

Microenterprise: What Is It and Who Can Benefit?

Susan Hallett

An innovative workforce development strategy for practitioners and for people with criminal records is to consider microenterprise. A microenterprise is defined as a business with five or fewer employees requiring start-up capital of \$35,000 or less. Most are sole proprietorships, which create employment for the owner and very often-family members. Some examples of microenterprise ventures include repair services, cleaning services, arts and crafts, computer technology, childcare and specialty foods.

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What's In a Name?

All of Us or None*

Language can reflect positive identity or reinforce social stigma. During the 1960's, African-Americans changed public perceptions by rejecting the term Negro, by insisting "Black is Beautiful," and by fighting for Black Power. Today people who have been in prison or have felony convictions are fighting for our basic survival, and part of this fight is rejecting language that objectifies and dehumanizes us. We are routinely branded as predators, monsters, criminals, gang members, offenders, felons, and inmates. These words stigmatize and limit us, reinforcing the barriers we face when we get out of prison. This language is used by law enforcement, the press, service providers, even by organizations advocating for reforms on our behalf. Because the criminal justice system so disproportionately imprisons people of color, words like "criminal" or "gang member" are often code words to cloak racism. Even though discrimination against people because of race is illegal, discrimination against people with a criminal record (mostly Black and Brown people) is socially accepted and institutionalized in law.

People who have been in prison are organizing and trying to change the ways society perceives us, including the words used to describe us. We are asking all of you to evaluate your language, and change it. Affirm that people who have been in prison are first of all - PEOPLE. People on parole, people in prison, formerly-incarcerated people, -- but first of all, PEOPLE. We deserve the dignity of being recognized and referred to as human beings.

You can help us fight the stigma of a past prison record by abandoning this objectifying language, including the terms "offender" and "ex-offender." When used by advocates, social service agencies, and law enforcement, these words make us feel like commodities and trapped in the past. We are not a "flavor of the month" to be

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Microenterprise programs can provide people with an innovative path out of poverty, assist people to become self-sufficient, and serve as a successful economic development strategy. These businesses offer alternative options to traditional employment for a range of individuals, including those transitioning out of prison or jail. In addition to gaining work experience, individuals with criminal histories would earn wages and learn vital skills needed to survive in the private sector, while circumventing many existing barriers to employment. An excellent primer on microenterprise is *Microenterprise Works: Success Stories Across the Nation*, Association for Enterprise Opportunity (2001),

<http://www.microenterpriseworks.org/meworks/AEOsuccess-FINAL.pdf>.

Microenterprise development programs provide business development services to people who are interested in starting a small business, but who lack the management knowledge or access to capital needed. These programs target underserved populations, including public assistance recipients, people with low-income, women, people of color, people with disabilities, immigrants and refugees. The Association for Enterprise Opportunity (AEO) serves as the national trade association for microenterprise development.

Microenterprise can be a successful tool for moving people out of poverty. In 1999, the Self-Employment Learning Project (SELP) of the Aspen Institute conducted a survey of seven microenterprise development programs whose clients had household incomes of 150% of the poverty line. They found that: 72% of poor microentrepreneurs increased household income over five years by an average of \$8,484; the poor microentrepreneurs increased household assets by \$15,909 over five years; over half of poor entrepreneurs moved over the poverty line; and reliance on public assistance decreased by 61%. Furthermore, in 1998, the Charles Stewart Mott Foundation provided a three-year demonstration grant to 10 microenterprise organizations that provided self-employment services to welfare recipients. The Microenterprise Fund for Innovation, Effectiveness, Learning and Dissemination (FIELD) program of the Aspen Institute conducted an evaluation of the project that concluded that

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exploited when government or foundation resources change their priorities. "Welfare to work" dollars may be replaced by "re-entry" service dollars, but those resources rarely trickle down into our communities except in temporary, minimum wage jobs.

This struggle is not solely about language. Discrimination against us is widespread, even in advocacy or activist organizations. We ask you to examine the internal practices of your own organizations:

- If your organization believes in justice and rehabilitation and you are trying to reform criminal justice policies, do you have people who have been in prison on your Advisory Board or as paid staff in your organization?
- Do you seek out and value our expertise, and the expertise of our family members in defining your policy recommendations and in making decisions about organizational campaigns and priorities?
- If you are an employer, do you have basic trainings available to assist people coming out of prison in learning job skills?

