

Reaching a Higher Ground: Increasing Employment Opportunities for People with Prior Convictions

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About the Berkeley Center for Criminal Justice

Based at the UC Berkeley School of Law, The Berkeley Center for Criminal Justice works to enhance public safety and foster a fair and accountable justice system through research, analysis, and collaboration. BCCJ is a research and policy institute that seeks to connect scholarship to practice to improve the criminal justice system. BCCJ aims to provide balanced, objective information to help inform criminal justice laws and policies in California. BCCJ works to increase stakeholder access to timely and relevant information on criminal justice issues, enhance the understanding of those issues among policy-makers, practitioners, scholars, and students, and improve outcomes for individuals involved in the criminal and juvenile justice systems.

This report is available on the BCCJ website: www.bccj.berkeley.edu. Three companion documents are also available: an Executive Summary, a policy brief with a focus on research and recommendations for employers, and a policy brief with a focus on research and recommendations for corrections officials.

Contents

Executive Summary	iii
Section One: Introduction	1
The Advisory Board	2
The Research	3
The Report	3
Section Two: Project Overview	2
Section Three: Historical and Current Context	4
Section Four: Opportunities for Change	7
Section Five: Guiding Principles	9
Section Six: Employers' Perspectives	10
Section Seven: Skill Development	13
Section Eight: Job Creation	19
Section Nine: Fair and Accurate Background Checks	22
Section Ten: Emergent Themes	30
References	32
Additional Sources	37
Appendices	
A: Advisory Board Member Biographies	39
B: Individuals and Organizations that Provided Substantive Input	45
C: Compilation of Recommendations from Previous Publications	46
D: Database of Previous Publications with Summaries	51



Executive Summary

Stable employment makes for a higher quality of life for almost all working adults. With it comes an increased ability to take care of oneself and one's family, the power to purchase goods and services, the opportunity to develop personal relationships, and the fulfillment of personal growth.

The reach of the criminal justice system has expanded in recent decades, and the consequences of involvement with the criminal justice system are more serious than ever, as laws, policies, and practices relate to almost all facets of life. An historic number of citizens have been convicted of a felony. Between 1980 and 2009, California's prison population increased by 583%, and the state's recidivism rates are above the national average. High recidivism rates come with significant financial costs to the state. The California Department of Corrections and Rehabilitation (CDCR) budget was \$9.8 billion in the 2009-2010 fiscal year. At the same time, the prevalence of background checks has also increased. The number of Californians with a criminal record has continued to grow; there are nearly eight million individuals in the state's criminal history file.

Although the challenges facing individuals with prior convictions are daunting, and the number of individuals impacted is enormous, there are opportunities for change in the current social and political environment.

Public Awareness. High-profile debates between the legislature and the governor on the early release of CDCR prisoners and media coverage of jail overcrowding have increased public awareness of problems in the correctional system.

Attention of Stakeholders. Key stakeholders are paying attention. Many bills have been introduced in the state legislature related to prisons, parole,

reentry, criminal history records, correctional programming, and sentencing. The federal Second Chance Act authorizes grant money for reentry programs. Numerous expert panels, commissions, advocacy groups, and researchers have reported on employment challenges for people with prior convictions.

Policy Environment. The policy environment is shifting. Municipalities in California and across the country are making major changes to local policies and practices, such as hiring policies, criminal histories on employment applications, and contractor bidding processes.

Current Economic Climate. The condition of the state's economy may both help and hinder employment opportunities for people with prior convictions. The state is drastically cutting its spending, and the pressure is on corrections to reduce costs. At the same time, it is even harder for people with prior convictions to get and keep a job in a tight labor market.

Pressure from the Courts. The state is also under pressure from the courts. Since the early 1990s, California has been involved in lawsuits related to inadequate mental health services, substandard medical care, and overcrowding in CDCR facilities. In August of 2009, a three-judge panel convened under the federal Prison Litigation Reform Act issued an order which could require the state to reduce its prison population by as much as 40,000 over the next two years.

Why should we care about employment for people who have been convicted? The short answer is that the benefits of increased employment go far beyond people with prior convictions and their immediate families. Communities are stronger when the

individuals that live there are gainfully employed and engaged. Taxpayers benefit, as reduced recidivism means lower costs to police, courts, jails, probation, prison, and parole and fewer victims. For employers, more people competing for jobs means better quality employees. Increasing employment opportunities for people with prior convictions is not just the “right” thing to do—it is the “smart” thing to do.

