

[Employment Policies and Procedures Regarding Criminal History]

Resolution urging the Civil Service Commission and the Department of Human Resources to review and revise current policies and procedures where appropriate so that people who have been in prison or convicted of criminal activity are not unreasonably denied City employment.

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

WHEREAS, According to Jeff Manza, Melissa Thompson, and Christopher Uggen, authors of *Crime, Class and Reintegration: The Socioeconomic, Familial, and Civic Lives of Offenders*, at least 13 million people nationwide 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; and

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

WHEREAS, According to the San Francisco Sheriff's Department, 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 haunting criminal record; and

WHEREAS, According to the California Department of Corrections, County and Region of Parole, 2,507 people were paroled from the California Department of Corrections to San Francisco County in 2003; and

1 WHEREAS, According to Marcus Nieto, author of *Adult Parole and Probation in*
2 *California*, approximately 95% of all parolees in California are released into the county where
3 their alleged crime(s) was committed; and

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

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8 WHEREAS, According to *Back to the Community: Safe and Sound Parole Policies*, a
9 study conducted by the Little Hoover Commission, between 70 to 80% of all formerly-
10 incarcerated people in California are unemployed, and according to Devah Pager, author of
11 "The Mark of a Criminal Record," individuals with felony records are twice as likely to be
12 denied employment as people without past criminal records; and

13 WHEREAS, Formerly-incarcerated people represent a workforce that is experienced in
14 disciplined and structured environments, that has the same range of work skills as any other
15 group of job-seekers, and is ready to add value to the community; and

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

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20 WHEREAS, The City and County of San Francisco seeks to assist the successful
21 reintegration of formerly-incarcerated people into the community after their release from
22 prison; and
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2 WHEREAS, It is the policy of the City of San Francisco to prohibit discrimination on the
3 basis of race, religion, creed, ethnicity, national origin, color, ancestry, age, sex, sexual
4 orientation, gender identity, domestic partner status, marital status, disability, AIDS/HIV, or
5 weight and height; and

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

9 RESOLVED, That the Board of Supervisors of the City and County of San Francisco
10 urges the Civil Service Commission and the Department of Human Resources to review and
11 revise current policies and procedures where appropriate so that people who have been in
12 prison or convicted of criminal activity are not unreasonably denied City employment; and be it

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14 FURTHER RESOLVED, That the Board of Supervisors supports eliminating the
15 requirement that applicants disclose all past convictions on the preliminary application for
16 public employment in the City and County of San Francisco in order to mitigate or eliminate
17 discrimination against people who have been in prison or convicted of criminal activity in the
18 past and to assist with their successful reintegration into the community after prison.
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City and County of San Francisco

City Hall
1 Dr. Carlton B. Goodlett Place
San Francisco, CA 94102-4689

Tails Resolution

File Number: 051638

Date Passed:

Resolution urging the Civil Service Commission and the Department of Human Resources to review and revise current policies and procedures where appropriate so that people who have been in prison or convicted of criminal activity are not unreasonably denied City employment.

October 11, 2005 Board of Supervisors — ADOPTED

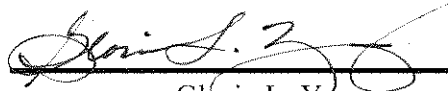
Ayes: 9 - Ammiano, Daly, Dufty, Elsbernd, Ma, Maxwell, Mirkarimi, Peskin,
Sandoval

Absent: 1 - McGoldrick

Excused: 1 - Alioto-Pier

File No. 051638

I hereby certify that the foregoing Resolution was ADOPTED on October 11, 2005 by the Board of Supervisors of the City and County of San Francisco.


Gloria L. Young
Clerk of the Board

OCT 21 2005

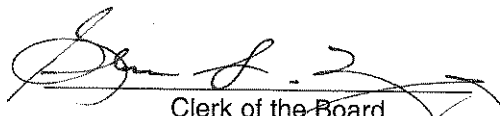
Date Approved



Mayor Gavin Newsom

Date: October 21, 2005

I hereby certify that the foregoing resolution, not being signed by the Mayor within the time limit as set forth in Section 3.103 of the Charter, became effective without his approval in accordance with the provision of said Section 3.103 of the Charter.


Clerk of the Board

File No.
051638