We ask you to stand with us and affirm our human and civil rights, beginning with our right to be recognized and described as human beings. This is not a new initiative or a new idea. Thirty-five years ago, prisoners at Attica, Folsom, San Quentin, and other prisoners issued a manifesto that read, "We demand, AS HUMAN BEINGS, the dignity and justice that is due to us by our right of birth." Join us in making this demand a reality.

*All of Us or None is an organizing initiative to strengthen the voices of formerly-incarcerated people and our families. We are specifically fighting the discrimination that people face when they come out of prison in employment, education, housing, voting rights, welfare and food stamp assistance, and many other areas. Contact us at All of Us or None, 1540 Market Street #490, San Francisco, CA 94102; 415-255-7036 x337; e-mail: info@allofusornone.org. Our website is under construction at www.allofusornone.org. ❖

participants progressed in a number of ways, including growth in income and employment with corresponding decreased reliance on public assistance (see *Microenterprise as a Welfare to Work Strategy: Two Year Findings*, <http://fieldus.org/publications/WTWRpt3.pdf>).

For more information on the use of microenterprise as a workforce development strategy, including fact sheets, useful links, relevant publications, and connections to local microenterprises, see AEO's website at www.microenterpriseworks.org. ❖



Hot Off the Press: Recent Reports

Employment Retention Essentials, by Carol Clymer and Laura Wyckoff of Public/Private Ventures (December 2003). Employment retention is one of the critical challenges facing the workforce field today. This guide offers concrete tools for keeping people working, including tips on how to involve employers, build relationships and stay in contact with participants. To read sample pages and order this report, go to

http://www.ppv.org/ppv/working_ventures/working_ventures_tools.asp?section_id=6

The Dimensions, Pathways, and Consequences of Youth Reentry, by Daniel P. Mears and Jeremy Travis of the Urban Institute (January 2004). Approximately 200,000 juveniles and young adults age 24 and under leave secure juvenile correctional facilities or state and federal prisons and return home each year—a process that we call youth reentry. The unprecedented growth in incarceration means that communities across the country increasingly must confront the challenges of integrating ever-growing numbers of young people who have been in adult prisons or prison-like settings operated by the juvenile justice system. Youth may face numerous obstacles, including family dysfunction, poverty, drug abuse, and inadequate education, treatment, and services, all of which may not only contribute to criminal behavior but also to their success during reentry in avoiding crime and becoming a contributing member of society. This report, which summarizes the insights of participants in the Urban Institute's Youth Reentry Roundtable, examines these issues and provides policy and research recommendations.

To view this report, go to

http://www.urban.org/UploadedPDF/410927_youth_reentry.pdf

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From the Media to Practice

This is the eighth of a series in which we highlight an issue raised by a recent press article.

Roberta Meyers-Peebles

A significant vehicle to protect the employment rights of qualified people with criminal histories is anti-discrimination legislation prohibiting employers from discriminating against job applicants solely because of a criminal record. Currently, only 14 states offer some protection against employment discrimination based on a conviction record. However, a number of local counties and cities, including Cleveland, Ohio, are considering local legislation to support the efforts of individuals with criminal records who want to reenter the workforce (see “Cleveland May Ban Bias Against Ex-Offenders” by Angela Townsend, *The Plain Dealer*, February 4, 2004).

Creating standards that require employers to make individualized determinations about a job applicant's qualifications is a key priority for the National H.I.R.E. Network. Such legislation is consistent with the Equal Employment Opportunity Commission's guidance on the consideration of arrest and conviction record in employment decisions. This guidance prohibits public and private employers from considering conviction records unless there is a “business necessity.” To establish this, the employer must show it considered: (i) the nature and gravity of the offense(s); (ii) the time that has passed since the conviction and/or completion of the sentence; and (iii) the nature of the job held or sought (for a further discussion of the EEOC policy, see pages 13-14 of *From Hard Time to Full Time*, http://www.hirenetwork.org/pdfs/From_Hard_Time_to_Full_Time.pdf)

States with anti-discrimination laws do not force employers and/or occupational licensing agencies to hire or grant licenses to people with criminal histories; rather, they require employers and/or occupational licensing agencies to make fair and informed decisions about qualified individuals. Employers and licensing agencies maintain discretion in hiring or licensing an applicant, but in making hiring decisions, they must determine if the applicant's conviction history is directly related to the duties of the job or license being

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Crisis of Black Male Employment: Unemployment and Joblessness in New York City, 2003, by Mark Levitan of the Community Service Society (February 2004). This report offers the latest data showing that the local job market in New York City remains weak, sustained employment growth is not yet evident, and unemployment remains high. To read this report, go to http://www.cssny.org/pubs/special/2004_02labormarket.pdf

What Works with Offenders? European Networking for the Identification of Successful Practices in Preparing Ex-offenders for Employment Integration, by European Offender Employment Forum (September 2003). This report provides insights and best practices from over 100 employment programs in the European Union that serve people with criminal records. To view the report, go to www.eoef.org.

