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# Criminal Records & Employment: Data on the Disproportionate Impact on Communities of Color

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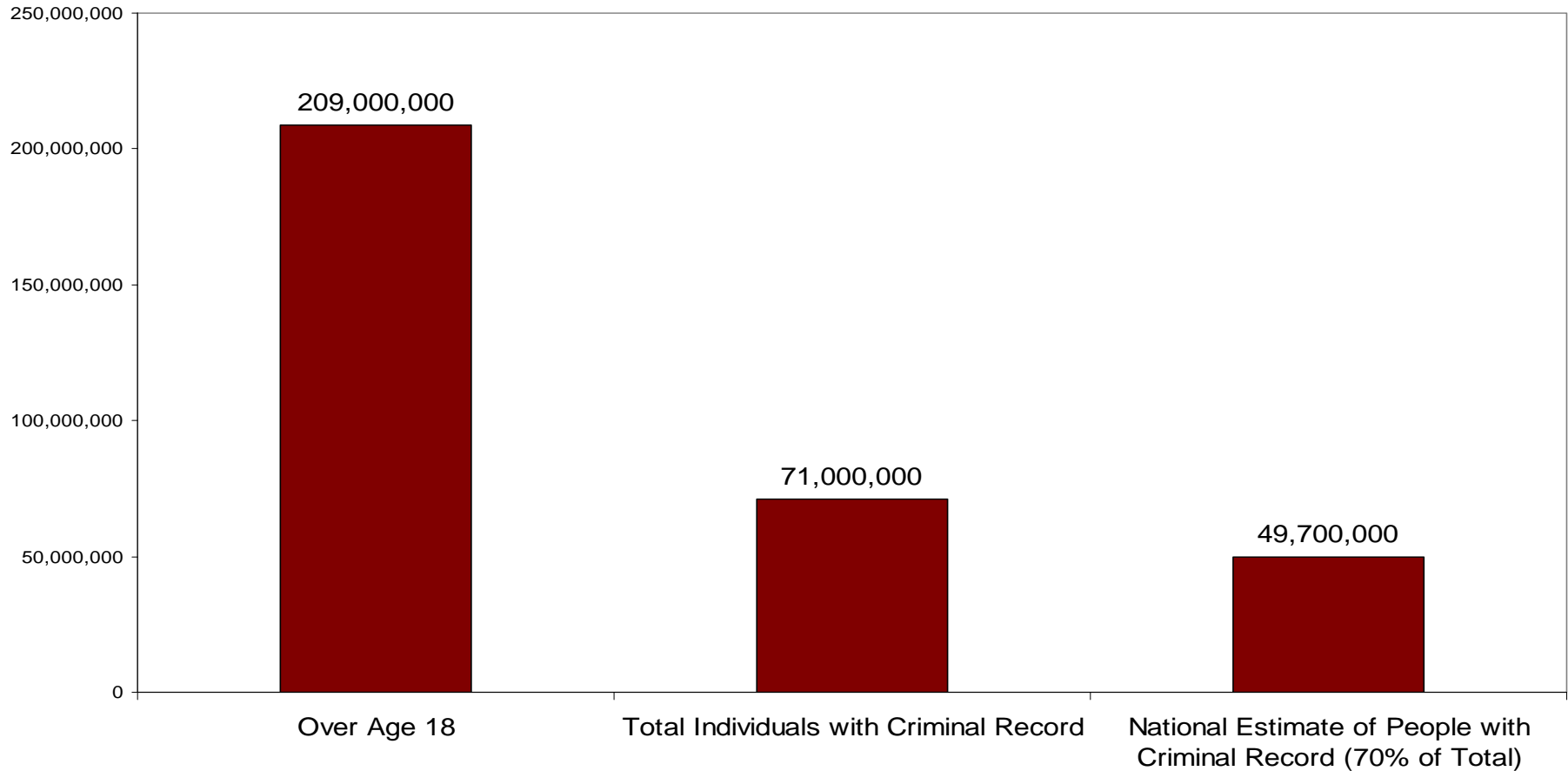
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# National Employment Law Project's Second Chance Labor Project:

Working to reduce barriers to  
employment for people with  
criminal records.

