXCUSED: Rep. Warren Petryk and Public Member Reijo Wahlin

COUNCIL STAFF PRESENT: Katie Bender-Olson, Principal Attorney.

APPEARANCES: Niel Thoreson, Regional Chief for Region 3, Jessica Goodwin, Employment Coordinator for Region 3, Sherry Kelber, Corrections Field Supervisor in Region 3, and Paulina Gutiérrez, Legislative Advisor, Department of Corrections (DOC), Division of Community Corrections (DCC); Corina Eufinger, Chairperson of the Board of Directors, Wisconsin Apartment Association (WAA); Jerome Dillard, Executive Director, EXPO (EX-incarcerated People Organizing) Wisconsin; and Kristine Hillmer, President and CEO, Wisconsin Restaurant Association (WRA).

CALL TO ORDER AND APPROVAL OF THE MINUTES FROM THE SEPTEMBER 29, 2022 MEETING

Chair Felzkowski called the meeting to order it was determined that a quorum was present.

Ms. Allman moved, seconded by Mr. Rivera, that the minutes from the September 29, 2022 meeting be approved. The motion passed by unanimous consent.

**PRESENTATION BY DEPARTMENT OF CORRECTIONS,
DIVISION OF COMMUNITY CORRECTIONS**

Niel Thoreson, Regional Chief for Region 3, Jessica Goodwin, Employment Coordinator for Region 3, Sherry Kelber, Corrections Field Supervisor, and Paulina Gutiérrez, Legislative Advisor

Ms. Gutiérrez and Mr. Thoreson discussed prerelease planning done by DCC agents, which typically begins six months prior to release. They also addressed the ability of a releasing inmate to live in a location where the individual has work release employment, even if the individual would otherwise release back to his or her home county. Mr. Thoreson explained that this release flexibility can be accomplished under existing DOC policies. If an individual wishes to live in an area where he or she has work release employment following release from incarceration, the individual works with a DCC agent to evaluate available support systems and housing in the area and develop an assessment plan for transition. After this analysis, the agent may initiate a transfer to a different region of the state and the individual will be assigned a DCC agent in that area.

Ms. Goodwin then described the services provided by the DOC Community Corrections Employment Program (CCEP) to individuals in Region 3, which is Milwaukee County. CCEP provides services to help individuals obtain and maintain employment following release from prison. Ms. Goodwin explained that the program offers short-term assistance by providing connections with vocational and post-secondary training and educational opportunities (e.g., CDL licensure, MATC welding programs), providing work attire, offering career readiness workshops, hosting job fairs, and providing access to bus tickets or shuttle services. CCEP does not directly place individuals into employment, but directs them to interested employers in the area.

Next, Ms. Kelber discussed the pre- and post-release services provided to individuals in the Windows to Work (WTW) program for those with certain criminogenic needs. This program begins in the 12 months to 90 days prior to release for identified individuals and involves a WTW orientation with community partner coaches, cognitive intervention for employment programs, and assistance in resume writing, job research, and financial literacy. Following release, these individuals are assigned to work with a designated DCC agent who specializes in WTW clients.

Following the presentation, committee members asked a series of questions regarding the number of individuals served by each program, what identification documents individuals generally possess upon release from incarceration, and whether an individual with successful employment experience can reduce the number of required contacts with DCC agents.

**PRESENTATION BY CORINA EUFINGER, CHAIRPERSON OF THE BOARD OF DIRECTORS,
WISCONSIN APARTMENT ASSOCIATION**

Ms. Eufinger spoke on behalf of the WAA membership and addressed the challenges that arise for landlords and renters when individuals are released from prison and need to secure housing. Her written [testimony](#) is available on the committee website.

Ms. Eufinger explained that WAA is largely made up of “Mom and Pop” landlords who own a small number of rentals and that their financial livelihoods are often wrapped up in their rental units. She addressed the concerns expressed by members in renting to releasing individuals, and noted that even one tenant causing physical damage to a rental unit can have significant financial implications for a landlord that a security deposit does little to cover. Ms. Eufinger also noted that “reputation is

currency” for landlords, and that police calls, property damage, and tenant conduct can impact a landlord’s ability to successfully rent units.

