

1 [Employment Policies and Procedures Regarding Criminal History]

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

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

10 WHEREAS, According to Jeff Manza, Melissa Thompson, and Christopher Uggen,
11 authors of *Crime, Class and Reintegration: The Socioeconomic, Familial, and Civic Lives of*
12 *Offenders*, at least 13 million people nationwide experience lifelong discrimination because of
13 past felony convictions, and California incarcerates and releases more people per capita than
14 any other state, resulting in large numbers of people whose backgrounds include past criminal
15 activity and/or imprisonment; and

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

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19 WHEREAS, According to the San Francisco Sheriff's Department, 55,000 people are
20 booked into San Francisco County Jails annually with an average daily population of 2,200
21 people – each one released with their life shattered and a haunting criminal record; and

22 WHEREAS, According to the California Department of Corrections, County and Region
23 of Parole, 2,507 people were paroled from the California Department of Corrections to San
24 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

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

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

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

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

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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.