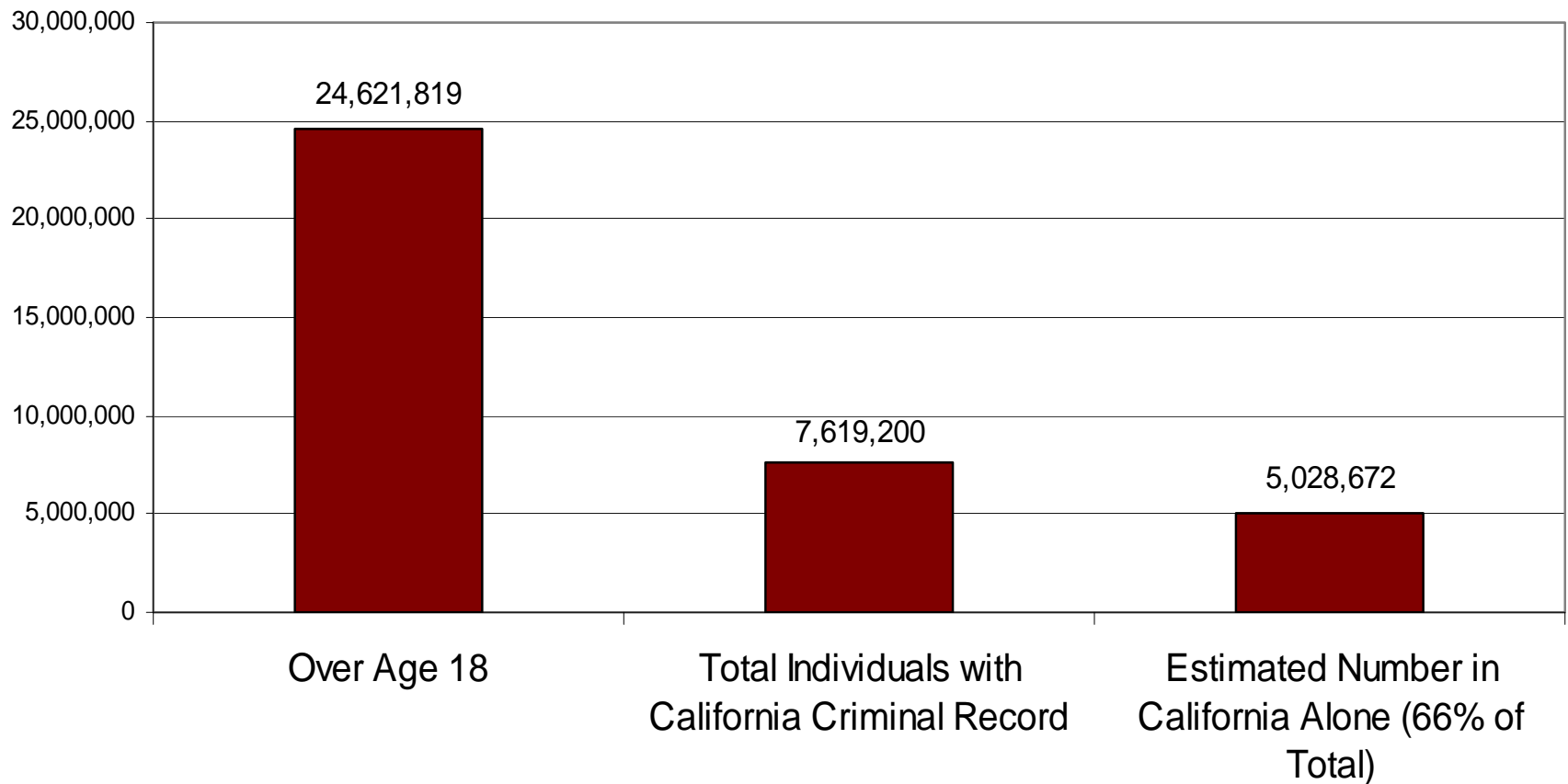
# About One in Four U.S. Adults Has a Criminal Record on File with the States

(Bureau of Justice Statistics 2006, Table 2)