Integrating TANF and WIA Into a Single Workforce System: An Analysis of Legal Issues, by Mark Greenberg, Emil Parker, and Abbey Frank. A number of states and localities want to promote improved coordination or integration of workforce development efforts under the Temporary Assistance for Needy Families (TANF) block grant and the Workforce Investment Act (WIA). This analysis identifies and analyzes legal issues presented by integrating TANF and WIA. This paper was written as part of a collaborative effort between the National Governors Association Center for Best Practices, CLASP, and the Hudson Institute. To read this report, go to http://www.clasp.org/DMS/Documents/1076610053.59/TANF-WIA_Integration.pdf

Providing Comprehensive, Integrated Social Services to Vulnerable Children and Families: Are There Legal Barriers at the Federal Level to Moving Forward? by Rutledge Q. Hutson. Over the past several years, social service providers have increasingly recognized that families seeking assistance often face multiple, complex needs and that they require the services of more than one program. Working in consultation with state and local officials, this paper offers a model of cross-system integration focusing on comprehensive services for children and families. This paper was written as part of a collaborative effort between the National Governors Association Center for Best Practices, CLASP, and the Hudson Institute. To view this report, go to http://www.clasp.org/DMS/Documents/1076428367.74/CW_Integration.pdf

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sought, as well as considering evidence of rehabilitation. For example, a person with a fairly recent robbery or larceny conviction might be excluded from working as a cashier or bank teller.

For those who are advocating for the employment of people with criminal records, it is important to remember that certain forms of discrimination may not be evident to those who are not the target. Therefore, the introduction of anti-discrimination legislation that provides specific protections for people with criminal records and reasonable standards for employers to adhere to is a valuable tool for you and your clients. The National H.I.R.E. Network has worked with several of our members in the past to advocate for anti-discrimination legislation. Please let us know if we can be helpful in creating more just laws and policies in your community or state!❖

H.I.R.E. Network Hosts *Against the Ropes* Premiere in Chicago

Debbie Mukamal

On February 18th, the H.I.R.E. Network hosted a benefit premiere in Chicago for *Against the Ropes*, a film directed by Charles S. Dutton, our Honorary Chair. We were thrilled to have more than 150 people attend the premiere and have Mr. Dutton join us for this very special event.

Against the Ropes, a Paramount Pictures film, is inspired by the true story of Jackie Kallen (Meg Ryan), the most successful female manager in boxing history. Ms. Kallen, a smart and gutsy woman, wants to break out of a dead-end job as she knows she was meant for more. She gets her chance when she sees Luther Shaw (Omar Epps) in a brawl and knows he's a champion in the raw. Determined to follow her heart, she becomes Luther's boxing manager and convinces him that he can fight his way out of a thug life. Together with veteran trainer Felix Reynolds (Charles Dutton), Jackie and Luther discover they need each other to realize their dreams and take the boxing world by storm.

Thanks to many of our supporters in Chicago for

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Child Care Programs Help Parents Find and Keep Jobs: Funding Shortfalls Leave Many Families Without Assistance, by Jennifer Mezey. Child care subsidies help low-income families work and leave welfare, but funding shortfalls are forcing states to enact restrictive policies that are hurting poor families and efforts to promote their employment and earnings. The Administration's recently proposed FY 2005 budget would make this situation even worse. This paper includes excerpts from recent press coverage about child care restrictions and cutbacks in 15 states. To read this report, go to

http://www.clasp.org/DMS/Documents/1076435918.03/CC_shortfall.pdf

Why Congress Should Expand, Not Cut, Access to Long-Term Training in TANF, by Julie Strawn. Research has shown that the welfare-to-work programs that have been most successful in helping parents work more and increase earnings over the long run are those that include substantial access to education and training, together with employment services and a strong overall focus on work as the goal. This three-page paper provides data that argues for increasing welfare recipients' access to longer-term training. To view this paper, go to

