

Congress of the United States

Washington, DC 20515

May 21, 2015

President Barack Obama
The White House
1600 Pennsylvania Avenue, N.W.
Washington, D.C. 20500

Dear Mr. President:

We write to address the urgent need for the adoption of a fair chance hiring policy at the federal level.

Over 70 million Americans with criminal histories face significant and unreasonable barriers to securing gainful employment. These barriers prevent millions of Americans from having the second chance to succeed that they deserve, and prevents them from being able to earn a fair wage to support themselves and their families. Communities of color, which already face significant obstacles to economic independence, are disproportionately affected by barriers erected by the criminal justice system – one in three black men will be arrested in his lifetime. The lack of economic opportunity combined with criminal histories ensures the continuing cycle of mass incarceration, as unemployment is directly tied to recidivism.

We applaud your Administration for taking steps to expand Federal employment opportunities for people with criminal histories. The establishment of the Federal Interagency Reentry Council in 2011, with the intent of making the federal government a “model employer” of people with criminal records, sends a signal that employment opportunity is key to ending the cycle of recidivism. Similarly, the White House’s My Brother’s Keeper Task Force strongly endorsed these “fair chance” reforms because they “give applicants a fair chance and allow employers the opportunity to judge individual job candidates on their merits as they reenter the workforce.”

As to evolving Federal standards, it is also important to note that in 2012, the U.S. Equal Employment Opportunity Commission (EEOC) issued enforcement guidance encouraging employers to consider “targeted screening” and individualized assessment in order to prevent the exclusion of qualified applicants or employees with criminal backgrounds. We urge you to build on these efforts by requiring that federal contractors implement “fair chance” hiring practices and that federal agencies take additional steps to create a more fair and transparent hiring process

for people with criminal histories. Accordingly, we ask you to require that federal contractors and agencies refrain from asking job applicants to report their criminal history at the initial stages of the hiring process. Employers would retain the ability to inquire about past convictions or conduct background checks regarding a potential employee before making an employment decision.

Throughout the country, many jurisdictions have already moved to address this issue. Sixteen states, the District of Columbia, and over 100 cities and counties have adopted “fair chance hiring” reforms. Many states have done so with strong bipartisan support including from Governor Nathan Deal of Georgia, Governor Chris Christie of New Jersey, and Governor Terry McAuliffe of Virginia. Six states have extended their policy to both public and private sector employers. In the private sector, Walmart, Koch Industries, Home Depot, Bed Bath & Beyond, and Target have adopted fair chance hiring measures as well. These reforms open critical opportunities to qualified job-seekers who have an arrest or conviction in their past.

Now is the time to build on this momentum and take executive action to open employment opportunities for Americans who are unfairly locked out of our economy because of a criminal history. We urge you to build on your administration’s commitment to adopting fair chance hiring reforms by committing the federal government to do its part to eliminate unnecessary barriers to employment for people with criminal records.

Thank you for your consideration of this request.

Sincerely,

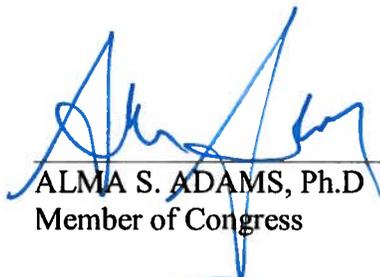

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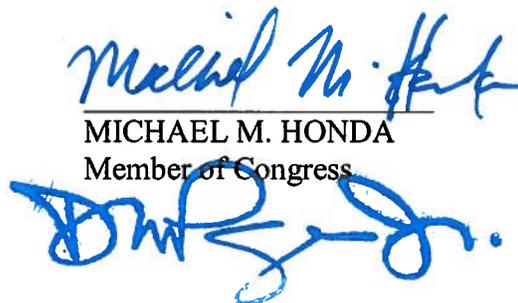
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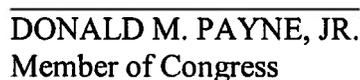
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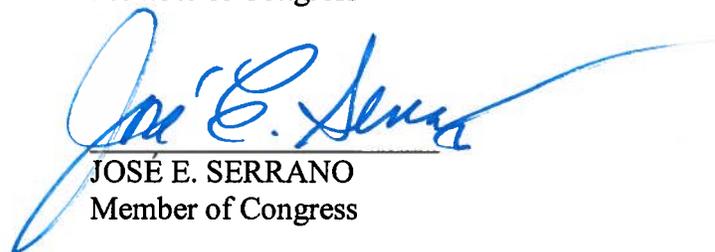
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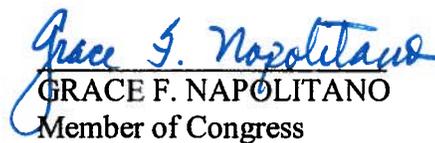
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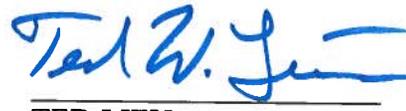
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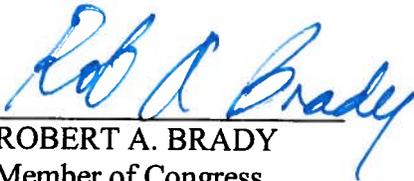
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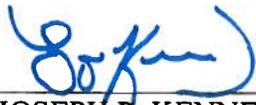
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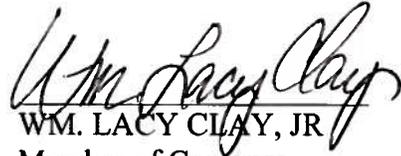
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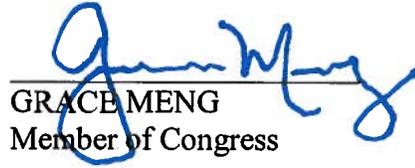
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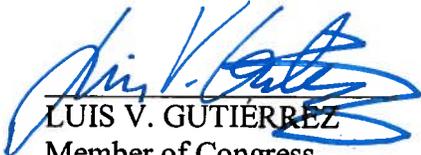
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