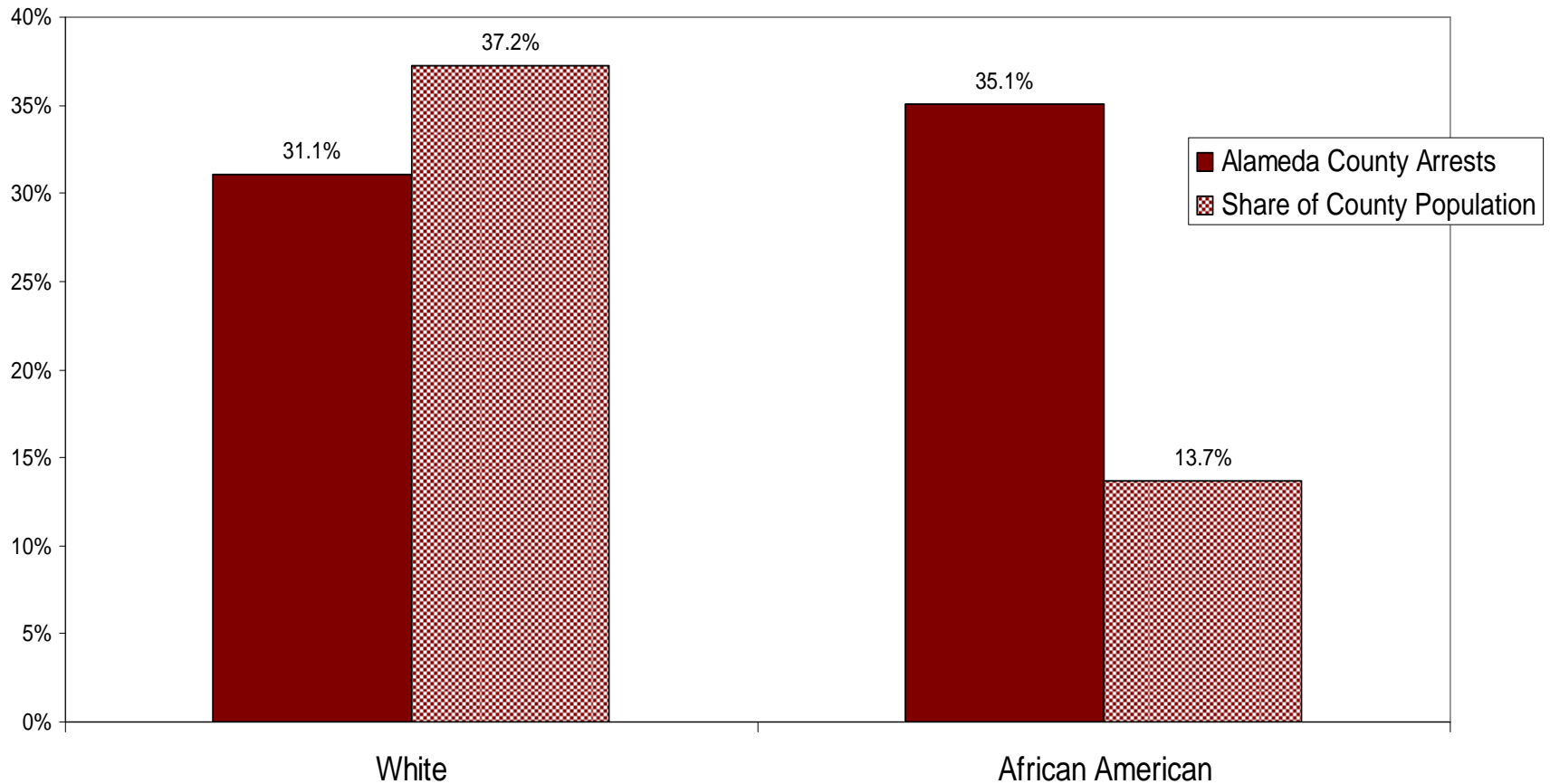
# One in Five Adult Californians Has a State Criminal Record

(Bureau of Justice Statistics, 2001; U.S. Census 2000)

