Dear Members of the Committee,

Thank you for allowing me to present testimony in favor of H.B. 2855, which will increase employment, housing, and other critical opportunities for hard-working individuals with criminal records by reducing the fees required for non-disclosure petitions.

LESSENING COSTS ASSOCIATED WITH FILING CIVIL PETITIONS WILL ALLOW LOW-INCOME INDIVIDUALS TO RETURN TO WORK

There are indisputable barriers to success for people with criminal records. Depending on the crime, a person convicted of an offense in Texas will have a difficult time, or be absolutely barred from, finding housing or employment; becoming licensed for a particular occupation; obtaining an educational loan; or receiving federal or state benefits for basic human needs.¹

In recognition of this, Texas courts have the option of ordering the criminal conviction of an individual to be sealed, especially if that person has successfully completed a term of deferred adjudication and petitioned for an order of non-disclosure.²

However, the fees necessary to file a civil court petition may sometimes prevent otherwise-qualified individuals from petitioning the courts for an order of non-disclosure. Those fees average between $250 and $300 in most Texas district courts, which may be a week’s paycheck for an individual in a low-paying job who is seeking to climb the employment ladder and would benefit from a sealed record.

KEY FINDINGS

- Criminal records compromise an individual’s ability to enter the workforce.³ Individuals with a conviction cannot qualify for many employment positions that require licenses (including air conditioning and refrigeration contractors, electricians, water well drillers, dog trainers, and many others),⁴ leaving many returning individuals scrambling to find employment.

- In fact, people with criminal convictions receive half as many job offers as job seekers without convictions,⁵ which means that sealing an individual’s criminal record, if ordered by a court, has enormous impact on the employment options and future success of those individuals.

- Criminal records also destabilize Texans by creating barriers to safe housing. Under statutes in all 50 states, rental property owners may – but are not required to – screen for and refuse to rent to people with criminal backgrounds.⁶

COST-SAVING AND PUBLIC SAFETY-DRIVEN SOLUTION: SUPPORT H.B. 2855 BY REPRESENTATIVE MILES

- H.B. 2855 will waive the usual fee imposed for initiating a civil petition, while still requiring a $28 filing fee. Many individuals who are caught in the cycle of low-level crime are often under-employed and without the means to pay the $250 or more needed to initiate a civil petition for non-disclosure. This bill will give these men and women a fair chance to re-enter the work force or access safe housing without fear of being discriminated against for a criminal record, thus reducing the likelihood of costly re-offending.
Citation


2 Tex. Gov. Code § 411.081(d)


4 TEX. OCC. CODE, 53.021 (c)(3)
