

**Employment Resolution – Human Rights Commission of the
City & County of San Francisco**

**Sponsored by All of Us or None,
a project of Legal Services for Prisoners with Children**

WHEREAS people with criminal records suffer from pervasive discrimination in many areas of life – employment, housing, education, and eligibility for many forms of social benefits;

WHEREAS at least 13 million people nationwide¹ experience lifelong discrimination because of past felony convictions, and California incarcerates and releases more people per capita than any other state, resulting in large numbers of people whose backgrounds include past criminal activity and/or imprisonment;

WHEREAS many people who have been convicted of offenses in other states have moved to California to begin their lives anew;

WHEREAS 55,000 people are booked into San Francisco County Jails annually with an average daily population of 2,200 people – each one released with their life shattered and a criminal record to haunt them;²³

WHEREAS in 2003, 2507 people were paroled from the California Department of Corrections to San Francisco County;⁴

WHEREAS people of color in general are convicted and incarcerated in numbers disproportionate to their representation in the population as a whole, which disproportionately impacts their families and communities;

WHEREAS 70 to 80% of all formerly-incarcerated people in California are unemployed,⁵ and people with felony records are twice as likely to be denied employment as people without past criminal records;⁶

WHEREAS formerly-incarcerated people represent a workforce experienced in disciplined, structured environments with the same range of workskills as any other group of job-seekers, ready to add value to the community;

WHEREAS the application form for public employment by the City and County of San Francisco specifically requires an applicant to answer yes or no to the statement, “I have been convicted by a court,” even if the applicant has received a Governor’s pardon;

WHEREAS many companies being awarded contracts by the City and County of San Francisco have policies and application forms that discriminate against people with past criminal records;

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WHEREAS the City and County of San Francisco seeks to assist the successful reintegration of formerly-incarcerated people back into the community after their release from prison;

WHEREAS it is the policy of the City of San Francisco to prohibit discrimination on the basis of race, religion, creed, ethnicity, national origin, color, ancestry, age, sex, sexual orientation, gender identity, domestic partner status, marital status, disability, AIDS/HIV, weight and height;

WHEREAS a past criminal record may be used as a pretext to allow discrimination against people that would otherwise be protected, based on a person's membership in one of San Francisco's protected categories;

THEREFORE, in order to mitigate or eliminate discrimination against people who have been in prison or convicted of criminal activity in the past, and to assist with their successful reintegration into the community after prison

BE IT RESOLVED that the Human Rights Commission supports the All of Us or None effort to eliminate the box requiring disclosure of past criminal records on applications for public employment and for employers doing business with the City and County; and

BE IT FURTHER RESOLVED that the Human Rights Commission of the City and County of San Francisco urge the State of California and other Cities and Counties to eliminate the box requiring disclosure of past criminal records on their public employment applications.

¹ Uggen, Christopher, Manza, Jeff and Thompson, Melissa. (2000). *Crime, Class and Reintegration: The Socioeconomic, Familial, and Civic Lives of Offenders*. November 18, 2000, American Society of Criminology Meeting, San Francisco.

² SF Sheriff's Department website, <http://www.sfsheriff.com/jails.htm>

³ California Department of Corrections, County and Region of Parole. Data Analysis Unit 2003 Note: about 95 percent of all parolees in California are released into the county where their alleged crime(s) was committed. Nieto, Marcus. Adult Parole and Probation in California. California Research Bureau, September 2003 P.12

⁴ California Department of Corrections, County and Region of Parole. Data Analysis Unit 2003 Note: about 95 percent of all parolees in California are released into the county where their alleged crime(s) was committed. Nieto, Marcus. Adult Parole and Probation in California. California Research Bureau, September 2003 P.12

⁵ *Back to the Community: Safe and Sound Parole Policies*, Little Hoover Commission, p. 39

⁶ Pager, Devah. "The Mark of a Criminal Record." Dept. of Sociology, University of Wisconsin, Madison, WI. 2002, p. 958.

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