Following the presentation, committee members asked for recommendations about incentives to encourage landlords to rent to recently released individuals. Ms. Eufinger responded that tax incentives are a good start, and noted that security deposit assistance alone is not an effective incentive for landlords because renters without a financial stake in the condition of the rental – those who are not concerned about getting a deposit back -- may not treat the apartment well.

In response to additional questions, Ms. Eufinger commented that a program providing guaranteed rental payments on behalf of a recently released individual or bonding to cover damage might be somewhat effective, but noted that the renter must retain some financial liability so they have “skin in the game” regarding the condition of the apartment. Ms. Eufinger also commented that educating landlords on what resources exist would be helpful, as would having a “go-between,” such as a community organization, to serve as a liaison between the recently released renter and the landlord to hold tenants more accountable for conditions of the rental unit and behavior occurring within the unit.

PRESENTATION BY JEROME DILLARD, EXECUTIVE DIRECTOR, EXPO (EX-INCARCERATED PEOPLE ORGANIZING) WISCONSIN

Mr. Dillard addressed the barriers facing justice system-impacted individuals seeking employment in Wisconsin. His PowerPoint [presentation](#) is available on the committee website.

Mr. Dillard explained the purposes and efforts of EXPO, the number of individuals involved with the criminal justice system, and emphasized that language used to talk about individuals with system involvement poses an initial barrier to reentry because “offender” and “inmate” reduces someone to his or her worst mistake. He also described additional barriers to reentry, including the loss of employment when an individual is held in jail on a revocation hold, the impact of a CCAP entry even if an individual is never charged or convicted of a crime, and the inability of those with felony convictions to participate in their communities by voting. Mr. Dillard illustrated his points by describing the impact of justice system involvement on specific individuals.

Mr. Dillard noted the important role of peer mentorship provided to recently released individuals by those with lived experience transitioning back to the community. He also suggested specific actions the study committee should take, including: investing in community-wide mentorship programs run by formerly incarcerated individuals; allowing formerly incarcerated individuals inside institutions to work with people prior to release; requiring DOC to incorporate technology training within institutions; and educating the community about the benefits of hiring system-impacted individuals and the availability of DOC reimbursement for on-the-job training. Additionally, he recommended that the committee provide tax credits and other incentives to encourage employers to hire individuals with prior convictions, support “Ban the Box” legislation, and create clearer statutory language specifying employer responsibility for nondiscriminatory hiring practices.

Following the presentation, committee members asked questions regarding peer mentorship, the number of individuals served by EXPO, rules of supervision and required agent approval for jobs and housing, limitations on voting, and DOC accepting bids for mentorship services.

PRESENTATION BY KRISTINE HILLMER, PRESIDENT AND CEO, WISCONSIN RESTAURANT ASSOCIATION

Ms. Hillmer spoke on behalf of the WRA membership and addressed employment of justice-involved individuals in the restaurant industry. Her [testimony](#) is available on the committee website.

Ms. Hillmer described the restaurant employee shortage and the second chance opportunity that restaurant employment provides to those with prior convictions. However, she noted that challenges to such employment include community and staff perceptions, concern about individuals handling credit card information and cash, ability of justice-involved employees to access public transportation, DCC agent reporting requirements, agents steering clients to other jobs, and lack of funds to provide culinary arts training to more individuals post-release.

Next, Ms. Hillmer recommended the committee consider implementing the Hospitality Opportunities for People (Re)Entering Society (HOPES) program. The program would help justice-involved individuals to earn restaurant industry credentials, such as ServSafe, Restaurant Ready, or Certified Restaurant Professional, and connect them with employers. Under the program as envisioned, WRA and the Department of Workforce Development (DWD) would support participating employers in implementing national registered hospitality apprenticeship programs, and employers would work with community-based organizations to provide additional support and wraparound services to employees. Ms. Hillmer indicated that implementation would require DWD and DOC cooperation, as well as state funding to support the program.

Following the presentation, committee members asked questions regarding locations for expanding culinary training, specific challenges restaurant employment poses for justice-involved individuals, including child care hours and “benefit cliffs,” and whether WRA members take advantage of DWD Fast Forward grants and available transitional jobs funding.

