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## Comment from Tzedek Association

Posted by the **National Credit Union Administration** on Jan 9, 2024

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Comment

Tzedek Association Comment on the National Credit Union Administration (NCUA) proposal to incorporate its “Second Chance” Interpretive Ruling and Policy Statement 19–1 (IRPS 19–1) and the Fair Hiring in Banking Act (FHBA) into its regulations.

(<https://www.federalregister.gov/documents/2023/11/07/2023-23509/fair-hiring-in-banking>)

As we understand it, the current rule prohibits credit unions from hiring individuals who have been convicted of certain criminal offenses involving dishonesty or breach of trust. The proposed rule would expand the scope of covered offenses to include offenses that are not directly related to dishonesty or breach of trust, such as drug offenses and nonviolent offenses. This would allow credit unions to consider a wider range of applicants, including those who have made past mistakes but have since demonstrated that they are law-abiding citizens.

We further understand that the current rule requires credit unions to make an individualized assessment of each applicant's criminal history to determine whether they pose a risk to the credit union or its members. The proposed rule would clarify that credit unions should consider a variety of factors when making this assessment, including the nature of the offense, the time since the offense, and the applicant's subsequent rehabilitation efforts. This would ensure that credit unions are not making decisions based on outdated stereotypes or assumptions about past offenders.

The Tzedek Association unequivocally supports this amendment. As is widely recognized, employment is an essential cornerstone of successful rehabilitation and successful reentry of offenders into the community. Indeed, studies have consistently shown that employment is a strong predictor of reduced recidivism rates. For example, a meta-analysis of 22 studies found that employment was associated with a 25% reduction in recidivism risk. ([https://www.researchgate.net/figure/Characteristics-of-22-Studies-Included-in-the-Meta-analysis\\_tbl1\\_333181698](https://www.researchgate.net/figure/Characteristics-of-22-Studies-Included-in-the-Meta-analysis_tbl1_333181698)).

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Moreover, America is a nation of laws and second chances, redemption and rehabilitation. Elected officials on both sides of the aisle, judges, faith leaders, civil rights advocates, and law enforcement leaders agree that our criminal justice system can and should reflect these core values that enable safer and stronger communities. People coming out of prison need jobs to succeed. We all lose if we place before them obstacles that inhibit them from getting lawful employment, increasing their risk of going back to old ways and recidivating. People should not be forced to be married to their mistakes for the rest of their lives. If we want them to successfully reenter society as a law-abiding and contributing member of society then we must allow them to move forward.

Thank you for considering our comments.

Tzedek Association

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