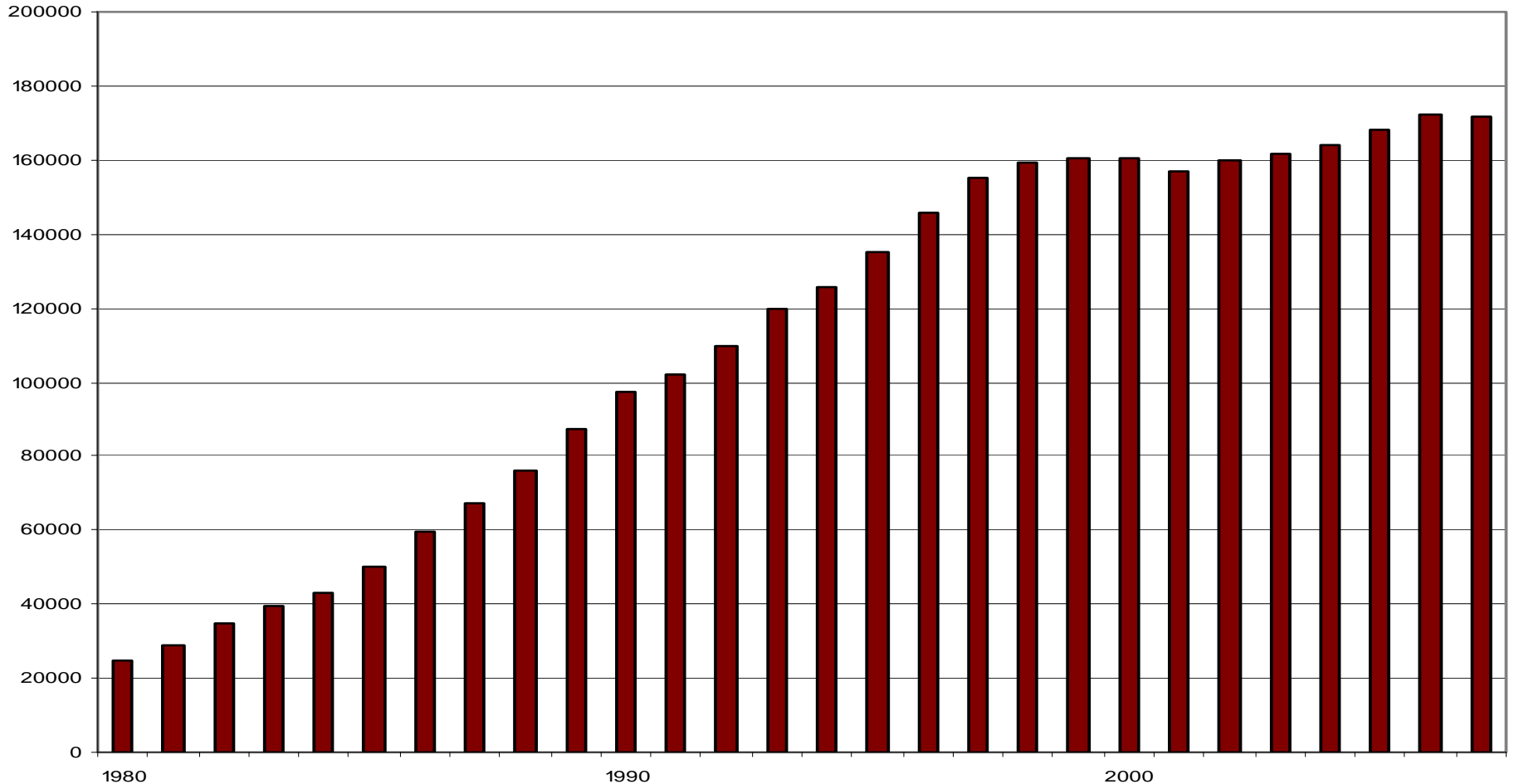


# Disproportionate Impact of Arrests on African Americans in Alameda County, California

(Adult and Juvenile Arrests Reported, 2006)



# Rising Rates of California Imprisonment from 1980 to 2007



State population grew by less than 60%

Prison population grew nearly 600%  
from 24,569 to 171,444

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# African Americans are Incarcerated at a Rate Six Times that of Whites

All Men and Women (ages 18 and over)

White .....	1 in 245
African American .....	1 in 41
Latino .....	1 in 96
All .....	1 in 102

(Pew Center on the States, “One in 100: Behind Bars in America 2008”)

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White .....	1 in 245
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All .....	1 in 102

## Men (ages 18 and over)

White .....	1 in 106
African American .....	1 in 15
Latino .....	1 in 36
All .....	1 in 54

**African American (Men ages 20-34)..... 1 in 9**

(Pew Center on the States, “One in 100: Behind Bars in America 2008”)



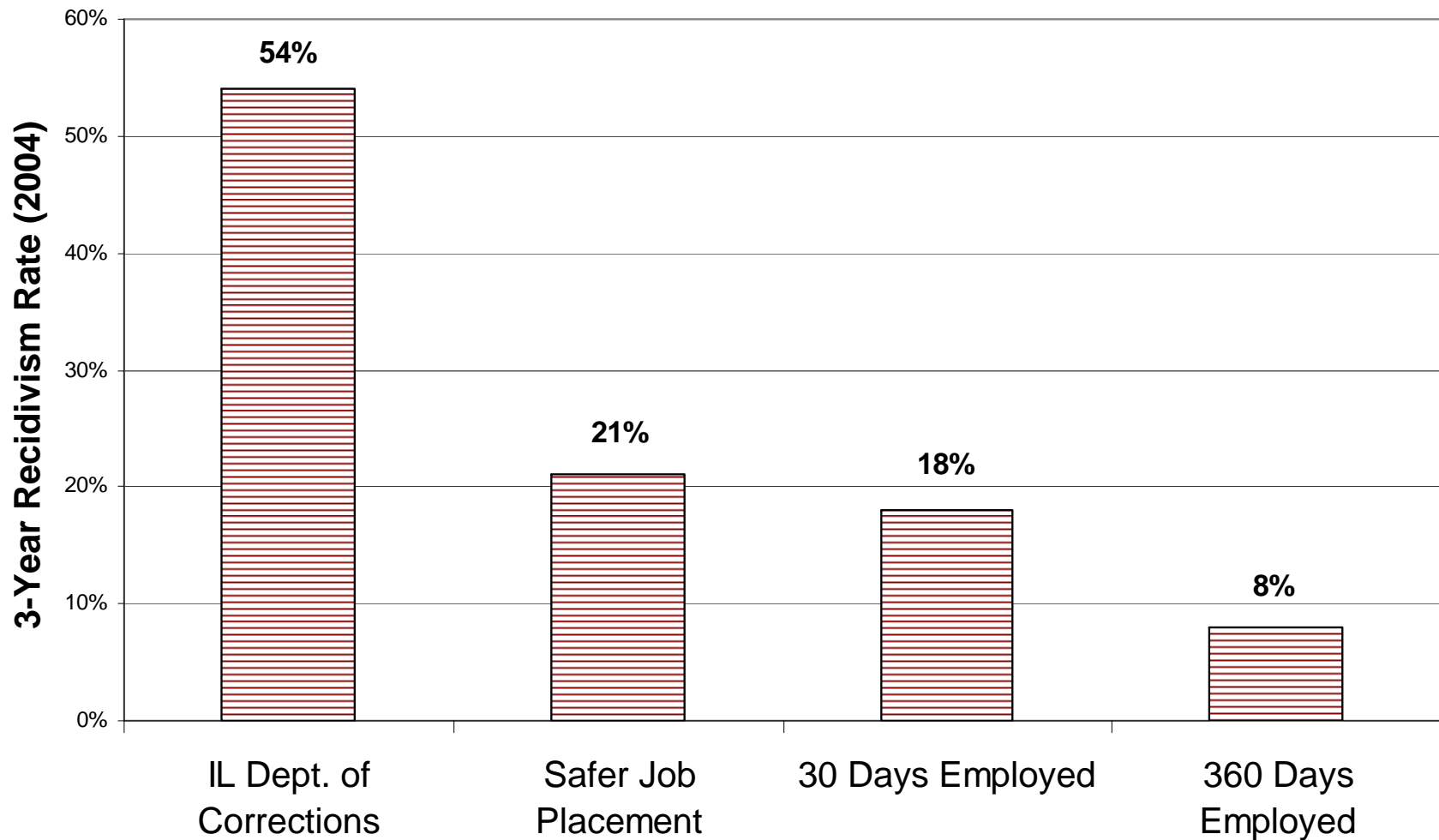
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# Some Hard Facts About the Criminal Justice System

