



# Human Rights Defense Center

DEDICATED TO PROTECTING HUMAN RIGHTS

October 30, 2015

President Barack Obama  
The White House  
1600 Pennsylvania Avenue NW  
Washington, DC 20500

Dear Mr. President,

On behalf of the Human Rights Defense Center (HRDC), I write to urge you to use your executive authority to ensure that both federal agencies and federal contractors are leading the way to open up employment opportunities for qualified job seekers who have a criminal record, by implementing a “ban the box” policy for the federal government.

Founded in 1990, HRDC is a national organization dedicated to protecting the human rights of people held in detention facilities in the United States, including prisons, jails, immigration detention centers, juvenile facilities, etc. HRDC’s primary mission is to educate prisoners about their rights, prison conditions, and developments in legislation and legal case law that affect their conditions of confinement. It is also focused on educating policy makers, advocates, the media and public at large about the negative effects of mass incarceration and alternatives to existing practices. HRDC’s monthly publication, *Prison Legal News*, and the self-help books we publish and distribute have benefited prisoners for over 25 years. Our website, [www.prisonlegalnews.org](http://www.prisonlegalnews.org), provides invaluable resource and reference information both nationally and internationally. Additionally, HRDC has a long history of advocating for an end to employment discrimination against former prisoners.

An estimated 70 million Americans (one in three adults) in the United States has an arrest or conviction that will show up on a routine criminal background check. This creates a serious barrier to employment for millions of workers, especially in communities of color hardest hit by decades of overcriminalization. Often a former prisoner’s criminal record has no relation to the type of job he or she is seeking, but because ex-offenders do not constitute a protected class, employers are free to discriminate against them and deny them employment based on their criminal record alone. Former prisoners frequently face exclusion from the job market solely due to the unalterable fact of their criminal conviction.

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A collaborative report by the Pew Charitable Trusts' Economic Mobility Project and Public Safety Performance Project, released in September 2010, addressed the impact of prior incarceration on the upward mobility of ex-offenders. The study, reported in the August 2011 issue of *Prison Legal News*, found a strong negative effect of incarceration on upward economic mobility not only for former prisoners but also their families. Before incarceration, more than two-thirds of male prisoners were employed with over half being the primary earner for their families. After release, their hourly wages were about 11% less than a similar group of men who were not incarcerated, their annual employment was nine weeks less and their annual income was 40% less. Over 623,000 individuals were released from prisons alone in 2013, people who desperately need to get back into the workforce but are often denied a fair opportunity to do so.

In response to this national crisis, elected officials in a surprising show of bi-partisan support have taken action. Nineteen states – most recently New York – and over 100 cities and counties have adopted “ban the box” and other fair chance hiring reforms. Seven of those states extend the policy to both public and private-sector employers, and a growing number of the nation’s largest retailers have adopted fair chance hiring measures as well.

Just last month, you spoke at the NAACP conference and called for “ban the box” policies to provide more opportunities for people with criminal records, saying, “Let’s follow the growing number of our states and cities and private companies who have decided to ban the box on job applications so that former prisoners who have done their time and are now trying to get straight with society have a decent shot in a job interview.” We ask you to act on those words.

Thus, we urge you to use your executive authority to ensure that both federal agencies and federal contractors are leading the way to open up employment opportunities for qualified job seekers who have an arrest or conviction in their past. Time is of the essence, but with the stroke of your pen you can transform the federal government into a model employer for people with criminal records, and help ensure fairness in the hiring process and build stronger families and communities. All that is required is for you to act.

Sincerely,

A handwritten signature in blue ink, appearing to read "Paul Wright", with a stylized flourish at the end.

Paul Wright  
Executive Director, HRDC