



## Legislation Text

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**File #:** 120663, **Version:** 2

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120663  
SUBSTITUTE 2

**ALD. LEWIS, COGGS, HAMILTON, PEREZ, BOHL, AND KOVAC**

Substitute resolution relating to City job application procedures to increase the number of job opportunities available for persons with prior convictions.

This resolution directs the Department of Employee Relations to maintain its current practice of not asking questions relating to prior convictions and pending criminal charges on initial job applications for City employment, as well as its policy of conducting criminal background checks only prior to prospective employees being placed on an employee eligible list. The resolution further encourages all city employers to adopt similar policies.

Whereas, In an average year, in Wisconsin there are 8,600 ex-offenders who, having served their sentences, are released from some level of corrections and 3,600 of those released return as residents of Milwaukee County; and

Whereas, Although corrections experts recognize that the single most important step to foster re-entry to society is stable, family-sustaining employment, all ex-offenders struggle to overcome the stigma of prior convictions when seeking the employment necessary to restore their lives; and

Whereas, Without access to the employment necessary for successful re-entry to society, many ex-offenders find themselves resorting to behaviors that harm themselves and the community, perpetuating a cycle of re-offense and incarceration; and

Whereas, Most employers include questions of prior convictions on the initial job applications and, sometimes unlawfully, use that information to deny further consideration for applicants; and

Whereas, Local and national organizations, such as the New Hope Project, the National HIRE Network, 9 to 5 and the Legal Action Center have advocated for “ban the box” legislation that moves disclosure of conviction and pending charge history from the initial job application to the interview step; and

Whereas, “Ban the box” legislation enables job seekers with criminal pasts to clear the first barrier to employment and demonstrate their skills, abilities and evidence of rehabilitation to prospective employers; and

Whereas, The National HIRE Network’s National Blueprint for Reentry makes a number of recommendations to remove barriers to employment and specifically calls for expanding “ban the box”-type legislation to reconstitute the nature of prior conviction questions, allowing for ex-offenders to demonstrate qualifications and evidence of rehabilitation prior to being subjected to background investigations; and

Whereas, Several urban areas across the nation, including Boston, Chicago, Minneapolis, St. Paul, Oakland, San Francisco, Detroit, Memphis, Seattle and Philadelphia, as well as the states of California, Connecticut, Illinois, Massachusetts, Minnesota, New Mexico, and Hawaii have adopted “ban the box” policies in the hiring process for state or municipal jobs, noting that it is in the community’s best interest to facilitate re-entry for its citizens who are ex-offenders; and

Whereas, The Department of Employee relations has “banned the box” on City employment applications for several years - i.e., the Department uses application forms that do not contain questions relating to prior convictions or pending criminal charges; and,

Whereas, The Department of Employee Relations currently conducts criminal background checks only prior to prospective employees being placed on an employee eligible list; now, therefore be it

Resolved, By the Common Council of the City of Milwaukee, that the Department of Employee is directed to maintain its current practice of not asking questions relating to prior convictions and pending criminal charges on initial job applications for City employment; and, be it

Further Resolved, That the Department of Employee relations shall continue its policy of conducting criminal background checks only prior to prospective employees being placed on an employee eligibility list; and, be it

Further Resolved, That the Department of Employee Relations shall apply these policies to all civilian positions within both the Fire and Police Departments to the fullest extent permitted by law; and, be it

Further Resolved, That the City of Milwaukee encourages all city employers to adopt similar policies.

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La-Wanda G. Fletcher  
October 11, 2016