- More than 700,000 people are released from U.S. prisons every year (four times more than 25 years ago).
- Nearly two-thirds of the people released from prison served time for non-violent offenses, including drug offenses (37%) and property offenses (25%).
- 2 out of 3 non-violent offenders released from prison each year are people of color (48% African American, 25% Latino).

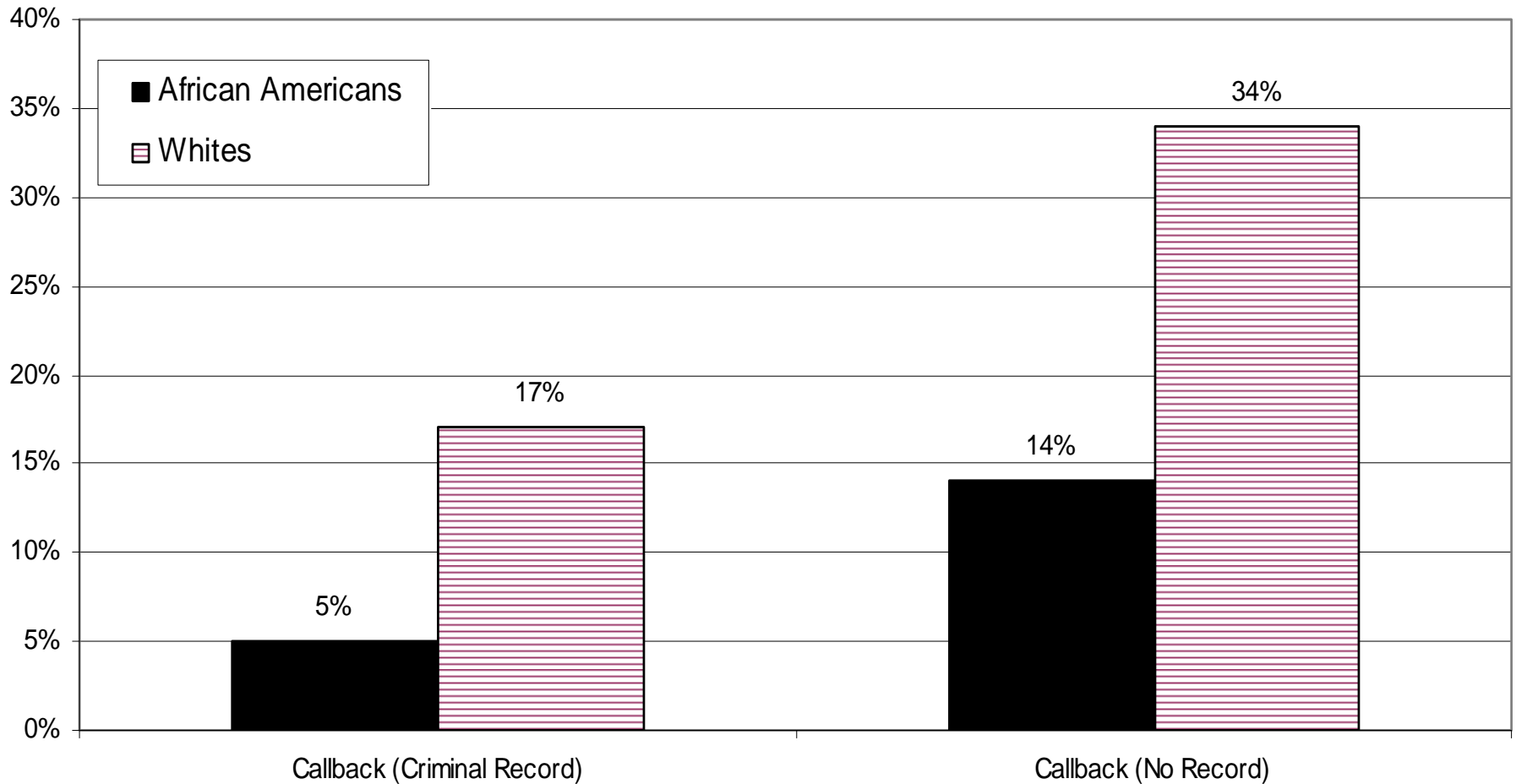
# Employment Significantly Reduces Recidivism

