

APA RESOLUTION on Removing Felony Question

FEBRUARY 2022

WHEREAS nearly 7 million people in the U.S. are under correctional supervision (meaning incarcerated, on probation/parole, etc.) (Bureau of Justice Statistics, 2021);

WHEREAS the number of people who have a criminal history is about the same as the number of people with a college degree (Brennan Center for Justice, 2015);

WHEREAS research finds racial disparities (Schleiden et al., 2020) and disability-related disparities (Crowe & Drew, 2021; García-Largo et al., 2020) in those who are likely to be arrested and involved in the criminal legal system;

WHEREAS imposing hurdles for justice-involved individuals violates the spirit of the APA Equity, Diversity, and Inclusion Framework (APA, 2021a), as diversifying the lived experiences of professionals furthers the actualization of dismantling racism within APA and expands epistemological perspectives;

WHEREAS individuals who have been incarcerated experience unparalleled health and economic disparities (Feingold, 2021);

WHEREAS “Ban the Box” efforts to remove felony questions from applications can be used to combat discrimination and “advance broader socioeconomic equality” (Augustine et al., 2020; Sugie et al., 2020);

WHEREAS researchers have argued that “requiring a disclosure of one’s criminal history may be more security theater than an actual security measure. As such, required criminal history disclosure may not serve its intended purpose and yet serves a substantial barrier to justice-involved individuals’ opportunities to obtain higher education, and subsequently, opportunities in professional psychology” (Wilcox & Taylor, in press);

WHEREAS the APA policy is discordant with some similar associations and a historical push among social justice organizations to “Ban the Box”;

WHEREAS an equivalent felony status question is not included in membership applications for the Association for Psychological Science, American Counseling Association, National Association of Social Workers, Correctional Education Association, Association of Public Safety Communications Officials, or, to our knowledge, any divisions of APA or regional APA associations;

WHEREAS the current APA membership application asks applicants to respond to, “Have you at any time been convicted of felony” and then explain an affirmative answer;

WHEREAS affirmative answers to the felony status question then undergo review by the APA Ethics Committee, which will contact applicants with additional requirements, which delays application review and imposes significant burdens;

WHEREAS criminal record history disclosures result in significant impacts including additional time and financial burdens, loss of hope or apathy in the application process, potential re-traumatization, and attrition from the process of joining the field of professional psychology (Wilcox & Taylor, in press);

WHEREAS the review process prevents prospective APA members from receiving timely membership approval, causing them to be deemed ineligible for awards, nominations for governance positions, and other opportunities that might require prompt APA membership acceptance;

WHEREAS research on employment and college admission applications suggests that people with criminal histories often discontinue their application when confronted with questions similar to those on the APA application (Center for Community Alternatives, 2015; Scott-Clayton, 2017);

WHEREAS according to the APA Ethics Office, up to 85% of individuals who check the application box regarding past behaviors (a broader category that encompasses not only self-reporting felonies) do not respond to the contact letter from APA and discontinue seeking membership;

WHEREAS as noted by the APA Ethics Office, most individuals who report prior felonies are undergraduates and the felony status question has already been removed from undergraduate student applications as part of an APA pilot program announced to Council in 2019;

BE IT RESOLVED that APA rescind all policies and procedures that require that applicants for membership indicate whether they have previously been convicted of a felony;

BE IT FURTHER RESOLVED that Association Rule 10-4.1 be changed in the following manner, with the bolded/stricken-out text removed:

“All applicants for Associate member, Graduate Student member or Member status shall indicate whether or not they have previously been rejected for membership in the Association or had membership voided or have previously been ~~convicted of a felony or~~ sanctioned by any professional ethics body, licensing board, other regulatory body or any professional or scientific organization.”

Copyright © 2022 by the American Psychological Association.
Approved by the APA Council of Representatives, February 2022.