



Ban the Box - Pros and Cons

November 2016
Volume 13, Issue 5

Many job applications contain a checkbox with a question about criminal history. Often, when this box is checked, qualified applicants are rejected at this step prior to the interview. The stigma of a record negatively contributes to recidivism, and unproductive reentry of citizens into society. President Obama met with members of the business community to encourage them to participate in "The Fair Chance Business Pledge" this past April 2016. In this voluntary initiative, the Department of Justice has spelled out measures to ultimately reduce recidivism and help formerly incarcerated individuals meaningfully integrate back into their communities.

“Often, when this box is checked, qualified applicants are rejected at this step prior to the interview.”

Hawaii was the first state to adopt "Ban the Box" legislation in 1998. To date, there are 24 states that have adopted these policies and 9 states that have "banned the box" on job applications. "Fair chance" policies and ban the box legislation spans jurisdictions covering half the population of the USA. Advocates hail "fair chance" employment laws as important steps in policy reform, requiring employers to consider job-relatedness of a conviction, time passed, and mitigating circumstances/rehabilitation.

Two recent prominent university studies indicate there are negative ramifications developing with its implementation. Some hiring managers have begun eliminating applicants based on their race (racial profiling).



This speaks to deeply ingrained biases and societal problems with race, and an incarceration system that houses a disproportionate number of minorities.

Solutions to address hiring a qualified candidate encompass diversity training, analysis of hiring practices (including writing sound job descriptions and ensuring your company is up to date on jurisdictional laws), and asking good questions once an interview is being conducted. "The Fair Chance Business

INSIDE THIS ISSUE

- Ban the Box - Pros and Cons...1
- Fair Chance Business Pledge ..1
- Due Diligence 2
- Cursory Indicator New York - Why You Should Jump Onboard..... 3
- Spotlight: Vigilant Services..... 3
- About CI 4

Pledge" promotes fair hiring practices:

- "Ban the Box" from job applications. Ask questions about criminal history during interviews.
- Train HR staff how to make consistent decisions for applicants with a criminal history.
- Ensure internships and job training programs are available to people with criminal records.
- Host a Fair Chance Job Fair.
- Hire a reliable FCRA compliant background investigations company to be your Proactive Truth Partner... Check us out online!



Starting Over

Meet Due Diligence...

Last Scene From Due

Due Diligence and Due Jr. try to adjust to life without Duey's mother, the destructive force that is Coco Caine. The Police came to remove the remains of Coco's wrecked car; they end up discovering that Coco left a little surprise inside. It turns out that Coco purchased the car under Due Jr.'s name and left a baggie of drugs inside. Due takes the fall in order to give Due Jr. a better life.

Being shoved into the back of a police car was old hat to Due at this point in his life. While the officer was reading him his rights, all Due could think was, "I hope this is worth it." Upstairs in their apartment, Due, Jr. was frantically pacing, trying to figure out what to do next. He turned to Justin, who

was cleaning up breakfast, "There is no way the drugs were his, right?" Justin nodded, "I mean, that car belongs to Coco, she's had it for a few months now," Duey sighed. While Justin continued to clean and comfort Duey, he couldn't help but wonder, how could this have happened?



Unbeknownst to Duey and Justin, across town at the Corporation of Philanthropic Services (COPS), Rick Mitigation was just sitting down at his desk. Rick noticed he had an email from Commercial Investigations about their Vigilant US™ service, allowing continual monitoring of employees for arrest and conviction updates,

and a report was in a securely encrypted email, highlighting Due Diligence's arrest and pending conviction alert for drug possession.

Rick knew he had to act fast. He was already in some hot water with his boss after everything that happened when Rob Berry's background investigation came back containing adverse information. Then it hit him - Rick knew he must use his connections to switch the ownership of Clean Cut Clippings to someone else. Rick rushed down to the police station, to see how he could convince Due to step down.

When Rick arrived at the station, he pulled some strings in order to see Due. After Due explained what happened, and that he had taken the fall for Coco in order to save Duey, Rick and Due hatched a plan to transfer ownership to Duey and Justin. After all, Rick couldn't afford to be in any more trouble with his boss, and Due needed to keep

this contract in order to take care of his expanding legal fees. Once Rick left, he drove over to see Duey and Justin, and let them in on the plan. They all thought it was a great idea. "I want to continue on with the work my father started," Duey stated, "It's the least I can do!" Justin agreed, "Due gave me a chance when no one else would."

