



PREVENTING VIOLENCE  
AND DEVELOPING  
YOUTH LEADERS

April 18, 2017

The Honorable Tony Thurmond  
Chair, Assembly Committee on Labor & Employment  
1020 N. Street, Room 155  
Sacramento, CA 95814  
Via Fax: 916.319.2191

**Re: AB 1008 (Fair Chance Act) — SUPPORT**

Dear Assemblymember Thurmond:

On behalf of Youth ALIVE! I write to express our strong support for AB 1008, which would prohibit employers from inquiring into or reviewing a job applicant’s conviction history until after that applicant has received a conditional offer. This bill would also clarify the standards an employer must apply when considering an applicant’s conviction history. Youth ALIVE! is a violence prevention and intervention organization that helps young people become leaders and advocates for the change they would like to see in their communities through our Teens on Target Program; mentors and supports healing for young people on probation and/or who have been violently injured, through our Caught in the Crossfire program; and works with families grieving in the wake of a homicide through our Khadafy Washington Project.

In 2013, California enacted historic “ban the box” legislation (AB 218) applicable to state agencies as well as all cities and counties. Recognizing that limited access to employment opportunities by people with conviction records is a matter of statewide concern, the legislation delayed inquiries into job applicant conviction histories until later in the hiring process in order to reduce barriers to public-sector employment for people with conviction histories. The legislation helped expand job opportunities across the state, especially in those communities with concentrated numbers of people with conviction histories and struggling with high unemployment.

Since AB 218 was enacted in 2013, numerous states and cities across the United States have expanded their fair-chance laws to cover both public- and private-sector employers. Today, nine states and 15 major cities, including Los Angeles and San Francisco, have adopted fair-chance hiring laws applicable to private employers; in total, they cover over 20 percent of the U.S. population. Often these measures have generated strong bipartisan support, as was the case with New Jersey’s Opportunity to Compete Act, which Republican Governor Chris Christie signed into law in 2014.

By enacting AB 1008, California will join the growing number of states and localities where private employers are prohibited from inquiring into an applicant’s record at the start of the hiring process. The bill would make it an unlawful employment practice for an employer to seek the disclosure of an applicant’s conviction history until after extending the applicant a conditional offer of employment. Consistent with the 2012 guidance of the U.S. Equal Employment Opportunity Commission and the new California Fair Employment and Housing Council regulations, AB 1008 would also require an employer to conduct an individualized assessment, including consideration of whether the applicant’s conviction history has a direct relationship to the specific duties of the job, and other reasonable factors to limit the severe discriminatory impact of employment background checks on people of color.

These protections are of paramount importance to California workers, their families, and the state’s economy. Roughly eight million Californians—nearly one in three adults—have an arrest or conviction record, and nationally, half of all children have at least one parent with a record. As studies have shown, ban-the-box laws measurably increase the number of people with records who are interviewed and hired, which, in turn, increases public safety and boosts the economy in the

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same communities that are often hardest hit by unemployment. Thus, tailoring hiring practices to reduce the stigma of a record provides Californians with records a fair shot at employment—a crucial component of healthy workplaces and strong communities.

For the reasons stated above, Youth ALIVE! supports AB 1008.

Respectfully submitted,



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Executive Director

cc: Assemblymember Kevin McCarty, via Fax: 916.319.2107  
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