

Labor backs effort to stop discrimination against ex-offenders

By DON McINTOSH
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The Oregon AFL-CIO is joining with civil rights groups to launch a campaign to bar employers and landlords from asking applicants about their criminal records on applications. Advocates will push the City of Portland to pass an ordinance later this year, and they'll lobby for a state law in the 2015 session of the Oregon Legislature. The effort is part of a national campaign to "ban the box," and the labor support follows a September 2013 resolution by the national AFL-CIO that criticized America's system of mass incarceration.

The United States now imprisons more people than any other country on earth — 2.3 million. The population behind bars has more than quadrupled since 1980, thanks in large part to the "war on drugs" and mandatory mini-

mum sentencing laws.

Orange may be the new black, as the title of the hit Netflix TV series suggests, but very few inmates are rich and white. Prison is something experienced disproportionately by poor and working people, and by minorities. That's because, when they make bad choices amid hard circumstances, they're unable to afford the best lawyers.

"We know that our criminal justice system isn't just," said Oregon AFL-CIO spokesperson Elana Guiney. "People who have money can afford to get themselves off the hook."

And the racial disparity in sentencing is undeniable, Guiney said. Today 1 out of every 106 adult white males is incarcerated, compared to 1 in 36 for Hispanics, and 1 in 15 for blacks.

"We are in a system that promotes mass incarceration, and larger and larger numbers of people have to deal with the consequences," says Midge Purcell, director of Advocacy and Public Policy at the Urban League of Portland. Urban League, an advocacy and service organization for the African-American community, is taking the lead on the ban the box campaign in Portland.

The ban the box movement is about what happens after prison. The sentence may have been served, but the punishment continues. Prisoners may be released jobless and homeless, and be required by the terms of their release to find a job and housing, and yet face overt and legal discrimination by employers and landlords.

Employers and landlords use the "have you ever been convicted ..." question on applications to enable blanket rejection of ex-convicts — without considering the circumstances of the crime, how long ago it was committed, or even if the type of crime is relevant. Studies show that those who answer truthfully that they've been convicted of a crime get callbacks less than half as often as equally qualified applicants.

Civil rights advocates say post-release discrimination compounds the



Urban League staffers H.P. Nyanga and Alexandria Jones-Patten gather signatures in support of a "ban the box" ordinance June 28 at the annual Good in the Hood music and food festival in North Portland.

economic harm to ex-convicts and their families, and leads to greater recidivism.

But a reform movement is gaining momentum. The Portland campaign is part of a wave of ban-the-box legislation appearing before state legislatures and city councils in 2014. At least six cities now prohibit private employers from asking about criminal history early in the application process: Baltimore, Newark, San Francisco, Buffalo, Philadelphia, and Seattle.

In Portland, more than 40 groups have endorsed the campaign so far, including four labor organizations: Oregon AFL-CIO, Northwest Oregon La-

bor Council, Roofers Local 49, and United Food and Commercial Workers Local 555. Oregon AFL-CIO field organizer Jess Giannettino is reaching out to other local labor unions to support the campaign.

The campaign is training speakers, putting together a speakers bureau, and, with support from the Oregon Bus Project, gathering signatures on a petition.

"We think [the signature campaign] will show the depth of feeling in the community around employment and housing discrimination for people with previous arrest records and convictions," Purcell said. "We'll also use it

as an organizing tool to talk to people in the community about this issue."

Ban the box advocates are drawing up draft language for what they're calling the "Fair Chance for All" ordinance. The ordinance would allow applicants to explain their previous convictions at the interview stage, if they've been deemed otherwise qualified. Employers could still ask for a criminal background check, but they couldn't ask about it on the initial job application, and they would not be allowed to deny applicants solely based on their criminal convictions unless they determine that there is a direct relationship between an applicant's criminal history and a particular job.

Landlords, meanwhile, couldn't reject an applicant based on a criminal record unless they determine that an applicant poses a threat to other tenants. The ordinance would not override any law that bars people with certain convictions from working in particular occupations, such as caring for children or the elderly, handling financial transactions, or commercial driving. To encourage employers and landlords to consider people with criminal records, the ordinance would clear them of any legal liability if the employee or tenant later commits a crime. The ordinance would apply to establishments with five or more employees.

The campaign will hold a community forum July 15 at 6 p.m. at Highland Church, 7600 NE Glisan St., Portland, and advocates are particularly encouraging those impacted by post-sentencing discrimination to attend.

IAM Lodge 63 Guide Dog Dash slated Aug. 23

The 8th Annual Guide Dog Dash benefiting Guide Dogs of America will be held Saturday, Aug. 23.