(Results of Chicago's Safer Foundation Job Placement for 1,600 People Recently Released from Prison)

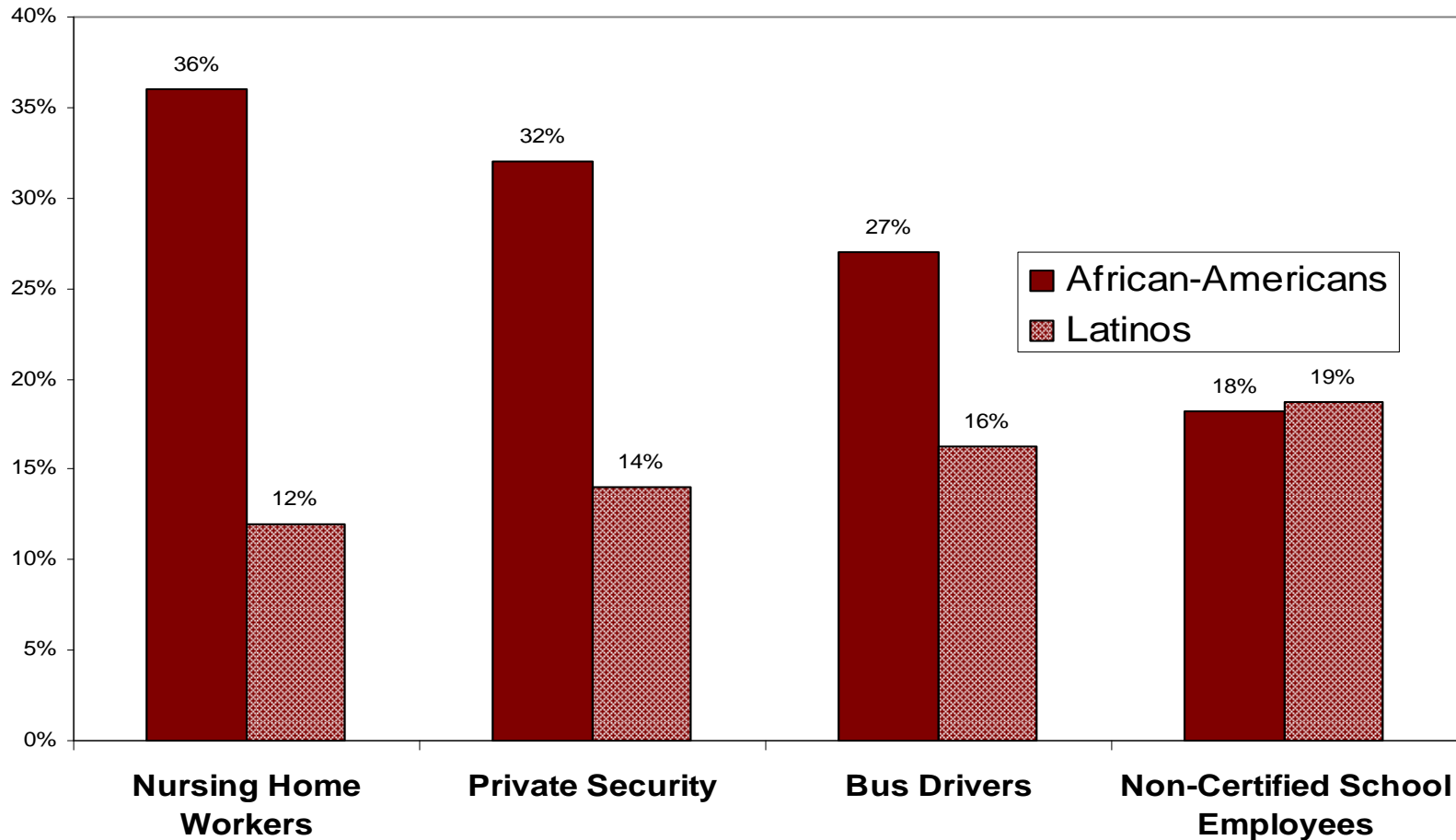


# Employment Testing Survey Documents Impact of a Criminal Record on Callbacks, by Race

(Devah Pager, "The Mark of a Criminal Record," *American Journal of Sociology* (March 2003).)

