



**Resolution 1516-110**  
**SUNY Albany Graduate Student Association**

State University Plaza, N501  
353 Broadway, Albany, NY 12246  
P:(518) 3201288 | F: (518) 3201555  
www.sunysa.org

**RESOLUTION 1516-110**

**TO: State University of New York Student Assembly**

**FROM: SUNY Albany Graduate Student Association, Equity and Inclusion  
Committee**

**DATE: March 7, 2016**

**TITLE: Ban the Box Resolution**

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**Action Requested**

That the SUNY Student Assembly adopt the following resolution to remove “the box” from SUNY college applications that applicants must check if they have ever been convicted of a felony or misdemeanor.

**Resolution**

Whereas all 64 SUNY campuses currently require applicants to disclose whether they have been convicted of a felony offense; and

Whereas research conducted by the Center for Community Alternatives indicates that asking this question has caused 62.5% of prospective students to drop out of the applicant pool; and

Whereas 60% of applicants to SUNY schools who check the box and finish the application process are ultimately admitted; and

Whereas research of sociologists (e.g. Devah Pager at Harvard University) have shown that there is a stigma attached to incarcerated individuals which limits employment opportunities, particularly for African American and Hispanic/Latino job applicants; and

Whereas a campus can request any range of documents, often costly to obtain, which may contain sealed information including dismissed charges and youthful offender status, such as a Division of Criminal Justice Services report; and

Whereas about one in three American adults estimated to have some sort of criminal record; and

Whereas college admission and attendance is a major factor in reducing rates of recidivism; and

Whereas removing barriers to higher education results in better economic opportunity, increased civic engagement, less reliance on public benefits, a safer community, as well as a diverse academic environment rich in varied experiences and perspectives; and

Whereas education has been shown to reduce levels of recidivism: 13.7% with an Associates, 5.6% with a Bachelors, and 1% with a Master's or higher; and

Whereas access to education should have as few barriers as possible to ensure all in the population who want an education can obtain one; and

Whereas there is no evidence that admission of those with criminal records diminishes classroom or campus safety; and

Whereas the CUNY system has developed a model worth following that does not require applicants to disclose their criminal histories; and

Whereas Article 23-A of the New York State Correction Law, prohibits employers (except under special circumstances) from denying employment to persons because of the previous criminal convictions; and

Whereas the SUNY system has demonstrated a commitment to the value of equal access to higher education through its in-prison programs, and through the expression of its mission to make higher education accessible; and

Whereas the SUNY Office of Diversity, Equity, and Inclusion mission states that it seeks to “achieve the holistic integration of New York’s underrepresented and economically disadvantaged populations into the academic culture of higher education and that they encourage each of the 64 SUNY campuses to do the same; and, be it further

Resolved that the SUNY Student Assembly recommend that criminal history screenings should only be implemented after a student has been admitted, and that they should never be used to revoke admission; and, be it further

Resolved that the SUNY Student Assembly recommend that whenever possible, the SUNY System and SUNY Colleges and Universities work with local prisons to offer courses to individuals while incarcerated; and, be it further

Resolved that copies of this resolution be distributed widely, but not limited to, the SUNY Board of Trustees, SUNY Chancellor Nancy L. Zimpher, University Faculty Senate, Faculty Council of Community Colleges, SUNY Student Assembly, SUNY Campus

Presidents, Joseph Porter, the Chair of the SUNY Ban the Box Committee, and SUNY Student Government Associations;

Resolved that the SUNY Student Assembly call on SUNY System Administration to eliminate criminal history screenings from the general SUNY application

### **Background**

Ban the Box is a civil rights initiative concerning ex-offenders, aimed at persuading employers and institutions of higher education to remove the check box that asks if applicants have a criminal record. The University at Albany, SUNY is focused on banning the box for individuals with past criminal records so they can receive the same fair advantage during the application process as others. The initiative has higher societal implications, as those with past criminal records are less likely to reoffend if they are afforded more opportunities. Banning the box would ensure that no individual feels insecure or deterred from pursuing a higher education opportunity.

2 out of 3 applicants with conviction histories fail to complete the SUNY application due to the supplemental process for applicants with conviction histories.

Applicants with felony convictions are asked to provide supplemental documentation that is difficult or impossible to obtain. This includes a copy of their full criminal record (showing arrests, misdemeanors and adjudicated offenses), a report from the prison administrator, including a statement about the applicant's behavior while incarcerated, a report from the prison psychologist, a report from the parole office/board, proof of permanent residence since release, personal interview with the ex-offender admission review committee.

There is no relationship between criminal history screening and increased crime on campus.

Campuses are historically safe environments with low incidents of crime. Most crimes on campus are committed by first time offenders and are linked to drugs and alcohol. The evidence shows that participation in post-secondary correctional education programs significantly lowers rates of recidivism. Because of this President Obama and Governor Cuomo have taken significant strides to increase access to postsecondary correctional education. However, the box and other discriminatory actions curtail these efforts through creating barriers to higher education in the community. 68 million Americans have a criminal record. This record follows them regardless of when the

conviction occurred and limit access to basic needs such as housing, employment and education.