

# INTAKE FORM / USE OF CRIMINAL HISTORY INFORMATION IN EMPLOYMENT

Civil Rights Department



If you would like CRD to consider your complaint for investigation, complete this form and email it to: [contact.center@calcivilrights.ca.gov](mailto:contact.center@calcivilrights.ca.gov) or mail it to: 651 Bannan Street, Suite 200, Sacramento, CA 95811. You may also submit an intake form using our online system at [ccrs.civilrights.ca.gov](https://ccrs.civilrights.ca.gov).

The completion and submission of this Intake Form will initiate an intake interview with a Civil Rights Department (CRD) representative. The Intake Form is not a filed complaint. The CRD representative will determine if a formal complaint can be accepted for investigation. Your submission of this document acknowledges that you have read and agree to the CRD's Privacy Policy.

## COMPLAINANT (YOUR INFORMATION)

Name: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Do you need an interpreter during the complaint process?  Yes  No

If yes, indicate language: \_\_\_\_\_

Do you require disability-related accommodations when interacting with CRD?  Yes  No

Select all that apply: ASL/Video Remote Interpreting  Video Interview   
CART Services  Questions in advance   
Other (specify): \_\_\_\_\_

Are you currently out on bail or released on your own recognizance pending trial?  Yes  No

Were you applying for a job at a health care facility?  Yes  No

Were you applying for a farm labor job?  Yes  No

Were you applying for a law enforcement position or a position with a state criminal justice agency?  
 Yes  No

## RESPONDENT (PERSON/BUSINESS YOU'RE FILING AGAINST)

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Title: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

Number of Employees: \_\_\_\_\_ Type of Employer: \_\_\_\_\_

■ **CO-RESPONDENT (OPTIONAL)**

Name: \_\_\_\_\_ Phone: \_\_\_\_\_

Title: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

■ **ALLEGATION**

First Date of Harm: \_\_\_\_\_ Last Date of Harm: \_\_\_\_\_

PLEASE DESCRIBE YOUR COMPLAINT ABOUT THE EMPLOYER'S USE OF CRIMINAL HISTORY INFORMATION DURING THE EMPLOYMENT PROCESS:

Application included a question about conviction history before a conditional job offer was made.

Employer asked about or considered my conviction history before a conditional job offer was made.

Employer considered, distributed, or disseminated information about:

An arrest not followed by conviction

My referral to or participation in a pretrial or posttrial diversion program

Convictions that had been sealed, dismissed, expunged, or statutorily eradicated

Employer did not make an individualized assessment considering the nature and gravity of the conduct, the time passed, and the nature of the job held or sought.

Employer did not notify me in writing of the preliminary decision that my conviction history disqualified me from employment.

Employer did not provide me a notice of the conviction(s) that disqualified me from employment.

Employer did not provide me with a copy of my conviction history report.

Employer did not explain my right to respond to the preliminary disqualification decision or the deadline by which I had to respond.

Employer did not explain my right to submit evidence challenging the conviction history report, mitigating circumstances, or circumstances regarding my rehabilitation.

Employer did not consider my response to the preliminary disqualification decision.

Employer did not notify me in writing of the final decision to disqualify me because of my conviction history.

Employer did not notify me in writing of:

Employer's existing procedure for challenging their decision. Describe procedure:

\_\_\_\_\_

My right to file a complaint with CRD

Other (specify): \_\_\_\_\_

■ **COMPLAINANT'S REPRESENTATIVE**

Do you have an attorney who agreed to represent you in this matter?  Yes  No

If yes, please provide the attorney's contact information:

Name: \_\_\_\_\_

Firm Name: \_\_\_\_\_

Phone: \_\_\_\_\_ Email: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip: \_\_\_\_\_

■ **ADDITIONAL INFORMATION (OPTIONAL)**

Briefly describe what happened:

# DEMOGRAPHIC INFORMATION

*This information is optional and is only used for statistical purposes.*



Primary Language: \_\_\_\_\_ DOB: \_\_\_\_\_

Gender/Gender Identity:      Male                                  Female                                  Non-Binary                                  Other  
   Transgender Male                  Transgender Female                  Intersex

Marital Status:                  Single                  Married                  Cohabitation                  Divorced

Race:                                  American Indian, Native American or Alaskan Native                                  Asian  
   Native Hawaiian or Other Pacific Islander                                  White  
   Black or African American                                  Other

Ethnicity:                                  Hispanic or Latino                                  Non-Hispanic or Latino

National Origin:

Afghan	Hawaiian	Other African
American [U.S.A]	Hmong	Other Asian
Asian Indian	Indonesian	Other Caribbean
Bangladeshi	Iranian	Other European
Cambodian	Iraqi	Other Hispanic/Latino
Canadian	Irish	Other Middle Eastern
Chinese	Israeli	Pakistani
Cuban	Italian	Puerto Rican
Dominican	Jamaican	Salvadoran
Egyptian	Japanese	Samoan
English	Korean	Sri Lankan
Ethiopian	Laotian	Syrian
Fijian	Lebanese	Taiwanese
Filipino	Malaysian	Thai
German	Mexican	Tongan
Ghanaian	Nigerian	Trinidadian and Tobagonian
Guamanian	Other	Vietnamese
Haitian		

