



'Box' ban proposed for city applications

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Touting it as a way to open the door to city jobs for more people, a Baltimore City councilwoman is proposing to shield applicants from having to disclose old arrests that did not result in a conviction and limit background checks to those under serious consideration for city jobs.

The proposal, which would apply to city departments, agencies, boards and commissions, and excludes law enforcement agencies, targets the section on city applications that ask applicants to indicate criminal convictions by checking yes or no.

It mirrors successful "ban-the-box" initiatives in other cities, and is championed by supporters as a way to ease employment discrimination against people with criminal records.

City Councilwoman Sharon Green Middleton, who represents District 6, said the bill still allows for background checks for applicants considered for hiring.

"It has to do with a potential person that's interested in applying for a city job, fills out that application and on the application it says yes or no whether you've committed a crime," Middleton said.

"If you check yes, your application automatically goes in a separate grouping and you don't get a chance to go through the interview process to at least explain your situation."

Middleton's bill would prohibit city departments and agencies from asking applicants about or taking an "adverse action" based on any arrest or criminal charge that did not lead to a conviction.

In addition, criminal background checks would be deferred until applicants were deemed "otherwise qualified" for a position.

The bill also prohibits the denial of employment based on a criminal conviction unless the conviction would affect the ability to perform the job or the person would be considered a safety risk.

Under circumstances where a department or agency decided to "withhold, refuse, rescind or revoke" a job offer because of a record check, it would have to notify applicants in writing and allow them five days to rebut the accuracy or relevance of the record.

Middleton's bill also grants applicants who feel they have been unfairly denied employment based on a background check the right to file a complaint with the Baltimore Community Relations Commission and to appeal commission decisions in state court.

"A person needs a chance to say what happened. And I'm saying give them that chance," Middleton said.

"The person could be completely qualified. But because they didn't get a chance to explain something that happened in the past, that's going to put that person back out on the street, maybe getting into the life of crime trying to find ways to support their family."

Similar laws have been passed in other U.S. cities and counties, including Boston, Chicago, San Francisco, and Alameda County in California.

In Boston, private contractors are barred from conducting background checks until applicants are determined to be "otherwise qualified" for a job, and both Chicago and San Francisco have removed the "box" from city job applications and background checks have been pushed back in the hiring process.

Melissa Chalmers Broome, senior policy advocate for the Job Opportunities Task Force, which advocates for increased job opportunities for low-income workers, said her organization supports the proposal "wholeheartedly."

"A lot of the work we do focuses on the reentry of ex-offenders, and as we all know, people need jobs if they're going to make it once they're released from prison," she said. "All this does is give people a chance to prove themselves before they get the door shut in their face."

Ex-offenders, she said, are "anxious to work" and "need a second chance." She added that some employers have called ex-offenders some of their best employees because "they're more grateful for a chance to work."

"The numbers of people with criminal backgrounds in this city are so high. We can't ignore it," she said. "It's really a very simple, basic change."

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