http://www.clasp.org/DMS/Documents/1076428384.07/TANF_Postsec.pdf

Making HEA an Engine of Economic Productivity and Worker Prosperity. The skill requirements of today's and tomorrow's jobs continue to rise-by 2020 it's estimated that 15 million new jobs will require college preparation. This two-page paper-from CLASP, the National Consumer Law Center, and the Workforce Alliance-argues that the U.S. can meet this increasing demand by modernizing the Higher Education Act (HEA) through reauthorization. It suggests ways Congress can better align HEA with the needs of employers and the realities of working adults' lives. To read this paper, go to

http://www.clasp.org/DMS/Documents/1076341212.66/HEA_priorities.pdf

State Policy Regarding Pass-Through and Disregard of Current Month's Child Support Collected for Families Receiving TANF-funded Cash Assistance, by Paula Roberts and Michelle Jordan. This chart lists all 50 states' and the District of Columbia's child support pass-through and income disregard policies as of December 2003. To view this chart, go to

http://www.clasp.org/DMS/Documents/1076098930.07/pass_thru2.pdf ❖

attending the benefit and coming out to support the work of the H.I.R.E. Network. In particular, we want to thank HIRE's Advisory Board member Diane Williams, CEO/President of the Safer Foundation, Deborah Harrington of the Woods Fund, Whitney Smith of the Chicago Jobs Council, Joy Dawson of Safer, and Tumia Romero from Congressman Danny Davis' office for helping to make this event a success!❖



H.I.R.E. on the Hill

Alexa Eggleston

The "Social Security Protection Act of 2003" Cleared for White House Approval; Includes Provisions Affecting People with Felony Records*

Congress recently passed H.R. 743/S.439, the "Social Security Protection Act of 2003," which is now awaiting President Bush's signature before becoming law. The bill will amend the Social Security Act and the Internal Revenue Code of 1986 to provide additional safeguards for Social Security and Supplemental Security Income beneficiaries with representative payees, and it will enhance program protections. Additionally, several provisions are included in the bill that will limit the ability of individuals with felony convictions from serving as representative payees and from receiving benefits. The bill was introduced in the House of Representatives by Representative Clay Shaw, Jr. (R-FL) and in the Senate by Senator Jim Bunning (R-KY).

Title I of the Act includes a section that will prohibit a representative payee from receiving a person's Title II (Old Age, Survivors and Disability Insurance), Title VIII (Special Benefits for Certain World War II Veterans), or Title XVI (Supplemental Security Income) Social Security benefit if the representative payee:

- has been convicted of any offense under Federal or State law resulting in imprisonment for more than one year (unless the Commissioner deems such payment would be appropriate)

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Upcoming Conferences of Interest

March 14-16, 2004

**National Association of Workforce Boards Forum 2004:
"A Skilled Workforce-A Stronger Economy"**

Renaissance Washington DC Hotel

Washington, DC

Contact: NAWB

Tel: 202-775-0960

Fax: 202-775-0330

Email: nawb@nawb.org

www.nawb.org/forum2004.default.asp

March 21-24, 2004

**National Correctional Industries Association Enterprise
2004 National Training Conference and Exposition:**

"Transformation: The Challenge of Change"

Adams Mark Hotel

St. Louis, MO

Contact: NCIA

Tel: 410-230-3972

Fax: 410-230-3981

April 14-16, 2004

**Center for Mental Health Services & Criminal Justice
Research First Biennial Conference: "Reentry to
Recovery: People with Mental Illness Coming Home
from Prison or Jail"**

The Sheraton Society Hill Hotel

Philadelphia, PA

Contact: Kristen Gilmore

Tel: 732-932-1225

Email: cmhs&cjr@ihhpcpar.rutgers.edu

May 12-14, 2004

**The National GAINS Center for People with Co-
Occurring Disorders in the Justice System 2004 Annual
National Conference: "From Science to Services:
Emerging Best Practices for People in Contact with the
Justice System"**

Contact: <http://www.gainsctr.com/b/Default.asp>

Tel: 800-311-GAIN

May 19-21, 2004

**Pennsylvania Partners 2004 Employment, Training and
Education Conference**

Hershey Lodge and Convention Center

Hershey, PA

Contact: www.papartners.org

notwithstanding such conviction); or

- is a person fleeing prosecution, custody, or confinement for a felony conviction or is a person in violation of a condition of their state or federal parole or probation.

This section also will direct the Commissioner to assist law enforcement officials in apprehending these individuals by providing law enforcement officials with the address, Social Security number, photograph, and other identifying information upon request.

