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OAKLAND CITY COUNCIL
RESOLUTION No. _____ C.M.S.

Approved as to Form and Legality

DRAFT

City Attorney

INTRODUCED BY COUNCIL PRESIDENT REID

A RESOLUTION DECLARING JUNE 2017 SECOND CHANCES MONTH IN THE CITY OF OAKLAND

WHEREAS, The City of Oakland recognizes the importance of second chances for our re-entry community demonstrated through the City of Oakland support of Assembly Bill 1008 (McCarty) amending the Fair Employment And Housing Act (FEHA) and extending the Ban The Box to private employers, delaying the background check until the conditional offer phase of the hiring process and incorporating the 2012 EEOC guideline that protect against discrimination based on a background check, and;

WHEREAS In 2014 California voters passed Proposition 47 which changed certain low-level, non-violent offenses to misdemeanors and created a vehicle for individuals to remove felony convictions from their criminal record, to reduce existing challenges and barriers related to accessing employment and housing, and;

WHEREAS Under California law there are additional Second Chance legal remedies to remove or reduce criminal convictions from an individual's criminal record. Many people are not aware of proposition 47 and other record expungement opportunities, and may not understand how to navigate the legal system, and;

WHEREAS After an individual has completed their jail or prison sentence and successfully completed the requirements of supervision proscribed by the Court, that individual should be able to successfully return to civic life. However, most system impacted individual experience being exclude from employment, housing and health care needs which are vital components to everyday human life, and;

WHEREAS Many background check agencies report inaccurate information and Existing law prohibits an employer, whether a public agency or private individual or corporation, from asking an applicant for employment to disclose, or from utilizing as a factor in determining any condition of employment, information concerning an arrest or detention that did not result in a conviction, or information concerning a referral or participation in, any pretrial or postural diversion program, except as specified, and;

WHEREAS Recent data suggest 80 percent of the nation's employers perform criminal background checks on prospective employees. Very few employers are incentivized to give system impacted individuals a fair chance. As a result, more than 60 percent of formerly incarcerated individuals are unemployed one year after release and for those that secure employment, they are subjected to 40% less in their take home pay, and;

WHEREAS, Employment and housing is a significant factor in reducing recidivism. Studies found a 1 percent increase in the unemployment rate causes a decline in some offenses. Research also shows a past record doesn't predict future re-offending after a certain time passes. Creating systems change through Second Chance opportunities is important to our leadership and vital to our re-entry population, and;

WHEREAS, Oakland has the largest number of persons in Alameda County returning from prison and our we are encouraged to highlight and implement Second Chance opportunities by joining our community partners to positon the re-entry population with access to life changing opportunities that diminish the barriers to employment and housing, and reduce recidivism, and;

WHEREAS, The City of Oakland will join Alameda County in declaring June 2017 Second Chances Month and participate in a Family Day and Information Fair with legal staff on site to address felony and other conviction rap sheets to execute records change on June 24th 2017. As one of the multiple strategies to highlight existing Second Chance strategies, resources and opportunities in the City of Oakland, and;

RESOLVED: That the Oakland City Council hereby declares June 2017 Second Chances Month in the City of Oakland

WHEREAS

IN COUNCIL, OAKLAND, CALIFORNIA, _____, 2017.

PASSED BY THE FOLLOWING VOTE:

AYES - BROOKS, CAMPBELL-WASHINGTON, GALLO, GIBSON MCELHANEY, GUILLEN, KALB, KAPLAN, and PRESIDENT REID

NOES -
ABSENT -
ABSTENTION -

ATTEST: _____
LaTonda Simmons
City Clerk and Clerk of the Council
of the City of Oakland, California