



November 19th, 2015

Los Angeles City Council
City Hall
200 N. Spring Street
Long Angeles, CA 90012

RE: FAIR CHANCE ORDINANCE

To The Los Angeles City Council,

On November 17, 2015, The City's Economic Development Committee voted unanimously to request the City Attorney's office to draft an ordinance that would prohibit City contractors and private employers from asking job candidates about their criminal histories until a conditional offer of employment has been made. If adopted, Los Angeles would join the federal government, 19 states, and numerous cities nationwide to establish a Fair Chance Ordinance, widely known as Ban-the-Box, which helps remove barriers to employment for the formerly incarcerated.

The Fair Chance Coalition, comprised of LA Voice, All of Us or None, A New Way of Life, Homeboy Industries, and many other allies have been working with Councilman Curren Price and the Mayor's office to ensure that Los Angeles has the most comprehensive ordinance in the country. Los Angeles is home to the largest number of people who have criminal records anywhere in the nation, and our disadvantaged communities suffer the most from adverse consequences of mass incarceration. The over one hundred thousand Angelenos that we represent all agree that any policy response by our city must necessarily be more comprehensive than anywhere else in the country.

That is why we strongly support the principles behind a strong Fair Chance Ordinance that would include the following;

1. Applicability -This ordinance should apply to "ALL" private employers and contractors in the city of Los Angeles
2. Exemptions -This ordinance will not seek to supersede federal, state, or local laws that may prohibit employment of persons with specific offenses, or require the employer to determine the existence of convictions for specific offenses in specific positions
3. When to ask -The ordinance will require that criminal background checks and inquiries as to a person's criminal background, whether verbal or written, will only be allowed after a conditional offer has been made
4. Arrest history- these include arrests that did not result in a conviction, including the following: juvenile adjudications, certain infractions deemed off-limits according to California state law, convictions older than seven years, records including successful completion of any diversion program, dismissed convictions, and records that have been judicially sealed. **5. Punishment** (1) For employers that employ 11 to 30 employees, a fine of up to \$1,000; (2) For employers that employ 31 to 99 employees, a fine of up to \$2,500; or (3) For employers that employ 100 or more employees, a fine of up to \$5,000.

Again, we want to thank you in advance for your support to our most disadvantaged citizens on this issue. And we hope that you will vote yes to ending a life sentence of joblessness for thousands of Angelenos.

Sincerely,

The Fair Chance Coalition



Sunday, November 15, 2015

Re: **Council File 14-0746**

Dear Honorable Council Members:

We believe in a God of second chances.

Yet every day, nearly one in three of our brothers or sisters is denied an opportunity for a second chance by a little check box on job applications—a little box that measures their present by the worst choice in their past.

When people have paid their dues, they do not deserve a life sentence of joblessness.

It's time for the City of Angeles to lead the way on adopting fair-chance hiring practices for job-seekers with records, starting by “banning the box” on job applications that asks about prior convictions and paving the way for accountability for employers who discriminate.

As the county's largest faith-based community organization with a collective membership of more than 40,000 families from 40 congregations, LA Voice tirelessly seeks to reform the structures in our city and county that deny people's full citizenship.

The Fair Chance Initiative would:

- *Level the applicants' playing field* by delaying conviction inquiry until an offer of employment is made
- *Allow applicants to appeal to employers* who renege on a job offer
- *Allow applicants to file an investigable complaint* with the City in the case of possible job discrimination

One quarter of all people returning from prison or jail return to this county, and many call Los Angeles home and search for work here as they rebuild their lives in a positive way. When they fail to succeed and then return to jail or prison, it is not their failure alone, but a failure we all share. We urge you to pass this ordinance with all haste.

During his recent visit to Curran-Fromhold Correctional Facility in Philadelphia, PA, Pope Francis declared, “[God] comes to meet us, so that he can restore our dignity as children of God. He wants to help us to set out again, to resume our journey, to recover our hope, to restore our faith and trust.”

You can do so much to help our brothers and sisters with records set out again on their journey with great hope. We, the members and partners of LA Voice, need your support to pass the Fair Chance Initiative.

With hope and determination,

Fr. Gregory Boyle, S.J., Homeboy Industries

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| Rabbi Sharon Brous; IKAR | |
| Rabbi Ronit Tsadok, IKAR | |
| Rev. David Farley, Director of Justice and Compassion Ministries, United Methodist Church, Conference | Cal-Pac |
| Shakeel Syed, President, Islamic Shura Council of Southern California | |
| Fr. Ted Gabriell, S.J., Pastor, Dolores Mission | |
| Ellie Hidalgo, Pastoral Associate, Dolores Mission | |
| Fr. Isidro Lepes, S.J., Dolores Mission | |
| Rev. Dr. Najuma Pollard-Smith, Word of Encouragement Church and Cecil Murray Center for Engagement | Civic |
| Dr. Yolanda Brown, Parish Life Director, Blessed Sacrament | |
| Fr. Kevin Ballard, Blessed Sacrament | |
| Fr. James Mott, OSA, Pastor, Mother of Good Counsel | |
| Fr. Tom Davis, OSA, Mother of Good Counsel | |
| Rev. Jaime Edwards-Acton, St. Stephen's Episcopal Church | |
| Imam Abdul Hafiz, Director, Prison Outreach Program of Islamic Shura Council of SoCal | |
| Rabbi Ron Stern, Stephen S. Wise Temple | |
| Rev. Kelvin Sauls, Holman United Methodist Church | |
| Rev. Oliver Buie, Holman United Methodist Church | |
| Rev. Gary Williams, Faith and Hamilton United Methodist Churches | |
| Rev. Martin Garcia, World Vision | |
| Sister Karen Collier, SSL, St. Agatha's Church | |
| Rev. Michael Fisher, Greater Mt. Zion Church | |
| Rev. Kevin Haah, New City Church | |
| Rabbi Mark Borovitz, Beit T'Shuvah | |
| Chaplain Adam Siegel, Beit T'Shuvah | |
| Minister Zachary Hoover, Executive Director, LA Voice | |

MAIN POINTS OF FAIR CHANCE ORDINANCE

1. Applicability

The ordinance will cover any applications for employment or licensure with the City of Los Angeles and private employers within the City of Los Angeles.

2. Exemptions

The ordinance will not seek to supersede federal, state, or local laws that may prohibit the licensure or employment of persons with specific offenses in specific positions, or that require the employer to determine the existence of convictions for specific offenses in specific positions.

3. When to ask

The ordinance will require that criminal background checks and inquiries as to a person's criminal background, whether verbal or written, will only be allowed after a conditional offer has been made.

4. Off-limits Records

The ordinance will require that off-limits records should not be considered against the applicant; these include arrests that did not result in a conviction, including the following: juvenile adjudications, certain infractions deemed off-limits according to California state law, convictions older than seven years, records including successful completion of any diversion program, dismissed convictions, and records that have been judicially sealed.

5. Waiting period (7 days)

The ordinance will require that if a person, after a criminal background inquiry, is denied licensure or employment following a conditional offer or if adverse action is taken against the person, the public agency or employer must provide a written statement detailing the reasons behind the denial or adverse action within seven (7) days. The person will then have seven (7) to respond with evidence of rehabilitation.

6. Enforcement

If a violation of this ordinance has occurred, the following penalties will be imposed, half of which will be awarded to the person alleging the violation:

- (1) For employers that employ 11 to 30 employees, a fine of up to \$1,000;
- (2) For employers that employ 31 to 99 employees, a fine of up to \$2,500; or
- (3) For employers that employ 100 or more employees, a fine of up to \$5,000.