One month later, Clean Cut Clippings was under dual ownership of Due Diligence Jr. and Justin Justice. They had kept their contact with COPS, Rick's job was safe, and the boys were looking to expand their business. As for Due, during the police investigation, the police discovered that most of the drugs found in Due's "possession" were harmless. The baggie of drugs was actually just baby power, vitamin B and a few Adderall. Due had laughed when he found out, and told Rick, "Coco can't even plant drugs correctly!"

Shortly thereafter at his court hearing, Due ended up pleading down from a felony criminal possession of a controlled substance to a misdemeanor possession of a controlled substance, and was sentenced to 6 months in jail, and three years of probation, plus hefty fines. It looked like everything was going to work itself out in the end. Due Jr. and Justin were going to continue working and growing their business. Due Sr. would serve his six months, and maybe less with good behavior, then come home and work for Due Jr. as a consultant. Rick was able to keep his job and stay in good standing with his boss.

"What's the worst that could happen now?," Due thought, as he was escorted out of the court house, feeling confident and optimistic. All of a sudden, he saw a flash of blonde hair out of the corner of his eye. Could that really be Coco? Due had hoped she'd finally be gone for good. Just as Due left the room with a startled look on his face, Duey turned around to see Coco, sneaking out of the courthouse. "Oh, no!" Duey anguished, "Not again!"

- Will Coco stir up more trouble?
- Will Due survive prison?
- Can Duey and Justin make a go of Clean Cut Clippings?

Tune in to our next issue to find out.



See Due's Vigilant US™ Report!

<https://www.commercialinvestigationllc.com/news/>

Cursory Indicator New York™ - Why You Should Jump Onboard

Changes in the Fair Labor Standards Act which were scheduled for December 1, 2016 are still rocking companies' Human Resource and Financial departments. If you work in one of the struggling departments facing issues related to the new laws, then you've been making some important choices about higher salary costs, policies, and much more.

Commercial Investigations can offer you a more cost effective and efficient way to thoroughly search criminal records in New York State in conjunction with the New York Sheriffs' Association. Together we developed a tool that sweeps jail booking data and consistently searches local city, town, and village criminal data not found at the county level. We call it Cursory Indicator New York™.

Commercial Investigations has been offering its clients Cursory Indicator New York™ for years. In comparison to the charges of the

“Some companies have saved in excess of \$20,000 per year by making this change alone.”

average New York Statewide search, Cursory Indicator New York™ can save up to 50% on your costs of background investigations in New York State. This is a proven product that hundreds of companies are using, including wholesale vendors, to take advantage of saving 3rd party fees of \$65.00 per name searched in NYS, for misdemeanors and felonies using the traditional OCA NY Statewide search.

This month alone, some of CI's existing clients decided to take advantage of the cost savings associated with Cursory Indicator New York™ have made the switch! As mid- to large-sized companies, they have saved in excess of \$20,000 per year by making this one change to their services alone.

Cursory Indicator New York™ is FCRA compliant, and has been extensively tested with the NYS Sheriff's Department. It consistently delivers the highest quality results. It has been a financial life-saver for all industries, including non-profit organizations where adequate funds are a constant concern.

Making this simple yet significant change to your background investigations service can help your company chip away at spiraling costs driven by the FLSA changes at hand. Cursory Indicator New York™ is available today!



Spotlight: Vigilant™ Services

Once the hiring is over, most organizations no longer look into an individual's background. Continuously monitoring individuals for criminal activity is a prudent way to protect your organization as this service continually monitors databases for arrest activity concerning an employee, volunteer, tenant, or board member.

Commercial Investigation (CI's) Vigilant™ services are highly-advanced post-hire screening solutions that monitor employees on an ongoing basis, within 24 to 48 hours of arrest, alerting you to new criminal record information as well as changes to existing records.

- Vigilant New York™ covers employees in New York state.
- Vigilant US™ monitors individuals across the nation.
- Vigilant MEDS™ allows healthcare entities to continuously monitor their employees via reports generated from activity on the OMIG, Federal OIG, and Federal GSA exclusion lists.
- Vigilant LENS™ - License Event Notification Service reviews driver license records of your organization's drivers and reports changes to you by email (Using CI will bypass the DMV escrow process)

CI's proprietary solutions allow organizations continued peace of mind.

Call us for more information today! 1-800-284-0906





A Certified Woman-Owned Private Investigative Agency providing accurate, timely, cost-effective and fully compliant reports - delivered with exceptional client service.



Cohoes, NY & Harmony, FL USA
Phone: (800) 284-0906
Fax: (212) 937-3858
info@commercialinvestigationllc.com
www.commercialinvestigationllc.com

Your Proactive Truth Partner™



This publication is designed to provide accurate and authoritative information with respect to the subject matters covered. It is distributed with the understanding that CI is not engaged in rendering accounting or legal services.