

May 7, 2015

Michael C. Wood, Town Manager  
Burrillville Town Hall  
105 Harrisville Main Street  
Harrisville, RI 02830

Dear Mr. Wood:

We are writing to request that your municipality immediately revise its employment application form as it appears on the Burrillville website, and in any other format in which it is distributed or made available. That is because, in at least one respect, the form is in clear violation of the state Fair Employment Practices Act.

Specifically, the application form contains the following question:

*Have you been convicted of a felony? \_\_\_\_\_Yes \_\_\_\_\_No*  
*Have you ever entered a plea of Nolo Contendere to a crime? \_\_Yes \_\_No*

The form indicates that a “yes” response is not an automatic disqualification from employment. However, since January 1, 2014, it has been illegal, with a few narrow exceptions, for an employer to include on an application form a question inquiring whether an applicant has ever been convicted of any crime. Instead, questions about a person’s past convictions may only be asked “at the first interview or thereafter.” R.I.G.L. 28-5-7(7).

The General Assembly enacted this prohibition in recognition of the fact that employment is a pivotal factor in preventing recidivism and that ex-offenders have faced widespread and unfair discrimination in seeking jobs. Well-qualified applicants – even those with long-past criminal records irrelevant to the job for which they were applying – were often excluded from consideration before even having a chance for an interview to demonstrate their qualifications. However, the inquiry on your Town’s application form is directly contrary to, and undermines the goal of, the statute to address this inequity.

We therefore request that you promptly revise the form to eliminate this question, and that you send us a copy of it once it has been changed. If we do not hear back from you by May 22, however, we will assume you have decided to keep using your current form, and we will consider whether further action is necessary to address this issue.

Thank you in advance for your prompt attention to this request, and we look forward to hearing back from you about it.

Sincerely,

Steven Brown  
Executive Director  
ACLU of Rhode Island

Fred Ordoñez  
Executive Director  
Direct Action for Rights and Equality

May 7, 2015

Mark S. Stankiewicz, Town Administrator  
Charlestown Municipal Offices  
4540 South County Trail  
Charlestown, RI 02813

Dear Mr. Stankiewicz:

We are writing to request that your municipality immediately revise its employment application form as it appears on the Charlestown website, and in any other format in which it is distributed or made available. That is because, in at least one respect, the form is in clear violation of the state Fair Employment Practices Act.

Specifically, the application form contains the following question:

*Have you been convicted of a crime in the last seven (7) years? Yes No*

However, since January 1, 2014, it has been illegal, with a few narrow exceptions, for any employer to include on an application form "a question inquiring . . . whether the applicant has ever been arrested, charged with *or convicted* of any crime." Instead, questions about a person's past convictions may only be asked "at the first interview or thereafter." R.I.G.L. 28-5-7(7).

The General Assembly enacted this prohibition in recognition of the fact that employment is a pivotal factor in preventing recidivism and that ex-offenders have faced widespread and unfair discrimination in seeking jobs. Well-qualified applicants – even those with long-past criminal records irrelevant to the job for which they were applying – were often excluded from consideration before even having a chance for an interview to demonstrate their qualifications. However, the inquiry on your Town's application form is directly contrary to, and undermines the goal of, the statute to address this inequity.

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Thank you in advance for your prompt attention to this request, and we look forward to hearing back from you about it.

Sincerely,

Steven Brown  
Executive Director  
ACLU of Rhode Island

Fred Ordoñez  
Executive Director  
Direct Action for Rights and Equality

May 7, 2015

William Murray, Mayor  
Cumberland Town Hall  
45 Broad Street  
Cumberland, RI 02864

Dear Mayor Murray:

We are writing to request that your municipality immediately revise its employment application form as it appears on the Cumberland website, and in any other format in which it is distributed or made available. That is because, in at least one respect, the form is in clear violation of the state Fair Employment Practices Act.

Specifically, the application form contains the following question:

*Have you ever been convicted of any law violation (except a minor traffic violation)? Yes No*  
*If yes, give details* \_\_\_\_\_

The form indicates that a “yes” response is not an automatic disqualification from employment. However, since January 1, 2014, it has been illegal, with a few narrow exceptions, for an employer to include on an application form a question inquiring whether an applicant has ever been convicted of any crime. Instead, questions about a person’s past convictions may only be asked “at the first interview or thereafter.” R.I.G.L. 28-5-7(7).

