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Contact: Danny Massey, daniel@berlinrosen.com, (646) 200-5232

Emma Stieglitz, emmaS@berlinrosen.com, (646) 200-5307

Rhode Island Becomes Latest State to “Ban the Box”

51 municipalities and 10 states have removed questions about criminal record from job applications

Washington, DC—Rhode Island last night became the 10th state to “ban the box,” removing questions about criminal history from state job applications and postponing such questions until later in the hiring process. It is the latest sign that the nationwide movement to reduce unfair barriers to employment for people with criminal records is gaining momentum. To view a video about the local movement, see [Beyond the Box](#).

The move by Governor Lincoln D. Chafee to sign [H 5507](#), which removes the criminal history question from job applications for public and private employment and defers the background check to later in the hiring process, comes just weeks after Buffalo became the 51st U.S. municipality to ban the box. Rhode Island and Buffalo are among a growing number of jurisdictions that apply the policy to both private and public employers.

The commonsense ban-the-box policy postpones criminal history inquiries until later in the hiring process to give qualified workers with criminal records a fair shot at a job. The National Employment Law Project in April released a [report](#) documenting the then 50 cities and counties that had adopted these fair hiring reforms.

“With 51 local municipalities and ten states now on board, the ban-the-box movement is fast approaching the tipping point where it will be embraced and become an accepted practice for employers,” said **Christine Owens, executive director of the National Employment Law Project**. Contributing to the momentum, the U.S. Equal Employment Opportunity Commission [has endorsed](#) the policy of removing the conviction history question from job applications as a best practice for all public and private employers.

Around the country, workers are often plagued by old or minor records and discouraged from applying because a “box” on job applications requires criminal history information that often leads employers to dismiss applicants at the outset. Some 65 million Americans, or one in four adults, have a criminal record that may show up on a routine background check report. Since 2011, 20 cities and three counties have responded to this challenge by adopting ban-the-box and holding the public sector out as a model employer. Municipalities that recently adopted the policy include Kansas City, Atlanta, Tampa, Canton and Richmond, Virginia. Seattle recently expanded its policy to include

private employers, and Buffalo, as the 51st locality, adopted the policy for public and private employment.

Since 2010, eight states—Colorado, Connecticut, Hawaii, Maryland, Massachusetts, Minnesota, New Mexico and Rhode Island—have enacted legislation to ban the box, citing the benefits to public safety of a fairer hiring process for people with criminal records. Two states—California and Illinois—have adopted the policy via administrative directives, bringing the total to 10 states, representing nearly every region of the country, that have embraced the policy.

Just this year, [Illinois Governor Pat Quinn](#) committed to removing the background check question on state applications, allowing hiring managers to evaluate an applicant's skills before considering any offenses. In May, Maryland Governor Martin O'Malley signed a bill ([SB 4](#)) that applies to state job applications, and Minnesota Governor Mark Dayton signed legislation ([SF 523](#)) expanding current law to cover not only public sector hiring but also private sector employers. Minnesota's bill passed with broad bipartisan support. The remaining active state campaigns underway include California (AB 218) and New Jersey (S2586, A3837).

In California, [Assembly Member Roger Dickinson](#) and dozens of interfaith, labor, criminal justice, civil rights, youth, and reentry groups, have pushed legislation ([AB 218](#)) that seeks to create job opportunities at the local level in support of the state's "realignment" reform efforts, which move people with low-level offenses from state prisons to local jails. "As a proud sponsor of this timely legislation, I urge California to join this movement across the nation that's opening doors, not shutting them, for qualified workers who have turned their lives around," Mr. Dickinson said.

"There couldn't be a better time to adopt ban-the-box because qualified workers must support their families and contribute to our recovering economy right now," **said Owens**. "Unnecessary barriers to employment, which stunt our growth as a nation, have no place."

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 information, visit www.nelp.org.

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