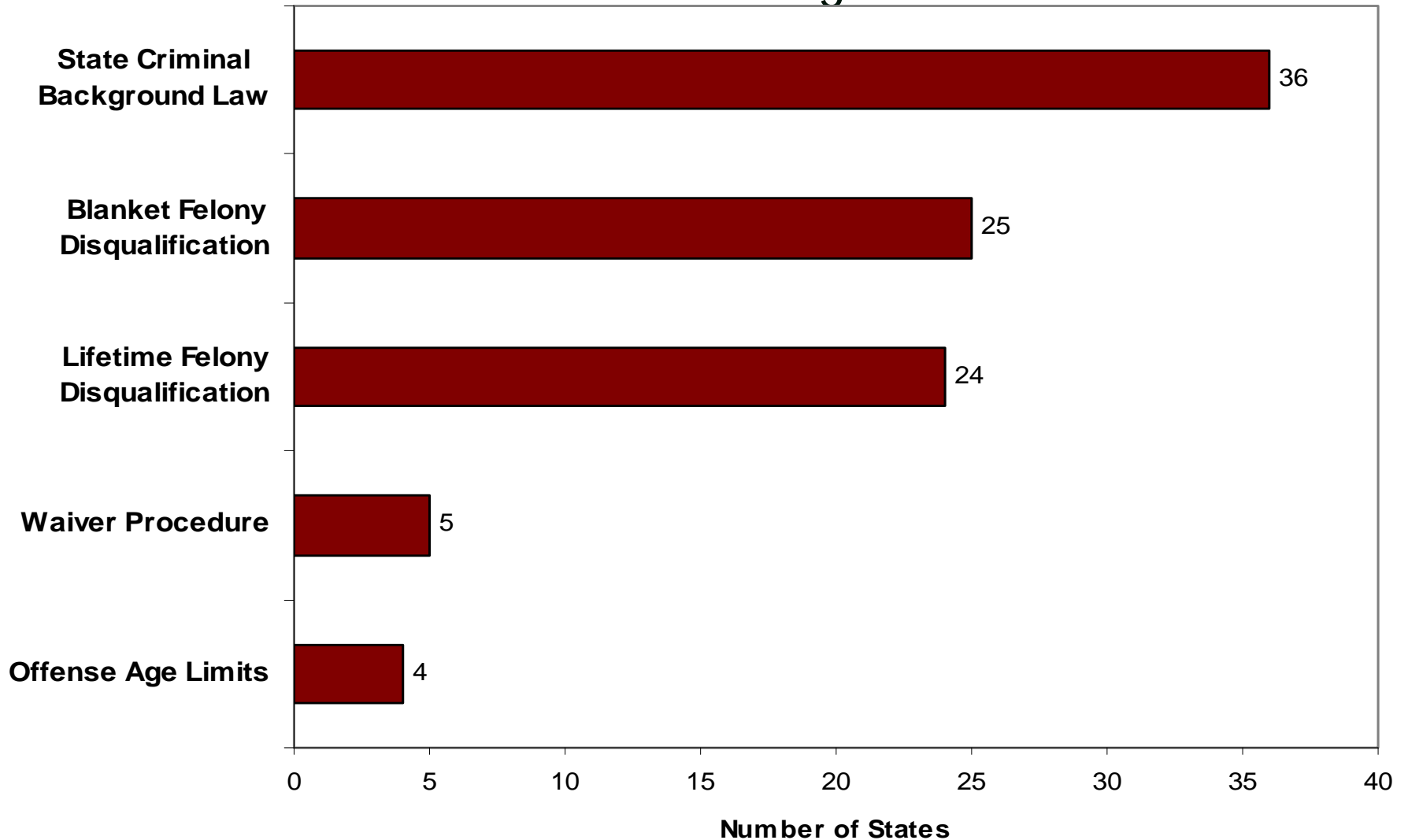


# Racial & Ethnic Profile of Selected "At-Risk" Industries Subject to Laws Denying Employment for Criminal Records



# Private Security Officers (Unarmed)

## Features of State Criminal Background Check Laws



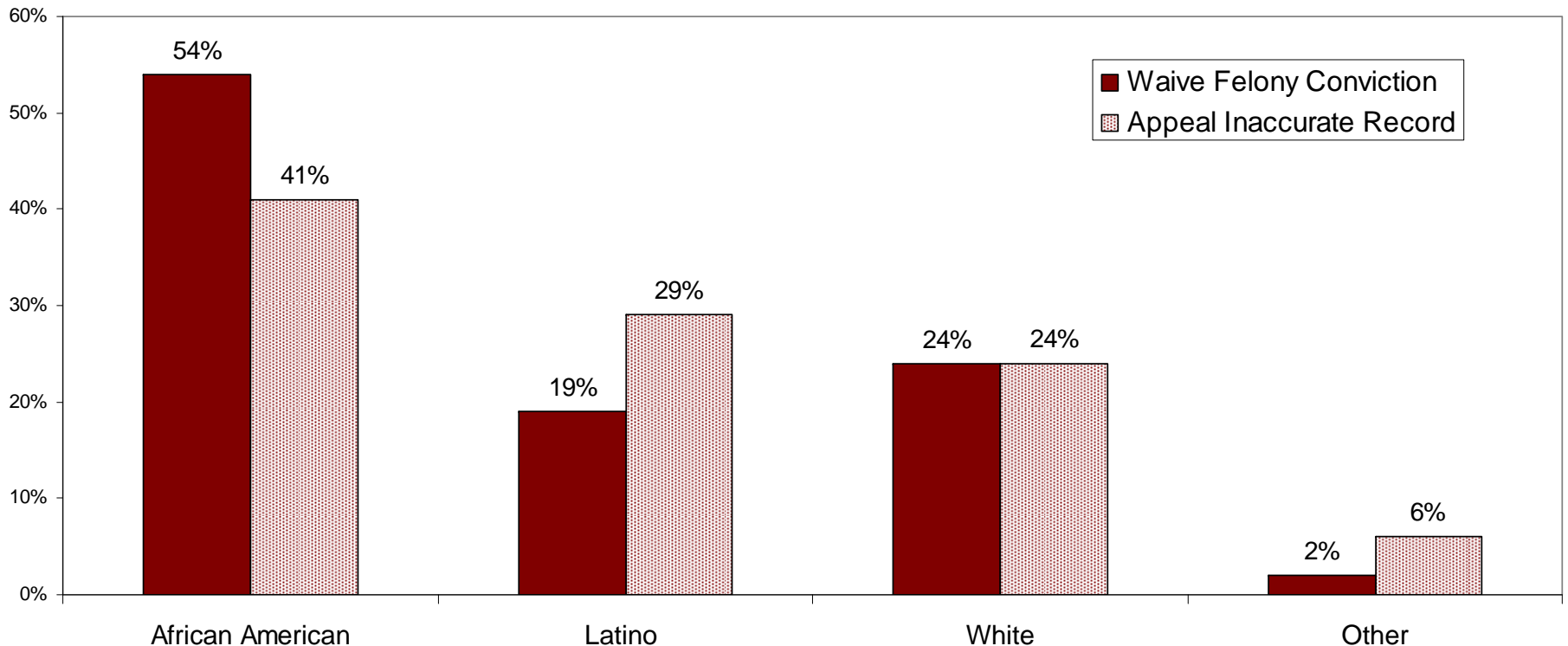
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# New Criminal Background Checks Authorized by Federal Laws

- Since September 11, federal laws have required background checks of transportation workers (3-4 million port workers and truck drivers) to identify terrorism security risks.
- Recent federal laws authorize FBI background checks of school employees, nursing home workers, private security officers, and all workers employed in federal buildings and on federal construction projects.
- Minimum worker protections apply only to transportation workers (including “waiver” procedures to take into account rehabilitation and excluding consideration of many felonies occurring more than 7 years ago).

# Disproportionate Impact of Port Worker Criminal Background Checks on People of Color

(Profile of NELP TSA Cases N=134)



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# Core Standards for Reform of Federal & State Screening Laws

- Limit criminal background checks required by law to occupations that specifically involve public safety and national security.
- Limit disqualifying offenses (especially non-violent drug offenses) that are not job-related.
- Impose time limits on disqualifying offenses, eliminating unwarranted lifetime disqualifications.
- Waive in current workers. Allow for individual waivers from disqualifying offenses for new hires, providing opportunity to document record of rehabilitation.
- Clean-up incomplete FBI rap sheets produced for employment screening purposes, similar to the procedures that apply for gun purchase checks.



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# National Employment Law Project Contact Information

Hotline for applicants denied  
employment based on criminal record:

**(510) 409-2427**

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[www.nelp.org](http://www.nelp.org)