The General Assembly enacted this prohibition in recognition of the fact that employment is a pivotal factor in preventing recidivism and that ex-offenders have faced widespread and unfair discrimination in seeking jobs. Well-qualified applicants – even those with long-past criminal records irrelevant to the job for which they were applying – were often excluded from consideration before even having a chance for an interview to demonstrate their qualifications. However, the inquiry on your Town’s application form is directly contrary to, and undermines the goal of, the statute to address this inequity.

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Sincerely,

Steven Brown  
Executive Director  
ACLU of Rhode Island

Fred Ordoñez  
Executive Director  
Direct Action for Rights and Equality

May 7, 2015

William A. McGarry, Town Manager  
Hopkinton Town Hall  
One Town House Road  
Hopkinton, RI 02833

Dear Mr. McGarry:

We are writing to request that your municipality immediately revise its employment application form as it appears on the Hopkinton website, and in any other format in which it is distributed or made available. That is because, in at least one respect, the form is in clear violation of the state Fair Employment Practices Act.

Specifically, the application form contains the following question:

*Have you ever been convicted of a crime (Misdemeanor or Felony)? Yes No  
If yes, explain: (Where) (Where) (Charge) (Sentence)*

However, since January 1, 2014, it has been illegal, with a few narrow exceptions, for any employer to include on an application form "a question inquiring . . . whether the applicant has ever been arrested, charged with *or convicted* of any crime." Instead, questions about a person's past convictions may only be asked "at the first interview or thereafter." R.I.G.L. 28-5-7(7).

The General Assembly enacted this prohibition in recognition of the fact that employment is a pivotal factor in preventing recidivism and that ex-offenders have faced widespread and unfair discrimination in seeking jobs. Well-qualified applicants – even those with long-past criminal records irrelevant to the job for which they were applying – were often excluded from consideration before even having a chance for an interview to demonstrate their qualifications. However, the inquiry on your Town's application form is directly contrary to, and undermines the goal of, the statute to address this inequity.

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Sincerely,

Steven Brown  
Executive Director  
ACLU of Rhode Island

Fred Ordoñez  
Executive Director  
Direct Action for Rights and Equality

May 7, 2015

Andrew E. Nota, Town Administrator  
Jamestown Town Hall  
93 Narragansett Ave, 2nd Floor  
Jamestown, RI 02835

Dear Mr. Nota:

We are writing to request that your municipality immediately revise its employment application form as it appears on the Jamestown website, and in any other format in which it is distributed or made available. That is because, in at least one respect, the form is in clear violation of the state Fair Employment Practices Act.

Specifically, the application form contains the following question:

*Have you been convicted of a felony within the last 7 years? Yes No  
If yes, please explain:*

The form indicates that a “yes” response is not an automatic disqualification from employment. However, since January 1, 2014, it has been illegal, with a few narrow exceptions, for an employer to include on an application form a question inquiring whether an applicant has ever been convicted of any crime. Instead, questions about a person’s past convictions may only be asked “at the first interview or thereafter.” R.I.G.L. 28-5-7(7).

The General Assembly enacted this prohibition in recognition of the fact that employment is a pivotal factor in preventing recidivism and that ex-offenders have faced widespread and unfair discrimination in seeking jobs. Well-qualified applicants – even those with long-past criminal records irrelevant to the job for which they were applying – were often excluded from consideration before even having a chance for an interview to demonstrate their qualifications. However, the inquiry on your Town’s application form is directly contrary to, and undermines the goal of, the statute to address this inequity.

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Sincerely,

Steven Brown  
Executive Director  
ACLU of Rhode Island

Fred Ordoñez  
Executive Director  
Direct Action for Rights and Equality

May 7, 2015

T. Joseph Almond, Town Administrator  
Lincoln Town Hall  
100 Old River Road  
Lincoln, RI 02865

Dear Mr. Almond:

We are writing to request that your municipality immediately revise its employment application form as it appears on the Lincoln website, and in any other format in which it is distributed or made available. That is because, in at least one respect, the form is in clear violation of the state Fair Employment Practices Act.

