

Contact: Danny Massey, daniel@berlinrosen.com, (646) 200-5232
Emma Stieglitz, emmaS@berlinrosen.com, (646) 200-5307

Maryland Becomes Latest State to “Ban the Box”

50 municipalities and 9 states have removed questions about criminal record from job applications, opting to ask later in interview process

Campaigns underway in 6 states; Minnesota poised to expand its current law to cover private-sector hiring

Washington, DC—Maryland on Thursday became the ninth 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.

The move by Governor Martin O’Malley to sign [SB 4](#), which removes the criminal history question from state applications and defers the background check to later in the hiring process, comes just weeks after Kansas City became the 50th U.S. municipality to ban the box.

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 has released a [report](#) documenting the now-50 cities and counties that have adopted these fair hiring reforms.

“With 50 local municipalities and nine 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 up the public sector as a model employer. The most recent additions to the now-50 cities and counties that have adopted the policy include Kansas City, Atlanta, Tampa, Canton and Richmond, Virginia.

Since 2010, seven states have banned the box, citing the benefits to public safety of a fairer hiring process for people with criminal records. In total, nine states representing nearly every region of the country have

embraced the policy (Colorado, California, Connecticut, Illinois, Maryland, Massachusetts, New Mexico, Minnesota, and Hawaii).

Two weeks ago, [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. Minnesota is poised to pass legislation ([SF 523](#)) expanding current law to cover not only public-sector hiring but also private-sector employers. The bill passed the Senate with broad bipartisan support in April, and is expected to be voted on in the House this week. Including Minnesota, active state campaigns are underway in six states, including California (AB 218), Michigan (HB 4366), New Jersey (S2586, A3837), North Carolina (HB 425), and Rhode Island (H 5507).

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.

Ban-the-box initiatives have spread to all corners of the country. Two weeks ago in Louisville, Kentucky, more than 1,000 people from religious congregations attended an assembly of the group Citizens of Louisville Organized and United Together (CLOUT). Recognizing that a criminal record is impeding thousands locally who are struggling to be self-sufficient, CLOUT is calling on the Louisville Metro Council to enact a ban-the-box ordinance. Local campaigns to expand ban-the-box to the private sector are also underway in Richmond and San Francisco in California.

Today's *New York Times* endorsed the growing ban-the-box movement ("[An Unfair Barrier to Employment](#)"), stating, "These measures are propelled in part by concerns about the civil damage that results from shutting otherwise qualified people out of the job market, banishing them to the margins of society—and, in some cases, driving them back to jail." "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.

###

Download the report, [Ban the Box: Major U.S. Cities and Counties Adopt Fair Hiring Policies to Remove Unfair Barriers to Employment of People With Criminal Records](#) (April 2013)