

EMPLOYER BULLET POINTS FOR ASSEMBLY PHONE CALLS

Start by introducing yourself and your company, and the fact that you are calling to support Senate Bill 1262. You don't need to read out these bullet points literally – it is usually better to understand them, then speak from your own experience.

- SB 1262 is vital for ensuring Californians are hired quickly by restoring identifiers to court records.
- Without access to basic identifying information (such as date of birth in this case) on court records, we may be unable get a background check. If we can't get a background check, we may be unable to hire the applicant.
- The fact that Latin or Hispanic names are more concentrated around fewer common names means that people with those names will be disproportionately harmed by the inability to get a background check.
- Often state and federal regulations require verification of criminal history for some positions. **If SB 1262 does not pass, we may be legally barred from hiring California residents for those positions.**
- **We would request Assemblymember _____ support California workers and businesses by voting "Yes" in favor of SB 1262. Start by introducing yourself and your company, and the fact that you are calling to support Senate Bill 1262.**

*** If appropriate, you can also respond to the criticism of the bill – either proactively or in response to questions from the legislator's office. ***

- Opponents say that background screening prevents re-entry of former prisoners into society. But cutting off access to identifiers in court records means that some people can't get a satisfactory background check because they share a name with someone with criminal history would exclude them from the specific position. There are better methods of addressing this concern than cutting off access to identifiers in court records. For example, other legislation in this session allows broader expungement of criminal records in a way that balances the concerns in play.
- Opponents emphasize how background checks can keep people out of jobs. But every employer in California is required by state law to consider the relationship between the specific criminal history and the duties of the job before taking action based on the criminal history. No one has a rule that forever excludes all people with criminal history.
- Opponents say that SB 1262 is unnecessary as California Department of Justice (DOJ) checks are adequate. This is entirely false.
 - By law, the vast majority of employers cannot use the DOJ process. Users of DOJ checks must be statutorily authorized, and most employers are not.
 - The DOJ process requires job applicants to have fingerprints taken – for a whole host of reasons, this is not an efficient nor a reasonable ask of applicants who may not have the time or ability to get to a fingerprinting location.
- Opponents say that SB 1262 conflicts with California's ban-the-box laws. This is not true. Those laws are written to allow a responsible, inclusive, and fair background-check process at the right time in the hiring process.
- Opponents say that SB 1262 newly expands access to private information. This is not true. SB 1262 is not an expansion of access, but a return to the rules that businesses have operated under in California for decades.