



**FOR IMMEDIATE RELEASE: August 8, 2005**

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**National Advocates Call for Federal Action to Curb  
Workplace Abuses Caused by Criminal Background Checks**

WASHINGTON, D.C.— Today, national groups representing labor, civil rights and privacy advocates, called attention to the significant expansion of legal mandates that prohibit employment of people with criminal records. They urged the U.S. Attorney General and Congress to limit abuses that undermine the fairness and effectiveness of these employment screening laws. The groups submitted their proposals in response to the U.S. Attorney General's request for recommendations for a report being prepared for Congress required by the 2004 Intelligence Reform law.

"We very much share the nation's fundamental concern for safety and security. But when we're talking about the livelihood of one in five adults in the U.S. who have a criminal record, we have to do much more to ensure that new laws prohibiting employment based on a criminal record are fair and effectively targeted," says Maurice Emsellem of the National Employment Law Project (NELP), one of the national organizations that submitted recommendations for the Attorney General's report.

Mike Ingrao, the Secretary-Treasurer of the AFL-CIO Transportation Trades Department, which is comprised of 29 affiliated unions that represent port, ground transportation, and aviation workers, agrees. "Based on our experience since September 11th, we believe it was prudent and appropriate for the AG to conduct a fundamental review of our nation's laws regarding criminal background checks used as employment screening tools. We must do a better job identifying individuals who are true terrorism security risks and stop penalizing transportation workers who have turned their lives around."

The expansion of laws requiring employment screening for criminal records also raises significant civil rights concerns. "Workers of color are being denied jobs because of discriminatory policies that can no longer be condoned," said Theodore M. Shaw, President and Director-Counsel of the NAACP Legal Defense and Educational Fund. "For example, it is unnecessarily harsh and unreasonable to impose lifetime felony disqualifications for offenses that bear no relationship to the job and for arrests that have not led to convictions. Without these jobs, our communities are less safe, not more."

The National H.I.R.E. Network, which promotes employment opportunities for people with criminal records, expressed concerns with proposals to make more sensitive information from the FBI's criminal records available to private employers. According to Glenn Martin, H.I.R.E.'s co-director, "these proposals, if adopted by the AG, will only increase employment barriers for jobseekers with criminal records given the frequent inaccuracy of criminal record databases and employers' lack of experience in interpreting these records." Beth Givens, Director of the Privacy Rights Clearinghouse, also expressed serious privacy concerns in comments to the AG, calling attention to the increased need for "transparency and accuracy, which are vital to the background check process."

"The Attorney General has an especially timely opportunity and responsibility," says Mr. Emsellem. "Given how fast these new laws are evolving, if we don't stop now and get it right, federal policy will inflict untold harm on the nation's workers while perpetuating a false sense of safety and security."

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**Contact the following individuals and organizations for more information:**

- Maurice Emsellem, National Employment Law Project (510-663-5700) ([click here](#) for AG comments)
- Mike Ingrao, AFL-CIO Transportation Trades Department (202-626-9262) ([click here](#) for AG comments)
- Melanca Clark (212-965-2252) or Kay Shaw (212-965-2271), NAACP Legal Defense & Educational Fund ([click here](#) for AG comments)
- Glenn Martin, National H.I.R.E. Network (212-243-1313, ext. 22) ([click here](#) for AG comments)
- Beth Givens, Privacy Rights Clearinghouse (619-298-3396) ([click here](#) for AG comments)

[Click here](#) for a copy of the Attorney General's *Federal Register* notice describing the initiative.

[Click here](#) for more information on **NELP's Second Chance Labor Project**.

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