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TO: Honorable Detroit City Council

FROM: David D. Whitaker 
Legislative Policy Division Staff

DATE: April 9, 2019

RE: **Resolution in support of Michigan House Bill 4326**

On March 12, 2019, the Honorable Council President Pro Tempore Mary Sheffield requested the Legislative Policy Division to draft a resolution in support of Michigan House Bill 4326 of 2019.

House Bill 4326, known as the Job Applicant Criminal History Act, proposes to preclude public and private employers from inquiring about an applicant's criminal history during the application process before making a conditional offer of employment.

The draft resolution is attached for your review.

BY COUNCIL PRESIDENT PRO TEMPORE MARY SHEFFIELD
RESOLUTION IN SUPPORT OF HOUSE BILL 4326 of 2019

WHEREAS, The mission of the Detroit City Council is to promote the economic, cultural and physical welfare of Detroit's citizens through Charter-mandated legislative functions; and

WHEREAS, Formerly incarcerated people need stable jobs, access to affordable housing for the same reasons as everyone else: to support themselves and their loved ones, pursue life goals, which culminates in strengthening our community; and

WHEREAS, In April 2011, The Pew Research Center released the report, *Revolving Door of America's Prisons*, which suggests that if states could lower recidivism rates by just 10 percent, they could save an average of \$635 million annually; and

WHEREAS, After decades of repressive laws and policies that continue to punish offenders well after they have completed their sentences, even hard line law and order advocates are finally admitting, that discriminatory policies, make reentry into the community extremely difficult for someone previously incarcerated. But most importantly, they are recognizing the potential cost savings to government by reforming this system; and

WHEREAS, On September 7, 2018, then Gov. Snyder signed an executive directive instructing all state departments and agencies to remove the felony question box; and

WHEREAS, The Detroit City Council is committed to welcoming returning citizens into the community by implementing ordinances that remove barriers for housing and employment, in an efforts to decrease rates of recidivism:

- In 2010, the City enacted the "Ban the Box" ordinance, which limits questioning applicants about criminal convictions until after they are determined to be qualified for hiring.
- Further, in 2012 the City also asked its vendor and contractors to remove the conviction history question from job applications; and
- Council Member Ayers, introduced the *Fair Chance Access to Rental Housing Ordinance*, affords citizens with criminal records a fair opportunity to secure housing by regulating the use of criminal background checks as part of the tenant screening process. The ordinance will become effective in July 2019.

WHEREAS, House Bill 4326, known as the *Job Applicant Criminal History Act* is sponsored by Michigan House Democrat, Cynthia Johnson, if enacted, would prohibit public and private employers from inquiring about an applicant's criminal history during the application process, before making a conditional offer of employment; **NOW THEREFORE BE IT**

RESOLVED, That the Detroit City Council endorses passage of House Bill 4326; **BE IT FINALLY**

RESOLVED, That copies of this resolution be forwarded to the mayor, the City's lobbyist, the Detroit delegation in the House and Senate, the Committee on Commerce and Tourism and the Governor.