

Ban The Box

Presented to City Council
July 23, 2013

Purpose

- ❑ Provide City Council with information on the Ban the Box initiative
- ❑ Review of states and localities that have banned the box
- ❑ Intended to strengthen the goals of economic vitality and workforce development and employer of choice
- ❑ No formal action is required from City Council

What is the Box?

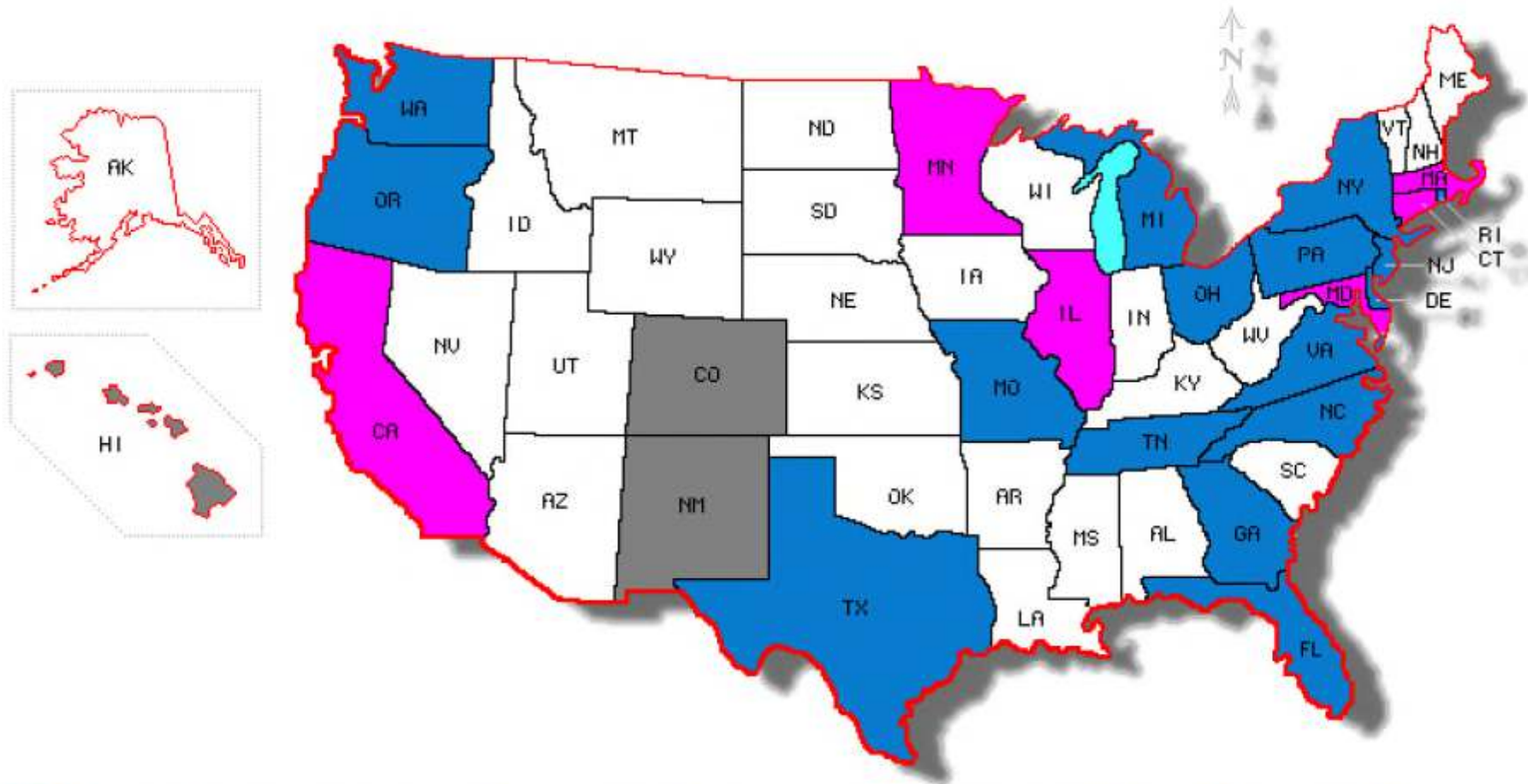
Check box on job application

1. Do you have any pending felony or misdemeanor criminal charges against you (including driving-related misdemeanors such as driving under the influence, reckless driving and driving on a suspended license)?
 - If you do have any pending Felony or Misdemeanor criminal charges, please explain and give city, state, and dates
2. Have you ever been convicted of a felony or misdemeanor crime (including driving-related misdemeanors such as driving under the influence, reckless driving and driving on a suspended license)? **Note: Any affirmative response will, in and of itself, not disqualify you from employment with the city**
 - If you have been convicted of a Felony or Misdemeanor crime please explain and give city, state, and dates

A Nationwide Initiative – Ban the Box

- ❑ Removes questions related to criminal history from the employment application
- ❑ Promotes hiring based on qualifications
- ❑ Allows those who are responsible for hiring decisions to have an opportunity to learn about the candidate's experiences, skills, and competencies
- ❑ Removes the perception that a criminal history automatically disqualifies an applicant or the formerly incarcerated (returning citizens)
- ❑ Does not require employers to hire people with criminal records

Nationwide Participation



- States where localities have banned the box
- States with statewide ban the box
- States with statewide ban the box and individual localities that have banned the box

50 Cities and Counties Have Banned the Box Around the Nation

Localities by State

1	Alameda County, CA	14	Washington, DC	27	Minneapolis, MN	40	Cleveland, OH