DISCUSSION OF COMMITTEE ASSIGNMENT AND MEMO NO. 2, *TOPICS FOR CONSIDERATION* (OCTOBER 14, 2022)

The committee discussed Memo No. 2, *Topics for Consideration*, which described topics raised at prior meetings from which the committee could develop draft legislation. The committee addressed each topic heading identified within the memo in order.

First, the committee addressed the topic of “Obtaining Critical Documentation,” and whether legislation should require DOC to obtain documents beyond a Wisconsin driver’s license or State Identification (ID) card or create a Request for Proposal (RFP) to hire a third-party to do so. The committee indicated interest in pursuing the topic, but decided to gather additional information on practices in other states and efforts currently undertaken by DOC prior to taking action.

Next, the committee addressed the topic of “Expanding Earned Release Program to Cover Vocational Training and Employment.” Members discussed using 2019 Assembly Bill 830 as a statutory framework for a preliminary bill draft, but expanding the earned release program (ERP) to convert confinement time to supervision time based on completing certain employment, CTE training, career exploration, education, or training activities. DOC indicated that the agency would like draft legislation to provide a year for planning and determining which programming would qualify for ERP prior to implementation by the agency. The committee discussed whether to also reduce the total length of a sentence and

whether programs eligible for ERP should be targeted to training or employment in high-need industries. The committee ultimately requested preparation of a preliminary bill draft simply expanding the existing statutory ERP program to also cover vocational and educational training programs.

The committee also addressed the topic of “Creating a State Work Opportunity Tax Credit.” The committee decided not to move forward on the topic because employers are unaware of the existing federal tax credit program and are more concerned with finding adequate numbers of employees than with incentives for hiring.

The committee then addressed the topic of “Peer Mentoring for Reentry Success.” The members identified DOC fraternization policies as a potential obstacle and explored potential funding for outside organizations to provide mentorship and reentry assistance. Among other ideas, the members discussed providing grant funding for peer mentorship programs, as well as prohibiting DOC from preventing individuals with prior convictions who meet certain criteria from having contact with inmates for peer mentorship purposes (e.g., those who have been on supervision for a minimum period of time, or who have a Department of Safety and Professional Services support specialist credential). The committee did not request a bill draft on the topic, but indicated interest in potentially pursuing the issue further.

Next, the committee addressed the topic of “Implementing an Earlier Timeline for Reentry Programming.” The committee decided not to pursue the topic after noting that there is insufficient DOC staffing at the present time to make changes.

The committee also addressed the topic of “Providing a Central Hotline for Employers.” The members discussed creating an informational resource for employers interesting in hiring justice-involved individuals, such as a hotline or DWD navigators. The committee also discussed a marketing campaign to inform employers about working with justice-involved individuals and hiring incentives. They requested a preliminary bill draft requiring DWD to create a hotline staffed by designated navigators to serve as a resource for employers seeking to work with justice-involved employees.

The members briefly addressed the topics of “Promoting and Expanding the Use of CQEs,” “Ban the Box Legislation,” and “Record Clearing,” but decided not to take action on any of them.

The committee also addressed “Centralized Reentry Services Pilot,” and determined that Representatives Schraa and Goyke would work with staff to create a preliminary bill draft for a pilot program.

Finally, the committee discussed the topic of “Landlord Incentives” for renting to justice-involved individuals. They raised options such as a program to provide multiple months of rent, security deposits, tax incentives, or state liability for damages caused by qualifying tenants. Members also discussed having a connector or liaison who interacts with tenants and landlords to address issues. Finally, the committee requested information about fidelity bonds and any federal tax credit programs for landlords who rent to justice-involved individuals. They also expressed interest in a possible bill draft to expand fidelity bonds beyond their current usage for employers who hire justice-involved people, such that bonds could also cover landlords who rent to this population.

PLANS FOR FUTURE MEETINGS

Chair Felzkowski reminded members of future meetings scheduled for the following dates:

- Thursday, November 10th.
- Tuesday, December 6th.

Members requested that the November 10th meeting run from 9:30 a.m. to 4:30 p.m., and discussed potential speakers. These speakers included a speaker representing the Apartment Association of Southeastern Wisconsin, individuals from DOC's Office of Program Services, committee member Eli Rivera, and a reentry simulation.

ADJOURNMENT

The meeting adjourned at 4:30 p.m.

KBO:ksm