Employer Empowerment

The Secret Crime Fighters in Our Community and the Hidden Talent that Waits in the Wings



Ascend is an innovative program with proven success in guiding clients out of the criminal system...Recidivism rate reduced to 20%





Ascend's co-founders are lawyers and hands on professionals in the field of rehabilitation. In March of 2013, the legislature sought the founders' input on issues of community rehabilitation and public safety



In September 2012, in recognition of Ascend's unique approach to programming, the legislature awarded it a Resolution for reducing recidivism and increasing public safety









Ascend's journey has included a Ted Talk to a crowd of 500 at the crest theater and cover stories in both the Sacramento Bee and Sacramento News and Review

Sacramento State
University conducted
quantitative and
qualitative studies on
Ascend.



Change is inevitable - Success is a choice

Researchers tout ascend as a "model for the nation" for its ability to guide clients to successful lives

Nhat did we learn about recidivism that would help employers making hiring decisions?

- (1) There are factors that predict crime,
- (2) Most people do not understand how easy it is to get caught up in the criminal justice system (Guilt By **Association Laws)**

(3) Employment is a "protective factor" that reduces someone's likelihood of returning to crime and makes our community safer as a whole

Who Makes Up the Population of People with a Record of Criminal Conviction?

MOST of the people who return to the community are not the "rapists and murderers" we see in movies and on television cop shows.

The great majority of those incarcerated are poor, uneducated people who have suffered trauma and made poor decisions resulting from a lifestyle where they used drugs to cope

The pathway INTO crime is determined in most cases by "criminogenic risk factors"

Criminogenic Risk Factors are the root causes of crime and the predictors of crime When we do not address criminogenic risk factors, and look SOLELY at "personal" responsibility," without addressing these root causes of behavior, then we end up with the high recidivism rate we see today

Criminogenic Risk Factors

Criminogenic Risk Factors are Factors that Predict Crime

Dynamic Criminogenic Risk Factors

- 1. Anti-social Network
 - * LEADING RISK FACTOR
 - * Combination of influence and guilt by association crimes

- 2. Anti-social Beliefs
- 3. Family Dysfunction
- 4. Addiction
- 5. Lack of Job/Education
- 6. Poor Impulse Control

What is the opposite of a client's criminogenic risk factors?

Protective Factors

Opposite of the risk factor **ANTI-SOCIAL NETWORK?** Pro-social network. Pro-social network is the protective factor.

Opposite of the risk factor **ANTI-SOCIAL BELIEF?** Pro-social belief. Pro-social belief is the protective factor.

Opposite of the risk factor **FAMILY DYSFUNCTION?** Boundaries No contact if necessary Counseling

Opposite of the risk factor POOR IMPULSE CONTROL? Mindfulness exercises **Nature** Yoga These are protective factors

Opposite of the risk factor **ADDICTION?** Drug treatment Sobriety is the protective factor.

Opposite of the risk factor LACK OF JOB/EDUCATION? GED, Diploma, College **Employment** These are protective factors

Workforce Professionals:

Pat Yourself on the Back - You are each a SUPERHERO in at least two ways....

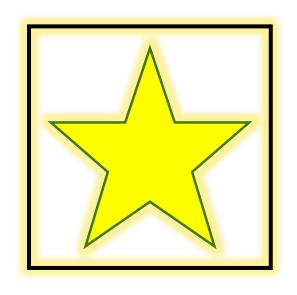
First, you are a crimefighter...

As you see, EMPLOYMENT is a PROTECTIVE FACTOR that lowers the likelihood that someone commits a crime...take a moment to truly appreciate how hard you work and your power to change the world.

Second, you are on the FRONT LINES in this next civil rights era of discriminating against those with criminal records...

The average person is able to vote and hire...

But YOU are able to move the needle forward on a large, policy level through daily interaction with your clients and your employers



YOU put the FORCE in "workforce"

- 1. Anti-social Network
- 2. Anti-social Beliefs
- 3. Family Dysfunction
- 4. Addiction
- 5. Lack of Job/Education
- 6. Poor Impulse Control

We see that "anti-social network" is the #1 risk factor. "Guilt by association" crimes combine with anti-social network to create a mine field for even well-meaning clients

There are 3 "guilt by association" laws that we discuss in Ascend. Constructive Possession, Conspiracy and Accomplice Liability.

For our purposes today, we will look briefly at only one of these laws:

Constructive Possession

Constructive possession applies in crimes in which the prosecutor must prove that something was illegally possessed

Examples: Possession of Drugs Possession of Stolen **Property** Possession of a firearm

There are two ways to prove possession in these types of crimes:

Actual possession or Constructive possession

Actual Possession is what most of us think about...