Title II of the Act will amend existing Social Security Act Title II benefits in following ways:

- Deny Old Age Survivors Disability Insurance (OASDI) benefits to any individual who is considered to be fleeing prosecution or confinement after conviction of an act or attempted act that constitutes a felony. (Currently the Commissioner may deny "fugitive felons" SSI benefits.)
- Prohibit benefits for individuals determined to be violating probation or parole under Federal or State law.

The section does include a good cause provision that will allow the Commissioner to pay withheld OASDI benefits for good cause shown if the offense or probation or parole violation was nonviolent and not drug-related. The Commissioner will be required to pay withheld benefits, when good cause is shown, in the event of an acquittal, dismissal of charges, vacating of an arrest warrant, or erroneous implication in connection with the criminal offense by reason of identity fraud. This section also will require the Commissioner to furnish any law enforcement officer with personal information about any beneficiary, upon request, if: (1) the beneficiary is fleeing prosecution or confinement, or violating a condition of probation or parole; and (2) the location or apprehension of the beneficiary is within the officer's official duties.

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May 23-26, 2004**National Association of Workforce Development Professionals 15th Annual Conference: Expedition to Professionalism**Hilton Portland & Executive Tower
Portland, ORContact: www.nawdp.org

Tel: 202-589-1790

Fax: 202-589-1799

June 10-11, 2004**The 22nd Annual Garden State Employment and Training Development Conference**

Bally's Park Place & Casino

Atlantic City, NJ

Contact: Garden State Employment & Training Association

www.gseta.org**June 16-18, 2004****The Sixth Annual International Fatherhood Conference "The International Year of the Family"**

Marriott Renaissance Center

Detroit, MI

Contact: www.npcl.org**June 17-19, 2004****The 11th National Roundtable for Women in Prison**

Sheraton Hotel

Atlanta, GA

Contact: www.takingaim.net/2004roundtable

Tel: 404-755-3262

Fax: 404-755-3294

July 18-22, 2004**The 2004 National Association of Blacks in Criminal Justice: Making a Difference in the American Justice System**

Adams Mark Hotel

Jacksonville, FL

Contact: Ornetta Lockette Slaughter

Tel: 703-299-2190

Email: ornetta_slaughter@vaed.uscourts.gov**Sept. 24-26, 2004****Fifth Annual Conference on Addiction and Behavior**

St. Louis Marriott Downtown

St. Louis, MO

Contact: <http://www.gwcinc.com/ncacbmainpg.htm>**Department of Labor Issues Guidance for Program Planning during Authorization Lapse of the Work Opportunity Tax Credit and Welfare-to-Work Tax Credit**

The U.S. Department of Labor recently issued a letter to provide procedural guidance to State Workforce Agencies (SWAs) on the processing of requests for certification under the Work Opportunity Tax Credit (WOTC) and Welfare-to-Work Tax Credit (WtWTC) after these tax credits expired on December 31, 2003. This guidance covers the period January 1 - September 30, 2004. If the WOTC and WtWTC program has not been reauthorized by September 30, 2004, additional guidance will be issued. Please visit the Department of Labor's website for more information:

<http://wdr.doleta.gov/directives/attach/TEGL18-03.html>.

*This update from Washington, DC is being reprinted courtesy of the Legal Action Center's Washington Weekly Roundup. ❖

**FUNDING OPPORTUNITIES!****National Institute of Justice Solicitation for Crime and Justice Research:**

The National Institute of Justice is seeking proposals for crime and justice research on topics relevant to State and/or local criminal and juvenile justice policy and practice. *The deadline for submitting proposals is March 31, 2004 and September 28, 2004.* For more information, go to <http://www.ncjrs.org/pdffiles1/nij/sl000663.pdf>

Federal Grants Website: As a reminder, the U.S. government has a website with information about federal grants available in a range of topics, including Employment, Labor and Training, and Law, Justice, and Legal Services. See www.grants.gov. ❖

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If you are interested in the Federal Bonding Program, a tool to help at-risk job applicants get and keep jobs and to convince willing employers to hire a person with a criminal record, please contact Ron Rubbin or Roland Brack at (202) 293-5566 or (800) 233-2258 for information on obtaining a video about the program and a limited supply of promotional bonds at no cost. These fidelity bonds are free to the employer and the job seeker and there is no paper work to complete. For more information on the Federal Bonding Program, see http://www.hirenetwork.org/fed_bonding.html

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