2	East Palo Alto, CA	15	Wilmington, DE	28	St. Paul, MN	41	Multnomah County, OR
3	Richmond, CA	16	Jacksonville, FL	29	Kansas City, MO	42	Pittsburgh, PA
4	San Francisco, CA	17	Tampa, FL	30	Durham City, NC	43	Philadelphia, PA
5	Berkeley, CA	18	Atlanta, GA	31	Durham County, NC	44	Providence, RI
6	Santa Clara County, CA	19	Chicago, IL	32	Spring Lake, NC	45	Memphis, TN
7	Carson, CA	20	Boston, MA	33	Carrboro, NC	46	Austin, TX
8	Compton, CA	21	Cambridge, MA	34	Cumberland County, NC	47	Travis County, TX
9	Oakland, CA	22	Worcester, MA	35	Atlantic City, NJ	48	Richmond, VA
10	Hartford, CT	23	Baltimore, MD	36	Newark, NJ	49	Newport News, VA
11	Bridgeport, CT	24	Kalamazoo, MI	37	New York, NY	50	Seattle, WA
12	New Haven, CT	25	Muskegon County, MI	38	Canton, OH		
13	Norwich, CT	26	Detroit, MI	39	Cincinnati, OH		

Two Cities in Virginia Have Banned the Box

□ City of Newport News

- ❖ Implemented October 2012
- ❖ Criminal history information collected after interviews, during the background check process using an information release form
- ❖ Targeted criminal history questions are asked on the supplemental portion of the application for sensitive positions

□ City of Richmond

- ❖ Implemented March 2013
- ❖ Targeted criminal history questions are asked on the supplemental portion of the application for sensitive positions

Norfolk's Current Practice

- ❑ Criminal history is collected on applications
- ❑ Evaluated based on the gravity of the offense, the length of time since the conviction, and whether it is applicable to the job
 - ❖ Not intended to prevent an individual from being hired
- ❑ Examples of positions using the criminal history as a qualifying hiring measure:
 - ❖ Public safety
 - ❖ Care of children
 - ❖ Care of elderly, disabled, or patients

Conclusion

- ❑ Remove the box except for positions that are deemed sensitive in nature such as public safety
- ❑ Continue the current practice of evaluation based gravity of the offense, the length of time since the conviction, and whether it is applicable to the job
- ❑ Administration to develop policy, no action required by Council