Sponsored by Machinists Lodge 63, the motorcycle poker run starts at IBEW Local 48 Union Hall, 15937 NE Airport Way, Portland, and ends at Machinists District W24 Hall, 25 Cornell Ave., Gladstone.

First riders depart at 9:30.

Registration is \$25 per rider and \$10 per passenger. Registration includes a T-shirt, barbecue lunch, and music featuring The Mike Branch Band.

This year's ride will be held in honor of Chuck Drake, who had the original idea for the ride/fundraiser. Drake passed away last December.

All proceeds benefit Guide Dogs of America.

For more information, or to register, go online at www.iamw24.org/, or call John Hall at 503-449-0969 or John Kleiboeker at 503-863-7304.

Unionist acquitted of trespass charge in right-to-work protest

Painters Local 10 Vice President Wyatt McMinn was acquitted June 27 of a charge of first degree criminal trespass. The charge stemmed from a protest of a "right-to-work" strategy session held last September in Vancouver, Wash. (See NW Labor Press, Sept. 20, 2013, "Union members protest right-to-work strategy session.")

McMinn was one of about 50 labor unionists who showed up in work clothes and hard hats carrying picket signs and a bullhorn at a Sept. 5, 2013, meeting at Clark College organized by the Evergreen Freedom Foundation and the Cascade Policy Institute. The two anti-union groups were discussing how to pass so-called "right-to-work" laws in Oregon and Washington, which aim to weaken unions by barring any contract from requiring workers to pay dues.

Most of the protesters picketed outside the "Northwest Employee Freedom" event, but a handful entered and disrupted the meeting, arguing with presenters and chanting "hey hey, ho

ho, union busting's got to go." Police were called.

A YouTube video posted by the Freedom Foundation documents the arrest. A least six police officers enter the room. Vancouver Police Department Sergeant David Henderson gives the order: "Everybody who's not supposed to be here, get out, now," and then goes around telling men in union T-shirts to leave, while ignoring men in suits.

"I feel like you're profiling me, sir," McMinn says. "You're under arrest if you don't get out right now," Henderson answers, and less than two seconds later, moves to handcuff McMinn.

The video proved to be useful evidence: Announcing the acquittal, Clark County District Court Judge John Hagenson said McMinn didn't have time to leave, and thus was not guilty of trespassing.

The mystery was why the police responded in such numbers, and why the Clark County district attorney chose to prosecute such a case. First

degree criminal trespass is punishable by up to a year in jail up to a \$5,000 fine, or both. Retired letter carrier Jim Cook, one of about 20 unionists who came out to show support for McMinn at the trial on June 27, said it appeared neither the arresting officer nor the prosecutor knew who the protesters were. Cook said they repeatedly referred to ILWU, the International Longshore and Warehouse Union, which engaged in large-scale civil disobedience and disruptive protests in Southwest Washington in 2011. But McMinn is a member of the International Union of Painters and Allied Trades, not ILWU. Some of those protesting at Clark College were ILWU members, but most were members of building trades unions.

After his trial, McMinn called his acquittal a small victory for democratic rights and for labor rights.

"I'm not guilty of anything but exercising my right, and your right, to free speech," McMinn said.

Online extra: Watch video of the arrest at <http://bit.ly/11JIBrz>

IN MEMORIAM

RALPH E. RIGDON, a retired United Auto Workers (UAW) member who was active with the Northwest Oregon Labor Council retirees, died peacefully at home June 18 at the age of 85.

Born Dec. 20, 1928, in Hubbard, Oregon, Rigdon graduated from Canby High School in 1946, and served in the U.S. Army from 1952 to 1954. He was a corporal in the Army's signal core unit at the Pentagon during the Korean War.

In 1952, Rigdon was working at International Harvester (Milwaukie parts plant) when workers voted to join UAW. He became a member of UAW Local 492, and remained one the rest of his life. He stayed at International Har-



vester 16 years, worked at Chrysler for 24 years as a truck driver and forklift operator, and retired in 1992.

He was also a proud Democrat, a devoted member of St. John the Baptist Catholic Church in Milwaukie, and a longtime supporter of the National Alliance on Mental Illness (NAMI).

He is survived by Jeanne, his wife of 60 years, as well as six children, nine grandchildren, and two great-grandchildren. A funeral Mass and celebration were held July 1 at St. John the Baptist Catholic Church. Donations may be made in Ralph's name to NAMI or Oregon Health and Science University Knight Cancer Institute.