Specifically, the application form contains the following question:

*Have you ever been convicted of a criminal offense? Yes No*  
*Date Place Nature*

The form indicates that a “yes” response is not an automatic disqualification from employment. However, since January 1, 2014, it has been illegal, with a few narrow exceptions, for an employer to include on an application form a question inquiring whether an applicant has ever been convicted of any crime. Instead, questions about a person’s past convictions may only be asked “at the first interview or thereafter.” R.I.G.L. 28-5-7(7).

The General Assembly enacted this prohibition in recognition of the fact that employment is a pivotal factor in preventing recidivism and that ex-offenders have faced widespread and unfair discrimination in seeking jobs. Well-qualified applicants – even those with long-past criminal records irrelevant to the job for which they were applying – were often excluded from consideration before even having a chance for an interview to demonstrate their qualifications. However, the inquiry on your Town’s application form is directly contrary to, and undermines the goal of, the statute to address this inequity.

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Sincerely,

Steven Brown  
Executive Director  
ACLU of Rhode Island

Fred Ordoñez  
Executive Director  
Direct Action for Rights and Equality

May 7, 2015

Pamela T. Nolan, Town Manager  
Narragansett Town Hall  
25 Fifth Avenue  
Narragansett, RI 02882

Dear Ms. Nolan:

We are writing to request that your municipality immediately revise its employment application form as it appears on the Narragansett website, and in any other format in which it is distributed or made available. That is because, in at least one respect, the form is in clear violation of the state Fair Employment Practices Act.

Specifically, the application form contains the following question:

*Have you ever been convicted of a felony? Yes No*  
*If yes, explain:*

However, since January 1, 2014, it has been illegal, with a few narrow exceptions, for any employer to include on an application form "a question inquiring . . . whether the applicant has ever been arrested, charged with *or convicted* of any crime." Instead, questions about a person's past convictions may only be asked "at the first interview or thereafter." R.I.G.L. 28-5-7(7).

The General Assembly enacted this prohibition in recognition of the fact that employment is a pivotal factor in preventing recidivism and that ex-offenders have faced widespread and unfair discrimination in seeking jobs. Well-qualified applicants – even those with long-past criminal records irrelevant to the job for which they were applying – were often excluded from consideration before even having a chance for an interview to demonstrate their qualifications. However, the inquiry on your Town's application form is directly contrary to, and undermines the goal of, the statute to address this inequity.

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Sincerely,

Steven Brown  
Executive Director  
ACLU of Rhode Island

Fred Ordoñez  
Executive Director  
Direct Action for Rights and Equality

May 7, 2015

Jeanne-Marie Napolitano, Mayor  
Newport City Hall  
43 Broadway  
Newport, RI 02840

Dear Mayor Napolitano:

We are writing to request that your municipality immediately revise its employment application form as it appears on the Newport website, and in any other format in which it is distributed or made available. That is because, in at least one respect, the form is in clear violation of the state Fair Employment Practices Act.

Specifically, the application form contains the following question:

*Have you ever been convicted of a crime? Yes  No*

*If so, please explain: \_\_\_\_\_*

The form indicates that a “yes” response is not an automatic disqualification from employment. However, since January 1, 2014, it has been illegal, with a few narrow exceptions, for an employer to include on an application form a question inquiring whether an applicant has ever been convicted of any crime. Instead, questions about a person’s past convictions may only be asked “at the first interview or thereafter.” R.I.G.L. 28-5-7(7).

The General Assembly enacted this prohibition in recognition of the fact that employment is a pivotal factor in preventing recidivism and that ex-offenders have faced widespread and unfair discrimination in seeking jobs. Well-qualified applicants – even those with long-past criminal records irrelevant to the job for which they were applying – were often excluded from consideration before even having a chance for an interview to demonstrate their qualifications. However, the inquiry on your City’s application form is directly contrary to, and undermines the goal of, the statute to address this inequity.