It is the concept of actually holding something

Or having something stashed in something we are wearing (jacket pocket)

Or in something we are carrying (purse or backpack)

Constructive possession is counter-intuitive A person is legally in Constructive possession

(1) they knew or should have known an item was present AND(2) They had access to the item

Constructive Possession allows a person to be legally in possession of something even though it was not theirs and they were not holding or owning it

It is no defense that a person's fingerprints were not on an item

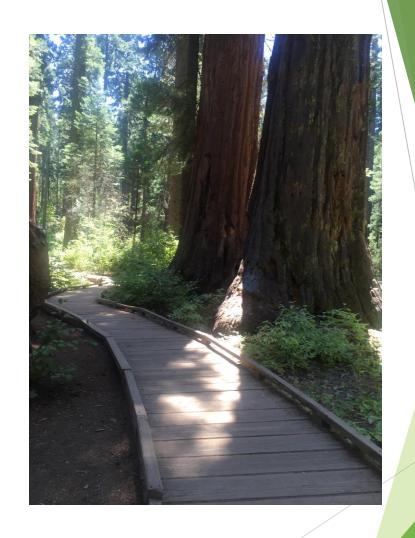
It is no defense that he person did not own the item

You also have to have "dominion and control" over the item - it is a legal technicality in the elements but not a helpful guide for navigating constructive possession in everyday situations

Common Constructive Possession Scenarios: Vehicles/Rides **Shared Housing Parties** Lying co-participants **Job Sites**

The unique challenges faced by clients with a criminal record

At first, clients often believe that their path to rehabilitation looks like this....



In reality, we know it looks a little more like this.....



Our society has a long history of declaring that when someone completes their punishment for a crime that they have "paid their debt to society" and should be accepted back into the fold The first thing to accept is that this is more a fantasy than a reality.

The reality is there is no time at which a person stops paying the price for having a criminal conviction in their past

And it is the one aspect that we, as a society, promised to overlook after their debt was paid.

Our clients know this to be true. They live it every single day.

It creates a frustration, shame and hopelessness that only adds to the challenges that they face in getting their lives together.

Clients are being discriminated against based on one, and only one, aspect of their being....their prior mistake. Who they WERE as opposed to who they ARF.

- This is most prevalent in the area of employment.
- We need to come to terms with the fact that this discrimination is persistent, real and deeply damaging.

We are familiar with discrimination based on gender, race, age and sexual orientation.

We are not accustomed to talking about prior criminal record as a basis for discrimination because there is a belief that the person caused their own problem

The more we learn about the root causes of crime, however, we learn that personal responsibility is a tiny factor in most cases

And this discrimination is a declaration that we do not believe that the person should be forgiven or has potential no matter how hard they work to prove otherwise

This is devastating to any human being and is a barrier to turning people into productive, happy, healthy taxpayers

Employers are a KEY part of reducing recidivism. Employment heals a criminogenic risk factor and restores dignity to our members in the community who have worked hard to have a second chance

Educating employers with the information you just received is a vital part of laying the groundwork for truly incorporating clients into the working community

Employer education leads to empathy, understanding and excitement about this hidden pool of talented workers.

►Our employer engagement events also help the clients heal. Sometimes the first step in fighting discrimination and healing those hurt by it is to acknowledge that it exists.

Our Accelerator project aimed to start this very important conversation and, in doing so, to bring our community together and put our clients on the path to success.

Post-Accelerator we are continuing to do the employer engagement events. We are contracting with Humboldt County Worforce Department in March to put on their event

Tools and Resources you can use with your P2E population

Ascend is CTI approved

Curriculum complete with law education videos

Trainings

Employer Empowerment Video- Teaching Employers About the Detriment of Discriminating Against Clients Based on Record and Benefits of Hiring Qualified Clients with a Record

Tools and Resources you can use with your P2E population..... on DAY ONE

- Website and Blog:
- <u>www.ReasonableDoubtInsideOut.</u> <u>com</u>
 - Email Subscribers Get the Beta Launch of My "Street Guide to Constructive Possession."
 - You can use this workbook with your clients or directly refer them to the website

To Get the Free "Street Guide to Constructive Possession" and other posts, you may subscribe to my blog

Please sign the email list if you would like me to email you a copy of my presentation and/or sign you up for the blog

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There is no limit to what can be done when we pair our information with your talents!



Thank you for your time and attention today!