

Postscript to Testimony

From *Caught: The Prison State and the Lockdown of American Politics*, by Marie Gottschalk (Princeton University Press, 2015):

“An estimated sixty-five million people in the United States have a criminal record. By age twenty-three, at least half of all black males in the United States have been arrested at least once, as have nearly 40 percent of all white males. . . . As of 2003, states had approximately seventy-one million criminal records on individuals, and nine out of ten of these records were automated [i.e. electronically accessible through public and private databases].” P. 243

“In 2012, the Equal Opportunity Employment Commission approved new guidelines that restrict employers’ use of background checks to systematically rule out job applicants with a criminal record. The EEOC affirmed that employers are legally permitted to consider criminal records in the hiring process. However, it also acknowledged that across-the-board exclusions of all applicants with a conviction could violate employment discrimination law because of their potentially disparate effects on racial and ethnic minorities.” P. 244

“The pervasive inaccuracies of FBI records, widely considered the gold standard of background checks, compound these problems. Approximately one in four U.S. adults has an arrest or conviction record, and the FBI currently maintains records on an estimated seventy-five million people. Half of these FBI records are inaccurate or missing critical information, most notably the disposition of an arrest. . . . After all, one-third of felony arrests do not result in a conviction, and many others are reduced to misdemeanors.” P. 244

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