

Ban the box is an initiative to remove the question regarding a person's criminal history from the employment application. Removing this question would allow employers to focus on the applicants skill-set and qualifications, as well as the job tenure/longevity of the applicant. In my opinion, the crime committed by the potential applicant must be a minor offense, as well as being a first offense by the applicant. Along with this being established, I also believe that the potential applicant while incarcerated must participate in a work/psychological program that would allow them to re-enter into society with the intentions of never committing another offense. If they fall within this criteria, yes, I do believe that criminal history should be removed.

Sometimes, good people make mistakes and everyone deserves a second chance. There are 19 states that have removed this question from the application form. Federally the EEOC endorses removing the question. This opens the door for many people with records a second chance. I personally think removing the question would be great. Many times an employer will just skim over an application and if that box is checked there may not be a second chance for the applicant. But on the other hand I do believe it should be asked for people that work directly with people: teachers, doctors, nurses, caregivers, daycare providers and some skilled positions. Policy proposals seek to improve the effectiveness of public laws and regulations, inform the use of public funds, and address private sector employment practices that impact upon people's ability to work and live above the poverty line.

I do believe that the court system sometimes impose harsh penalties on people whom have committed minor offenses, such as sending them to prison and giving them a criminal record that would follow them for the rest of their life, rather than sending them to a rehabilitation program. Removing this question would allow them to be productive and a contributor in society, knowing that they can take care of themselves, so that they won't have to live in poverty.

In the end, there is a very small percentage of people with criminal records that actually get hired and Ban the Box is step in the right direction for potential applicants.

However, there are a few counter-points to the 'Ban the Box' initiative. They are the following:

1. 'Ban the Box' reveals a more complex challenge for employers. Companies are increasingly using background checks as a means to protect themselves from civil liabilities (Miller-Merrell, 2015, para. 3). There are particular jobs that preclude, by state law, certain criminal convictions. An example would be any job working with children; states usually preclude job candidates that have child neglect and/or child abuse convictions. I have researched yet I do not know- suppose that a state adopted the 'Ban the Box' initiative and a prospective employee, for a daycare center, has a felony child negligence conviction. Which interest prevails- 'Ban the Box' or the state interest in protecting children from a job candidate that has a criminal history of child abuse and/or neglect?

2. "If a company is housed in a state that Bans of the Box, employers can only ask for your criminal history after the job offer" (Miller-Merrell, 2015, para. 4). This could reveal unfavorable convictions that could directly relate to the job that the candidate was hired for i.e. there could be a conflict of interest. For example: Suppose a bank, housed in a 'Ban the Box' state, hires a candidate to learn **after** hiring him or her that the new employee has a previous

conviction for embezzlement. What happens then? Can the bank legally rescind the job offer? I do not know.

References:

Miller-Merrell, J. (2015, November 3). *Ban the box is a joke. The real solution to hiring candidates with felonies*. Retrieved from <http://www.blogging4jobs.com/hr/ban-the-box-is-a-joke-the-real-solution-to-hiring-candidates-with-felonies/#ABKcLjyvBi0eKoSj.97>

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