

### **Executive Order 2012-3**

#### **“Ban the Box”: Removing conviction history questions from City of Wilmington, Delaware non-uniformed employment applications**

*WHEREAS*, according to the National Employment Law Project, an “estimated 65 million Americans – or one in four adults – have a criminal record that may show up on a routine background check report.” Consequently, many employers have become increasingly dependent upon criminal background checks as a screening tool to determine eligibility lists and which candidates should or should not be interviewed for potential employment; and

*WHEREAS*, the City of Wilmington (“The City”) recognizes the unique set of challenges an individual who may possess a criminal record may have when attempting to reenter the workforce and become a productive, contributing member of society; and

*WHEREAS*, for these reasons, The City shall revise its current application process to address this concern.

***NOW, THEREFORE, I, JAMES M. BAKER, MAYOR OF THE CITY OF WILMINGTON, DELAWARE, DO HEREBY PROCLAIM:***

1. The City’s Department of Human Resources shall balance the nature and severity of an applicant’s past criminal infraction(s) with other factors, such as the length of time since the infraction(s) occurred and documented evidence of rehabilitation; and
2. On the official City of Wilmington employment application, excluding the application(s) related to the hiring of public safety personnel (e.g. police, fire, etc.), the question “Have you ever been convicted of a felony?” and its related “yes or no checkbox” shall be removed; and
3. However, The City shall continue to make inquiries of an applicant or otherwise seek information about the applicant relating to whether such applicant has ever been convicted of a criminal offense of any degree:
  - a) After a conditional offer for employment has been extended to an applicant; or
  - b) Where the granting of such employment may pose a threat to the overall well-being and safety of specific individuals (e.g. children, senior citizens, government employees, etc.) or to the general public.