We therefore request that you promptly revise the form to eliminate this question, and that you send us a copy of it once it has been changed. If we do not hear back from you by May 22, however, we will assume you have decided to keep using your current form, and we will consider whether further action is necessary to address this issue.

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Sincerely,

Steven Brown  
Executive Director  
ACLU of Rhode Island

Fred Ordoñez  
Executive Director  
Direct Action for Rights and Equality



May 7, 2015

Charles A. Lombardi, Mayor  
North Providence Town Hall  
2000 Smith Street  
North Providence, RI 02911

Dear Mayor Lombardi:

We are writing to request that your municipality immediately revise its employment application form as it appears on the North Providence website, and in any other format in which it is distributed or made available. That is because, in at least one respect, the form is in clear violation of the state Fair Employment Practices Act.

Specifically, the application form contains the following question:

*Have you been convicted of a felony within the last 7 years? Yes No*

However, since January 1, 2014, it has been illegal, with a few narrow exceptions, for any employer to include on an application form “a question inquiring . . . whether the applicant has ever been arrested, charged with *or convicted* of any crime.” Instead, questions about a person’s past convictions may only be asked “at the first interview or thereafter.” R.I.G.L. 28-5-7(7).

The General Assembly enacted this prohibition in recognition of the fact that employment is a pivotal factor in preventing recidivism and that ex-offenders have faced widespread and unfair discrimination in seeking jobs. Well-qualified applicants – even those with long-past criminal records irrelevant to the job for which they were applying – were often excluded from consideration before even having a chance for an interview to demonstrate their qualifications. However, the inquiry on your Town’s application form is directly contrary to, and undermines the goal of, the statute to address this inequity.

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Sincerely,

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Executive Director  
ACLU of Rhode Island

Fred Ordoñez  
Executive Director  
Direct Action for Rights and Equality

May 7, 2015

Donald R. Grebien, Mayor  
Pawtucket City Hall  
137 Roosevelt Avenue, 2nd Floor Room 200  
Pawtucket, RI 02860

Dear Mayor Grebien:

We are writing to request that your municipality immediately revise its employment application form as it appears on the Pawtucket website, and in any other format in which it is distributed or made available. That is because, in at least one respect, the form is in clear violation of the state Fair Employment Practices Act.

Specifically, the application form contains the following question:

*Have you been convicted of a crime within the last 5 years?*

However, since January 1, 2014, it has been illegal, with a few narrow exceptions, for any employer to include on an application form “a question inquiring . . . whether the applicant has ever been arrested, charged with *or convicted* of any crime.” Instead, questions about a person’s past convictions may only be asked “at the first interview or thereafter.” R.I.G.L. 28-5-7(7).

The General Assembly enacted this prohibition in recognition of the fact that employment is a pivotal factor in preventing recidivism and that ex-offenders have faced widespread and unfair discrimination in seeking jobs. Well-qualified applicants – even those with long-past criminal records irrelevant to the job for which they were applying – were often excluded from consideration before even having a chance for an interview to demonstrate their qualifications. However, the inquiry on your City’s application form is directly contrary to, and undermines the goal of, the statute to address this inequity.

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Sincerely,

Steven Brown  
Executive Director  
ACLU of Rhode Island

Fred Ordoñez  
Executive Director  
Direct Action for Rights and Equality

May 7, 2015

Scott Avedisian, Mayor  
Warwick City Hall  
3275 Post Road  
Warwick, RI 02886

Dear Mayor Avedisian:

We are writing to request that your municipality immediately revise its employment application form as it appears on the Warwick website, and in any other format in which it is distributed or made available. That is because, in at least one respect, the form is in clear violation of the state Fair Employment Practices Act.

Specifically, the application form contains the following question:

*Have you been convicted of a crime? Answer YES or NO in your own handwriting. If your answer is YES, a complete statement of each such instance must be attached to this application indicating when, where, and disposition of offense. . .*

However, since January 1, 2014, it has been illegal, with a few narrow exceptions, for any employer to include on an application form "a question inquiring . . . whether the applicant has ever been arrested, charged with or convicted of any crime." Instead, questions about a person's past convictions may only be asked "at the first interview or thereafter." R.I.G.L. 28-5-7(7).

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