



Colorado Chance to Compete Act

HB17-1305: Sponsored by Rep. Mike Foote, Rep. Jovan Melton, and Sen. Lucia Guzman

What does this legislative proposal do?

By expanding Colorado's "ban the box" law, this proposal would allow most job applicants to apply for positions without having to disclose their criminal history on an initial application.

Why is it needed?

There are more than 1.5 million Coloradans listed on the state criminal record database. For many of these people, involvement with the justice system has led to perpetual unemployment and income instability for themselves and their families.¹

- **Employment:** Several studies have demonstrated that removing "the box" helps employers see beyond their past to find a well-qualified job applicant they may have otherwise overlooked.
- **Public Safety:** Research also indicates that enabling consistent employment is the best method for lowering recidivism.²
- **Family Security:** Experts estimate that half of the children in the U.S. have at least one parent with a criminal record. In Colorado, an estimated 60,000 children have experienced the incarceration of a parent. This bill would expand economic opportunities to the families and children of justice-involved residents.
- **Veterans:** This policy would help justice-involved veterans, who often face additional hurdles in rejoining the workforce.

Do other states have this policy?

Yes, nine states have already enacted similar legislation— often with bipartisan support. Connecticut, Hawaii, Illinois, Massachusetts, Minnesota, New Jersey, Rhode Island, Oregon, and Vermont have all adopted private sector "ban the box" legislation. Unlike these states, however, this proposal would allow employers to ask about criminal history *before* conducting an interview.

Responsible Re-Entry Legislation allows people with a criminal record to be considered on their merits without compromising safety on the job or exposing the employer to potential liability.

- Employers may still conduct criminal background checks at any point in the hiring process.
- Under state law, private employers can still consider criminal records to whatever extent they deem appropriate.
- Any positions that legally require exclusion of people with certain records are **exempted** from this bill.
- This policy has been endorsed as a best practice by the U.S. Equal Employment Opportunity Commission and is supported by the Colorado Society for Human Resource Management.

¹ Michele Natividad Rodriguez and Maurice Emsellem, *65 Million 'Need Not Apply': The Case for Reforming Criminal Background Checks for Employment*. The National Employment Law Project, March 2011, http://www.nelp.org/page/-/SCLP/2011/65_Million_Need_Not_Apply.pdf?nocdn=1

² Anastasia Christman and Michele Natividad Rodriguez, *Research Supports Fair Chance Policies*. The National Employment Law Project, April 2015, <http://www.nelp.org/content/uploads/Fair-Chance-Ban-the-Box-Research.pdf>

SUPPORTERS OF THE CHANCE TO COMPETE ACT

9to5 Colorado
AAUW CO Chapter
Above Waters Project
AFL-CIO Colorado
CO Coalition Against Domestic Violence
CO Coalition for the Homeless
CO Jobs With Justice
Colorado Catholic Conference
Colorado Council of Churches
Colorado Criminal Defense Bar
Colorado Fiscal Institute
CWEE
Denver Area Labor Federation
Denver Urban Matters
Denver Women's Collaborative
Embassy Suites Boulder
Embassy Suites by Hilton
Denver Downtown
Empowercom, Inc.
Four Seasons Denver
Hilton Garden Inn Boulder
Interfaith Alliance
League of Women Voters
Metro Caring
NAACP State Conference: Colo. Mont. Wyo.
Pretty Good Consulting Inc.
Remerg
Rocky Mountain
Synod, Evangelical Lutheran Church in America
Sage Hospitality
The Center for Spirituality at Work
The Conflict Center
Urban Colors Arts and Mentoring
Worker to Job Connection
WorkLife Partnership
Zero Drop Outs

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