



PRESS RELEASE

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GOVERNOR NEWSOM SIGNS AB 1720, REDUCING UNNECESSARY JOB BARRIERS THAT HAVE LONG HELD BACK QUALIFIED CAREGIVERS WITH RECORDS

Last week, upon signing [AB 1720](#), California Governor Gavin Newsom took an important step to reduce government barriers to caregiving jobs that frequently hold back qualified caregivers with past conviction records. The new law will require the California Department of Social Services (CDSS) both to streamline its process for workers with records to obtain an “exemption” to work in a caregiving facility and to remove unfair “candor trap” questions from its application forms.

Nearly one in three California adults have a conviction or arrest record that can show up on a background check for employment or occupational licensing. Because of massive investments in a legal system that criminalizes and incarcerates people of color, Black, Latinx, and Indigenous Californians are much more likely to have an arrest or conviction record than white Californians—and to lose employment opportunities because of it. Women of color with low incomes, in particular, frequently seek caregiving work; meanwhile, caregiving facilities frequently have trouble satisfying the high demand for caregivers and filling their open positions.

AB 1720 expands the simplified exemption process used by CDSS so that qualified caregivers with criminal records can have those records reviewed in a reasonable amount of time. Currently, the exemption process can take well over 100 days—so long that many employers choose to move on to other candidates rather than wait for an applicant with a record to complete the exemption process. Before AB 1720, caregivers with records often lost job opportunities, even if their convictions occurred many years ago or were entirely unrelated to caregiving.

AB 1720 also eliminates the unnecessary question at the beginning of the exemption application process that asked the applicant to self-report any criminal record. That question tested an individual’s memory and understanding of their criminal record, creating a “candor trap” that often led applicants to either share information they were not required to disclose or unintentionally omit information sought by CDSS because they misremembered or misinterpreted their conviction history. All of this confusion was unnecessary because CDSS receives a comprehensive California Department of Justice background check report as part of the exemption application process.

A coalition of service providers, activists, and social justice organizations—including [East Bay Community Law Center](#), [Root & Rebound](#), [Alameda County Public Defenders](#), [A New Way of Life](#), [Legal Services for Prisoners with Children](#), [National Association of Social Workers - California Chapter](#), [Community Legal Services in East Palo Alto](#), [National Employment Law Project](#), and [Californians for Safety and Justice](#)—

have been working in coordination with Assemblymember Chris Holden since 2018 to pass this legislation. After working on the bill year after year, finally seeing this bill become law is a huge accomplishment. In response to the Governor signing AB 1720, Assemblymember Holden said, "AB 1720 removes barriers to employment opportunities for all Californians." He further explained "Streamlining the hiring protocol helps both care facilities and qualified applicants at the same time."

AB 1720 takes effect in January 2023. As a result of this law, thousands of Californians with records who are offered caregiving positions each year but are required to apply for an exemption from CDSS will have a much better chance of retaining their job offers and working in the caregiving field.
