STATEMENT OF JENNIFER R. CLARKE[1]
March 31, 2011

I am here today to support Council as it prepares to take powerful steps toward prohibiting a new kind of discrimination—one based on a person's conviction. We know that the number of people who are charged and convicted of crimes is skyrocketing—and we know that they are disproportionately men and they are people of color. If this discrimination prevents large numbers of our fellow citizens from getting a job, how can we ever climb out of the poverty and despair that infests so many of our neighborhoods?

The idea that you can't screen people out based on their convictions is not new in Pennsylvania. There is already a Pennsylvania law on the books that limits the circumstances in which employers can consider convictions: an employer may consider a conviction only to the extent to which it relate to the applicant's suitability for employment in the position for which he has applied. But we know, based on the complaints we hear, that few employers are complying with the existing law. Maybe they don't even know about it. I read that the Chamber of Commerce is concerned about the bill because they believe employers will become targets of lawsuits. But the truth is, those employers, if they are screening out all people with convictions, are already violating the law.

Our hope and expectation is that this new ordinance will change all that. Now, employers will know. If they share the view that people deserve a second chance, they will change their practices. And if they don't change their practices, yes, plaintiffs' lawyers will be there to make sure that people do get a second chance.

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[1] Executive Director, Public Interest Law Center of Philadelphia.

Our mission at the Public Interest Law Center of Philadelphia is to use the law to help people connect with the basic necessities they need to live healthy and happy lives. And the most basic need of all is a job. This is the civil rights issue of our generation and I am proud that Philadelphia is prepared to take it on.