



NATIONAL  
EMPLOYMENT  
LAW  
PROJECT



LSPC  
Legal Services  
for Prisoners  
with Children



**For Immediate Release:**

Contact:

- NELP: Isabel Urbano, [isabel.urbano@berlinrosen.com](mailto:isabel.urbano@berlinrosen.com), (646) 680-0905
- TFCF: Jasmine Creighton, [jcreighton@timeforchangefoundation.org](mailto:jcreighton@timeforchangefoundation.org), (909) 886-2994
- LSPC/AOUON: Mark Fujiwara, [mc@prisonerswithchildren.org](mailto:mc@prisonerswithchildren.org), (415) 625-7056

# Governor Brown Signs Fair Chance Act, Extending ‘Ban the Box’ to Private Employers

## California 10th State to Adopt Background Check Reform for Private Sector

Berkeley, CA. California Governor Jerry Brown today signed into law [AB 1008, the California Fair Chance Act](#), one of the strongest state laws in the country extending “ban the box” to private employers.

California becomes the 10<sup>th</sup> state to require both public- and private-sector employers to delay background checks and inquiries about job applicants’ conviction records until they have made a conditional job offer to the applicant. The law takes effect in 2018.

Nearly one in three California adults—disproportionately people of color—have a conviction or arrest record that can show up on an employment background check. The Fair Chance Act will help ensure that these eight million Californians are judged by their qualifications and work experience, and not reflexively rejected by employers at the start of the hiring process.

Fair-chance reforms allow people with records to get their foot in the door and have been shown to increase the number of people with records interviewed and hired. Co-sponsored by [Legal Services for Prisoners with Children](#), [All of Us or None](#), [National Employment Law Project](#), and [Time for Change Foundation](#), AB 1008 not only delays background checks but also ensures that job applicants receive a copy of their records before a final hiring decision so that they can point out any errors and offer additional information.

“The signing of the Fair Chance Act marks the latest step in the ‘ban the box’ campaign that All of Us or None began in 2003, and I thank everyone who has worked so diligently over the last 14 years to help formerly incarcerated and convicted people gain access to meaningful employment,” said **Dorsey Nunn, executive director of Legal Services for Prisoners with Children and co-founder of All of Us or None.**

“Our persistence and dedication exposes the false narrative that people directly impacted by the criminal justice system are lazy or unskilled—we have shown up time and time again to actively participate in the civic process to improve the lives of our families and communities, creating leaders at every step.”

The Fair Chance Act incorporates best practices from the fair-chance ordinances adopted by San Francisco and the City of Los Angeles, as well as the laws of nine other states and more than a dozen other cities and counties that require private employers to delay conviction inquiries. With the enactment of AB 1008, the number of people living in a state or locality with a private-sector fair-chance hiring law increases from one-in-five to nearly one-in-three U.S. residents. In total, [29 states](#) have banned the box for at least public employment, including Nevada, Utah, Pennsylvania, Kentucky, and Indiana just this year.

“AB 1008 is one of the strongest fair-chance laws in the nation and certainly the one that benefits the most people,” said **Beth Avery, staff attorney with the National Employment Law Project**. “Given that California is home to approximately 1 in 10 of the 70 million people with records in this country, we expect the new law will directly benefit millions of Californians, while also influencing the hiring practices of major employers across the country.”

A fair chance to work for people with records also means a better chance at success for the next generation of Californians, as nearly half of all U.S. children have at least one parent with a record. What’s more, [research demonstrates](#) that employment of people with conviction histories can improve the economy and benefit public safety through decreased recidivism.

“I applaud the courageous criminal justice reforms that the Governor has made possible while continuing to make California a safer and more just society,” said **Kim Carter, executive director of Time for Change Foundation**. “AB 1008 strengthens the resolve he has demonstrated!”

AB 1008 was authored by Assemblymember Kevin McCarty (D-Sacramento) as well as Assemblymembers Shirley Weber (D-San Diego), Chris Holden (D-Pasadena), Mike Gipson (D-Carson), and Eloise Gomez Reyes (D-San Bernardino), and Senator Steven Bradford (D-Gardena).

“We need to expand job opportunities for all Californians, especially those who have served their time and are looking for a fair chance to enter the workforce,” said **Assemblymember Kevin McCarty**.

AB 1008 was made possible by the broad support from directly impacted people and numerous California organizations. Even the California Chamber of Commerce removed opposition last month. Well-known criminal justice reform leaders also voiced support for this important law.

“AB 1008 symbolizes a belief in the quintessentially American ideas of redemption and renewal,” [wrote](#) artist and activist **John Legend**. Author of *The New Jim Crow* **Michelle Alexander** and executive director of Equal Justice Initiative **Bryan Stevenson** also urged the governor to sign AB 1008. “Our futures are all bound,” [wrote](#) Stevenson, “and California’s leadership on this issue can benefit the state while helping to guide the country.”

###

*The National Employment Law Project is a non-partisan, not-for-profit organization that conducts research and advocates on issues affecting low-wage and unemployed workers. For more about NELP, visit [www.nelp.org](http://www.nelp.org).*

*Time for Change Foundation’s mission is to empower disenfranchised low-income individuals and families by building leadership through evidence-based programs and housing to create self-sufficiency and thriving communities. To learn more about TFCF, visit [www.TimeForChangeFoundation.org](http://www.TimeForChangeFoundation.org).*

*Legal Services for Prisoners with Children (LSPC) organizes communities impacted by the criminal justice system and advocates to release incarcerated people, to restore human and civil rights, and to reunify families and communities. Visit [www.prisonerswithchildren.org](http://www.prisonerswithchildren.org) for more information.*

*All of Us or None (AOUON) is a grassroots civil and human rights organization fighting for the rights of formerly- and currently- incarcerated people and our families. AOUON began the Ban the Box campaign in 2003.*