

R E S O L U T I O N

PERSONNEL

MAY 23 2006

WHEREAS, people with criminal records suffer from pervasive discrimination in many areas of life – employment, housing, education, and eligibility for many forms of social benefits; and

WHEREAS, at least 13 million people nationwide experience lifelong discrimination because of past felony convictions, and California incarcerates and releases more people per capita than any other state, resulting in large numbers of people whose backgrounds include past criminal activity and/or imprisonment; and

WHEREAS, the Los Angeles County Jail is the largest jail system in the United States with 165,000 persons incarcerated each year and an average daily population of over 20,000 people – each one released with their life shattered and a criminal record to haunt them; and

WHEREAS, in 2004, over 30,000 people (constituting one quarter [25.6%] of all parolees) were paroled from the California Department of Corrections to Los Angeles County; 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, 70 to 80% of all formerly incarcerated people in California are unemployed, and people 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 experienced in disciplined, structured environments with the same range of work skills as any other group of job-seekers, ready to add value to their community; and

WHEREAS, the application form for public employment by the City of Los Angeles specifically requires an applicant to answer 'Yes' or 'No' to the question "Have you ever been CONVICTED of a FELONY or MISDEMEANOR other than minor traffic violations?" even if the applicant has received a Governor's pardon; and

WHEREAS, the City of Los Angeles seeks to assist the successful reintegration of formerly-incarcerated people back into the community after their release from prison; and

WHEREAS, it is the policy of the City of Los Angeles to provide equal employment opportunity for all qualified persons, regardless of race, color, religion, sex, national origin, age, sexual orientation or disability; 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 Los Angeles' protected categories;

NOW, THEREFORE, BE IT RESOLVED, 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, that the Los Angeles City Council supports eliminating the requirement that applicants disclose all past convictions on the preliminary application for public employment with the City; and

BE IT FURTHER RESOLVED that the Personnel Department, with the assistance of the City Attorney be directed to report with recommendations to have the City of Los Angeles comply with state and federal law requiring that ONLY job-related convictions should be considered by potential employers; and that background checks conducted by the City of Los Angeles for potential employees should be limited to the specific job-related convictions defined and advertised in job announcements.

& sexual & domestic violence

PRESENTED BY: JAN C. PERRY
Councilwoman, 9th District

BILL ROSENDAHL
Councilman, 11th District

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SECONDED BY: E-G

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