

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.**

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

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

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

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

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

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

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; and

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

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

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; and

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

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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, or weight and height; and

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; now, therefore be it

RESOLVED, That the Board of Supervisors of the City and County of San Francisco urges 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.; and be it

FURTHER RESOLVED, That the Board of Supervisors supports eliminating the requirement that applicants disclose all past convictions on the preliminary application for public employment in the City and County of San Francisco 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.