

RESOLUTION SUPPORTING RESTORATIVE JUSTICE FOR EX-OFFENDERS BY
RECOGNIZING THEIR EFFORTS TO REINTEGRATE INTO SOCIETY AND THE
WORKFORCE AND TO SUPPORT AN INITIATIVE TO “BAN THE BOX” IN NORTH
CAROLINA

WHEREAS, across America and in our community, people who have suffered an arrest or who were convicted of a crime and who have paid their debt to society suffer from a variety of serious difficulties as they attempt to find meaningful employment; and

WHEREAS, employment rates and earnings of ex-offenders are low by almost any standard, and low employment rates seem closely related to the very high recidivism rates observed among those released from prison; and

WHEREAS, our communities must recognize the need to transform the traditional relationship between communities, employers, potential employees, and their governments in responding to the needs of these individuals; and

WHEREAS, the Restorative Justice movement recognizes the need for ex-offenders to be allowed to reenter society as productive and contributing members; and

WHEREAS, one method toward this end is the "Ban the Box" movement supported by the Equal Employment Opportunity Commission (EEOC). This process seeks to defer any criminal history inquiry until later in the hiring process. Ban the Box laws prohibit employers from requiring applicants to check the box signifying their past criminal histories, thereby allowing employers to use an applicant's criminal record as an automatic bar to employment; and

WHEREAS, the Ban the Box effort began as a grassroots movement with the goal of providing "second chance" employment opportunities to individuals with criminal records because, according to the National Employment Law Project, 1 in 4 Americans have either an arrest or a conviction on their record, in most cases for nonviolent offenses; and

WHEREAS, Ban the Box laws generally prohibit an employer from asking about arrests or convictions on the initial application for employment. If an applicant makes it through the initial screening process, criminal history questions can be asked later in the hiring process, such as during the job interview, at which point the applicant will have an opportunity to explain him/herself; and

WHEREAS, the EEOC has taken the position that criminal background checks have the potential to violate Title VII because racial minorities are arrested and convicted of crimes at higher rates than non-minorities. Per the EEOC guidelines, an employer's criminal history questions should be tailored to the specific job in question and employers should not deny employment based on an applicant's criminal history without due consideration of the severity of the crime, the crime's relation to the job, and the time passed since conviction; and

WHEREAS, thirteen states have passed legislation banning the box from initial employment applications; and

WHEREAS, The City of Greensboro already supports this concept and matches the needs of the job with the employment requirements; the City does not arbitrarily require no convictions or arrests and the City only performs a comprehensive background check at the end of the interview process;

NOW, THEREFORE, BE IT RESOLVED THAT, the City of Greensboro supports the Restorative Justice process and the Ban the Box initiative in North Carolina and encourages other employers to adopt these procedures because the City recognizes the many barriers that people who have suffered an arrest or who were convicted of a crime and who have paid their debt to society must overcome to find meaningful employment and to successfully reintegrate into society, communities, and the workforce.