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CITIZENS INTERRACIAL COMMITTEE OF SAN DIEGO COUNTY
Room 609 Robinson Building
520 "E" Street, San Diego, California 92101
239-0871

RECOMMENDATIONS

ON

EMPLOYMENT

Compiled

May, 1967

LOS ANGELES COUNTY COMMISSION ON HUMAN RELATIONS
1184 New Hall of Records, 320 West Temple Street
Los Angeles, California 90012

CITIZENS' INTERRACIAL COMMITTEE
609 Robinson Bldg.
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EMPLOYMENT COMMITTEE

THE EMPLOYMENT OF PERSONS WITH POLICE RECORDS

Recently the Committee on Employment of the Los Angeles County Commission on Human Relations expressed concern over the inability of the unemployed with arrest records of virtually any nature to secure employment. It was the Committee's consensus that employers generally--industry, business, and government--tend to disqualify such prospective applicants for employment too "automatically," thereby jeopardizing their chances for assuming responsible and productive roles as recognized members of society.

In consequence, the Committee appointed a subcommittee to look into this problem in a more penetrating way to determine whether courses of action can be undertaken to mitigate this problem. Members of this subcommittee are: Commissioner John Anson Ford, Fair Employment Practices Commission, and Karl R. Kunze, Training Manager, Lockheed-California Company, co-chairmen; Howard H. Earle, Inspector, County Sheriff's Department; Edward Rodriguez, Minority Specialist, California State Department of Employment; Emmons Shumate, Equal Employment Opportunity Specialist, U. S. Air Force; and Dwight Zook, Corporate Director, Personnel Services, North American Aviation.

Several recommendations for employers emerged from the subcommittee's initial meetings. In order that persons with police records are treated equitably and not barred unnecessarily from employment, the subcommittee has recommended:

1. That a differentiation be made between arrest and conviction in the consideration of an applicant's police record.

   Comment: In gang neighborhoods, overpopulated communities, areas having a high proportion of disadvantaged people, it is frequently necessary for the police to "bring in" for questioning, individuals or groups. A careful distinction should be made by prospective employers between arrests for questioning, arrests followed by acquittal and convictions for breaking the law.

2. Related to the above, that a careful evaluation be made of the frequency and severity of violations of past offenders.

   Comment: We are all lawbreakers in the strict sense of the term. Our disregard of the law is sometimes overlooked because of sheer luck. Also, there are significant variations in the severity of infractions and these should influence the suitability of any person for employment.

3. That consideration be given to the age of the applicant at the time of his illegal act.

Comment: Impulsiveness, aggression, and recklessness are partly a function of age. An older person should acquire a maturity and greater knowledge of and a respect for the law. The younger person without a history of chronically serious infractions should be given every break in finding work.

4. That elapsed time since a conviction be a prime consideration.

   Comment: Substantial elapsed time since a conflict with the law might well be interpreted as a self-improvement effort on the part of the applicant.

5. That thoughtful consideration be given to the whole man, his aptitudes, abilities, interests, educational level; rather than simply one aspect of his personal history.

   Comment: The whole man comes to work to produce for an employer; one aspect of his past may have no influence on his value as a permanent employee.

6. That the nature of the work may have a bearing on the employability of those with police records.

   Comment: An entry job that begins with close supervision and little initial responsibility is most appropriate for a past offender who should undergo a probationary period before being fully accepted as a permanent employee.

It is this subcommittee's opinion that young people from generally low-caliber neighborhoods are prone to develop low self-images as a result of a succession of dissatisfactions and failures. Such experiences can well result in feelings of alienation as a defense against these pressures of dissatisfaction and failure; and in turn can produce rejection of authority, suspicion, resistance to help, and, ultimately illegality.

Who is at fault for the plight of these people? The family? Community? School system? Employers? The government? This question is vital, but its consideration is not within the province of this subcommittee's assignment.

What the subcommittee is asking is that past offenders, particularly youthful ones get simply their rightful share of attention--not more than others, but the kind of consideration necessary to really determine their appropriateness for job openings.

The government employment services, youth opportunity and skill centers, civil organizations have been working with youthful offenders and find that some will not in all probability, make the grade. Others, in their opinion will and these are the ones being referred to employers.

The employment Committee of the Los Angeles County Commission on Human Relations concurs with the subcommittee's findings and requests that all employers give full consideration to the employment of past offenders, using the guidelines above, so that those who deserve an opportunity, get it, along with a fresh start and a new outlook on life.

2/27/67 Reported for the subcommittee by Karl R. Kunze
CW:bm

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All members of human relations agencies, employment agencies, community groups, and other persons working in the field of employment opportunities should make themselves aware of the provisions in the Civil Rights Legislation and the California Codes which deal with the sealing of arrest records. Staff and others of these agencies should be willing to communicate with present and potential job aplicants from minority groups, where and when necessary about their rights under the Civil Rights Legislation and under Section 781 of the California Welfare and Institutional Code, and Sections 1203.4, 1203.4A, and 1203.45 of the Penal Code relative to the sealing of arrest records. To the fullest extent possible, the discussion of these codes and legislation should be done in a manner not to threaten an employer or imply to an employee that he can "demand" certain conditions because of these regulations; but rather to discuss with them what it means in one's seeking employment.

Members of these agencies might also want to inform themselves of the procedure by which records of arrest may be sealed and who to contact for that purpose.

It may also prove helpful for these agencies, groups, and employers to know that in the C.I.C. offices are copies of some of these sections and codes which will help inform them of what to do and how to go about finding additional information.

C.I.C. hopes that by having first hand the actual wording of these acts and codes, misunderstanding may be minimized and tensions averted in discussing these matters with and by agencies and other community groups, their staffs, and employers.

bm
3/17/67

EMPLOYMENT

1. The C.I.C. convene (or designate a convener for this purpose) local businessmen and community persons for the purpose of working out a more positive approach to opening up doors to employ those minorities who are ALREADY EMPLOYABLE: AND initiating discussion on means and techniques of handling problems which might arise out of this "new thrust."

2. A citizens committee be established to serve both as a "sounding board" and an advisory committee to the presently functioning Mayor's Committee on Jobs, Inc. Further, that this citizens advisory committee meet with the Mayor's Committee on a regular basis; this committee would be in addition to the Board of Directors of the Mayor's Committee and would not be concerned with policy. It's sole function would be that of an advisory nature.

3. The C.I.C. consider establishing among its 1966-67 top priority goals the following:

   A. Convening for the purposes of initiating positive steps to open the doors for the hiring of minorities and/or the expanding of opportunities for more minorities, with the proper authorities of the: Airport Authority, the Yellow Cab Company, the Hotel Managers Association, the San Diego Unified School District, the San Diego Chamber of Commerce, the San Diego Bankers Association, the San Diego Realty Board, the San Diego City and County Civil Service Commissions, the San Diego Tourist and Convention Bureau, the San Diego County Apprenticeship Committee, etc., etc.

   B. Making available to all businesses concerned a variety of services designed to help broaden understanding of the many factors and conditions involved in merit employment and underlying minority group unrest.

   C. Initiating contacts between these businesses and persons, groups and organizations within the minority communities, for increasing mutual understanding and working toward common goals.

4. The C.I.C. consider utilizing all public media in a concerted campaign in an attempt to involve all segments of the community in this effort; through the use of T.V. series, newspaper and magazine articles, plays and any other appropriate creative approaches.