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 completion of their last sentence 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.
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.¹

According to the University of Michigan, only 1% of people were re-convicted of a felony within 5 years of expungement.²

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 workers that are lost when people with a criminal history are excluded from the labor market.⁵

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.

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

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

A Stanford University study found that the benefits of expungement outweighed costs by $5,760 per individual.⁶

⁵ 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.