Disability:	AIDS or HIV	Limbs [Arms / Legs]
	Blood / Circulation	Mental Health / Psychiatric
	Brain / Nerves / Muscles	Sight
	Digestive / Urinary / Reproduction	Speech / Respiration
	Hearing	Spinal / Back / Respiration
	Heart	Other Disability
	Intellectual / Developmental	

Religion:	Agnostic	Nonreligious
	Atheist	Protestantism
	Bahai	Primal-indigenous
	Buddhism	Quakers
	Catholicism	Rastafarianism
	Christianity	Spiritism
	Confucianism	Shinto
	Hinduism	Sikhism
	Islam	Taoism
	Jehovah's Witness	Unitarian-Universalism
	Judaism	Zoroastrianism
	Neo-Paganism	Other

Sexual Orientation:	Straight or Heterosexual	Bisexual
	Gay or Lesbian	Other



# PRIVACY POLICY

The California Civil Rights Department (CRD) values the security and privacy of your personal information and is committed to protecting your privacy rights. CRD seeks only to collect relevant personal information to assist you in investigating and resolving complaints of discrimination as prescribed by the California Fair Employment and Housing Act, California Government Code section 11135 et seq. (discrimination in programs or activities funded by the state); California Government Code section 12900 et seq.; the Unruh Civil Rights Act, California Civil Code section 51; the Ralph Civil Rights Act of 1976, the Equal Pay Act, California Civil Code section 51.7; California Civil Code section 52.5 (civil action for damages for victims of human trafficking); and California Civil Code section 54 et seq. (right to streets, highways, and other public places for blind and other physically disabled persons).

All personal information collected is governed by the Information Practices Act of 1977, California Civil Code sections 1798-1798.78); California Government Code section 11015.5 (electronically collected personal information); California Government Code section 11019.9 (posting of permanent privacy policy); and the California Public Records Act, California Government Code section 7920.000 et seq.

*Outlined below is our online Privacy Policy and Notice:*

- [Legal Authority for Collection, Maintenance, and Use of Personal Information](#)
- [Disclosure and Sharing of Personal Information](#)
- [Purposes for Use of Personal Information](#)
- [Third-party website links on CRD website](#)
- [Storage of "Cookies" on CRD Website Users' Computers](#)
- [Right of Access to CRD's Records Containing Personal Information](#)
- [Protecting the Privacy of Minors](#)
- [Security of Personal Information](#)
- [Access and Corrections to Your Personal Information](#)
- [Changes to Privacy Policy](#)
- [Effective Date of Privacy Policy](#)

## LEGAL AUTHORITY FOR COLLECTION, MAINTENANCE, AND USE OF PERSONAL INFORMATION

CRD collects information that may be directly associated with a specific person. This information is called "Personal Information," and it includes but is not limited to names, addresses, telephone numbers, and email addresses. CRD collects this Personal Information through lawful means from individuals who seek to file a complaint with the CRD, and the information is used to carry out CRD's official responsibilities: establishing jurisdiction and furthering CRD's efforts to investigate and attempt to resolve allegations of unlawful discrimination, harassment, and/or retaliation. If you are requesting CRD to investigate and resolve your filed discrimination complaint, you are required to provide CRD with sufficient information in accordance with California Government Code sections 11135 et seq. and 12900 et seq., and California Civil Code sections 51, 51.7, 52.5, and 54 et seq.

With respect to each item of information CRD seeks to collect from you, CRD will indicate whether submission of the information is mandatory or optional. If you do not provide the information requested, CRD may be unable to investigate or appropriately process your complaint and may have to close your complaint.

## **DISCLOSURE AND SHARING OF PERSONAL INFORMATION**

CRD will not disclose, make available, or otherwise use your personal information for purposes other than those specified without your consent, unless required by law. CRD will not distribute or sell any of your electronically or non-electronically collected Personal Information to any third party without your consent, unless required by law.

CRD may share your Personal Information under the following circumstances:

1. You give CRD permission.
2. CRD receives a request from a party with legal authority to obtain the information, such as is the case with a subpoena.
3. As authorized by law, the information is transferred to/shared with the U.S. Equal Employment Opportunity Commission, National Labor Relations Board, U.S. Department of Labor, U.S. Department of Housing and Urban Development, U.S. Department of Health and Human Services, U.S. Department of Education, U.S. Department of Justice, any branch of the California State Government, or any other local or Federal agency with similar jurisdiction.

Note: Non-Personal Information, including allegations in the complaint document, may be disclosed to the public pursuant to a request under the California Public Records Act.

## **PURPOSES FOR USE OF PERSONAL INFORMATION**

The Personal Information collected from you will be used for the purposes for which you are providing it: establishing jurisdiction and furthering CRD's efforts to investigate and attempt to resolve allegations of unlawful discrimination, harassment, and/or retaliation. Electronically collected Personal Information gathered about your visits to the CRD website is used to improve the user experience and for basic web metrics.

