

Using Workforce Innovation and Opportunity Act (WIOA) Funds for Legal Services to Keep Tulsa Oklahomans Working

In 2018, Workforce Tulsa adopted a new supportive services policy that includes providing legal aid to jobseekers to help with barriers to employment such as expunging or sealing old criminal records, obtaining or reinstating a revoked driver's license or occupational license, resolving credit report problems, filing for domestic violence restraining orders, and assisting veterans with accessing healthcare, education grants, and housing services using Workforce Innovation and Opportunity Act (WIOA) federal formula funds. In 2019, Workforce Tulsa and Legal Aid Society of Oklahoma (LASO) signed an MOU where Workforce Tulsa could refer clients and pay LASO for their services and ensure Tulsa jobseekers maximize their chance for getting and keeping a job.

THE PLAN. Oklahoma has the highest incarceration rate in the world, with an incarceration rate of 1,079 incarcerated per 100,000 people.¹ An estimated 8.2 percent of Oklahomans are in prison or on probation.² The U.S. average is 698 incarcerated per 100,000 people. The next country is El Salvador, with 614 incarcerated per 100,000 people. Before Workforce Tulsa began discussing introducing legal services into their repertoire of supportive services, they were already aware that many individuals with criminal records often faced significant barriers to employment.

In 2018, Workforce Tulsa commissioned the Lobeck Taylor Community Advocacy Clinic at the University of Tulsa College of Law to research the barriers people with criminal records face when seeking employment. The assessment found discrimination against workers with criminal records, a complex expungement process, occupational licensing regulations, past-due child support that accrued during incarceration resulting in the need for wage garnishment, and securing housing were the top barriers to employment for Oklahomans with criminal records.

THE POLICY. The then Executive Director of Workforce Tulsa Shelley Cadamy attended a workshop called "A Conversation on Civil Access to Justice in Tulsa" at the Lobeck Taylor Community Advocacy Clinic. After the workshop, the Director of the Clinic connected Workforce Tulsa with Karen Lash at the Justice in Government Project (JGP). At this point, Workforce Tulsa was broadly aware of the inclusion of legal services as a supportive service under Workforce Innovation and Opportunity Act (WIOA) funds. Workforce Tulsa was also in the process of rewriting their supportive services policy and included legal services as a supportive service. With assistance from the JGP, Workforce Tulsa put more of a priority on utilizing legal services in their supportive service policy as written and reached out to Legal Aid Society of Oklahoma (LASO) to partner.

Aware of the barriers to employment people with criminal records face, Workforce Tulsa's Board adopted the new supportive services policy.⁴ After board approval, Workforce Tulsa and LASO signed a Memorandum of Understanding (MOU) outlining how the partnership will work. Staff can also recommend payment of expungement filing fees with WIOA funds.

The Workforce Tulsa supportive services policy tracks language from the WIOA rule at 20 CFR § 680.900 and § 681.570. The funding caps presented in this policy are for the lifetime of the individual, not per enrollment. The policy reads:

12. LEGAL AID SERVICES. There are many ways legal aid can help jobseekers. Legal aid can help support WIOA's goals by:

- a. Expunging or sealing old criminal records;
- b. Obtaining, reinstating revoked or suspended driver's licenses;
- c. Assisting with securing occupational licenses when a criminal record is a discretionary obstacle;
- d. Untangling outstanding court debt issues;
- e. Negotiating wage garnishments, such as for child support orders;
- f. Securing certificates of rehabilitation for the formerly incarcerated;
- g. Stabilizing lives by preventing illegal evictions, resolving credit report problems, or filing for domestic violence restraining orders;
- h. Assisting veterans with accessing healthcare, education grants, and housing services.

For more information, The Justice in Government Project published research summaries detailing how legal aid can support each of these goals, which can be accessed in the JGP Toolkit.⁵

NEXT STEPS. Workforce Tulsa has received a very positive response from the community. They are currently in the process of beginning to offer referrals for legal services at LASO. Workforce Tulsa plans to have a fulltime embedded legal aid attorney to provide job seekers with the legal services they need. Workforce Tulsa is looking to raise additional funds for this position.

1 Prison Policy Initiative, *States of Incarceration: The Global Context 2018* (June 2018), available at https://www.prisonpolicy.org/global/appendix_2018.html

2 Oklahoma Criminal Justice Resource Center, Prison Policy Initiative, *Estimated Prevalence of Felons Among the Oklahoma Adult Population* (September 2006), available at <http://www.prisonpolicy.org/scans/PrevalenceOklahomaAdultFelon.pdf>

3 Workforce Tulsa, Lobeck Taylor Community Advocacy Clinic, The University of Tulsa College of Law, *Increasing Job Opportunities, Improving the Economy, Investing in Oklahoma* (January 2019), available at <https://law.utulsa.edu/wp-content/uploads/sites/3/2019/02/IncreasingImprovingInvestingWorkforceJan2019.pdf>

4 Workforce Tulsa, *Supportive Service Policy*, available at <https://www.american.edu/spa/jpo/toolkit/module-3.cfm>

JGP Toolkit, available at <https://www.american.edu/spa/jpo/toolkit/index.cfm>

5 The Justice in Government Project, *Module 1*, available at <https://www.american.edu/spa/jpo/toolkit/module-1.cfm>

THE JUSTICE
IN GOVERNMENT
PROJECT
GETTING RESULTS WITH LEGAL AID
AMERICAN UNIVERSITY JUSTICE PROGRAMS OFFICE



To download the Oklahoma WIOA narrative, go to: <https://www.american.edu/spa/jpo/toolkit/module-3.cfm> and contact Karen Lash, Director of the Justice in Government Project, klash@american.edu