## **THIRD-PARTY WEBSITE LINKS ON CRD'S WEBSITE**

The CRD website may contain links to other websites on the Internet that are owned and operated by third parties. CRD does not control the privacy policies or practices of these websites. You are advised to review the privacy policies of the third party offering the website before providing any Personal Information to these websites. CRD is not responsible for the content or practices of any linked third-party websites and such third-party websites are provided solely as a convenience.

## **STORAGE OF "COOKIES" ON CRD WEBSITE USERS' COMPUTERS**

When you visit the CRD website, CRD will send a small piece of information called a "cookie" to your computer that helps CRD recognize your unique computer and your preferences when using the website. Cookies generally contain information about the type of browser you used, the date and time you visited the site, and the web pages you visited. Cookies do NOT include Personal Information, such as names, addresses, telephone numbers, and email addresses, and are only active when you log in to our site. This information collected on cookies is used to improve the user experience and for basic web metrics. Also, each time you visit the CRD website, information about your visit is captured in a web server log file. The information collected in the web server log file is discarded after each site visit and is used only for general reporting metrics and auditing purposes. This type of electronic information collection is permitted by law and is exempt from disclosure under the California Public Records Act.

The cookies will remain on your computer unless you delete them. You can manage your cookies by accessing your browser's preferences menu, which will allow you to delete them or prevent them from being placed on your computer. You should be aware, however, that some websites may not work properly if you block the placement of cookies on your computer.

Please find below links to instructions for managing cookies for specified browsers.

- [Microsoft Edge browsers](#)
- [Macintosh Safari browsers](#)
- [Google Chrome browsers](#)

## **RIGHT OF ACCESS TO CRD'S RECORDS CONTAINING PERSONAL INFORMATION**

In the State of California, laws exist to ensure that the government is open to the public and that the public is able to access records and information possessed by the government. At the same time, there are exemptions from mandatory disclosures in federal and state law.

These exemptions serve various purposes including protecting the privacy of individuals. All information collected by CRD becomes a public record that may be subject to inspection and copying by the public unless an exemption in law exists. In the event of a conflict between this Privacy Policy and the California Public Records Act, the Information Practices Act of 1977 and/or other law governing the disclosure of records, the California Public Records Act, the Information Practices Act of 1977, and/or other applicable law will control.

## **PROTECTING THE PRIVACY OF MINORS**

CRD recognizes the importance of protecting privacy where minors (a person under 18 years of age are involved). CRD is committed to protecting the privacy of minors and does not knowingly collect Personal Information from minors or create profiles of minors through the CRD website. Website users are cautioned, however, that the collection of Personal Information submitted online or in an email will be treated as though it was submitted by an adult. CRD strongly encourages parents, guardians, and adults to be involved in the internet activities of their children or other minors they are responsible for and to provide guidance whenever minors are asked to provide Personal Information online. If you believe a minor has provided us with Personal Information related to a complaint, we ask that a parent, guardian, or other responsible adult contact us at 1-800-884-1684.

## **SECURITY OF PERSONAL INFORMATION**

CRD has put security measures in place to safeguard Personal Information maintained in our electronic and paper files and to protect it against loss or unauthorized access, use, modification, or disclosure. Access to Personal Information is limited to employees who have an established business need for the Personal Information including those directly involved in the filing, investigation, resolution, and/or litigation of your complaint.

CRD's security measures include various security technologies such as encryption software used to protect the security of Personal Information during transmission and storage. Personal information is destroyed according to the CRD's records retention policy, and CRD only retains these records for as long as necessary to fulfill CRD's business needs. CRD trains its employees on the procedures and management of Personal Information that is collected, precautions to be taken to prevent unauthorized access, use, modification, or disclosure, and compliance with limitations on the release of Personal Information.

## **ACCESS AND CORRECTIONS TO YOUR PERSONAL INFORMATION**

You have the right to inspect the Personal Information collected about you. Upon request, CRD will provide you with the Personal Information CRD collected in order to carry out its official responsibilities. You may correct errors in your Personal Information by submitting a written request that credibly shows the error and the accurate and complete facts. If you believe that your Personal Information is being used for a purpose other than what you intended when you submitted it, you may contact CRD to rectify the misuse. CRD will take reasonable steps to verify your identity before granting access or making corrections.



## **CRD PRIVACY OFFICER CONTACT INFORMATION**

If you have any questions or concerns about the information presented in this Privacy Policy, or if you would like to inspect records containing your Personal Information or request corrections to it, you may contact:

CRD Privacy Officer  
651 Bannon Street, Suite 200,  
Sacramento, CA 95811  
[contact.center@calcivilrights.ca.gov](mailto:contact.center@calcivilrights.ca.gov)  
1-800-884-1684

## **CHANGES TO PRIVACY POLICY**

CRD may update and revise this Privacy Policy. CRD will prominently post any revision or update on the CRD website.

## **EFFECTIVE DATE OF PRIVACY POLICY**

Effective Date: January 1, 2017

Revision Date: July 1, 2024