Guiding Principles

Eight Guiding Principles provided a broad framework for this project. The 15 Board members drafted and refined these principles, which assert fundamental truths about ways to improve the employment prospects of people with prior convictions as well as ways to benefit our communities, increase public safety, and achieve cost savings at the local and state levels.

Healthy Communities: State and local governments derive significant benefits by reducing barriers to employment for people with prior convictions, thereby building strong, safe, and healthy communities.

Smart on Crime: Employment of people recently released from incarceration in quality jobs is a proven strategy to reduce recidivism, achieve cost savings, reduce victimization, and promote public safety.

Fiscal Responsibility: Investing in rehabilitative programs and providing tools to people with prior convictions to increase their employability is fiscally responsible in this time of limited resources.

Fair and Accurate Background Checks: Criminal background checks for employment should be accurate and implemented to comply with legal protections in order to ensure that all workers are treated fairly and to improve employers’ hiring processes.

Discrimination: Employment discrimination based on prior convictions has a negative impact on public safety and a disproportionate impact on people of color and low-income communities. Strong public policies are critical to overcoming employment discrimination based on prior convictions. At the same time, precluding people with certain types of convictions from working in certain types of jobs may be appropriate to ensure public safety.

Justice Reinvestment: Preparation for a return to the community and program participation should start at the earliest opportunity in the criminal justice system and should be a key focus of the criminal justice system. It is imperative to invest in the future through increasing sustainable employment and education prospects for people with prior convictions.

Rehabilitation: Public policy should promote rehabilitation and support families and individual growth by creating opportunities that reinforce the critical value of work in our society.

Program Investment: Resources should be directed at sustainable programs that are based on best practices and core principles, or are thought to be innovative and promising.

Employers’ Perspectives

Research reveals that employers are very reluctant to hire people with prior convictions, however, willingness to hire varies depending on job-related factors (e.g., type of industry and size of business), applicant characteristics (e.g., the type of offense and prior work experience), and legal requirements to check backgrounds. There is also ample evidence that employers’ reluctance in large part stems from a negative stigma associated with people with prior convictions. Employers in some industries (such as social services) are legally prohibited from hiring people with prior convictions. Employers are less

likely to consider hiring people with prior convictions for jobs in which there is a significant amount of interaction with customers and more likely to consider hiring for jobs with limited interaction with customers, such as construction, manufacturing, and transportation. The type of offense, time since release from prison, and prior work experience have been shown to play a role in hiring decisions.

Employers who avoid or are unwilling to hire people with prior convictions may use race as a proxy for contact with the criminal justice system—discriminating against people of color—as non-white groups are disproportionately represented in the criminal justice system. Research shows that race and prior convictions appear to work together to negatively impact employment opportunities—especially for African American men.

Recommendations

Skill Development

The majority of incarcerated individuals have fewer marketable skills and less education than the general population. Research has validated the effectiveness of certain types of programs such as adult basic education, secondary education, and vocational training. Key principles of effective programs include skill building and cognitive development at an individual level, “multi-modal” approaches that address multiple needs of individuals, and programs being implemented as designed and led by properly trained staff.

1. Remove barriers to implementing programs in correctional settings and allow more individuals to participate.
2. Administer validated needs assessment tools and skills assessment tools to determine the most appropriate educational programs, vocational training, and job placement.

3. Ensure that all individuals leaving incarceration have a commonly accepted form of personal identification.
4. Ensure that programs include a transitional element from a correctional setting to a community setting and include both skill development through classroom learning and skill application through actual work experience.
5. Require state-funded education, vocational training, and job placement programs that work with people with prior convictions to collect data and monitor program performance.
6. Ensure that individuals’ professional development and advancement are considered as part of education, training, and placement.

Job Creation

Essential to increasing employment opportunities is job creation, taking into consideration job markets or industries that are growing and in need of workers, and networks that can connect people with appropriate skills to appropriate jobs.

7. Assess local labor needs as well as growth market needs to ensure that educational programs and vocational training are responsive to local needs and growth industries.
8. Support local job creation strategies that utilize the power of government hiring and leverage government funding to provide equal employment opportunities for people with prior convictions.
9. Engage private employers from both local markets and growing markets as strategic partners in shaping programs and training on an ongoing basis.
10. Institute reentry roundtables or councils that represent a diverse group of stakeholders to

assess how to increase employment opportunities for people with prior convictions at a local level and develop strategies to make the most of those opportunities.

Fair and Accurate Background Checks

Restrictions on the types of jobs that people with prior convictions can hold have increased; more employers are checking applicant backgrounds; more non-law enforcement entities have access to criminal records; and there are concerns about the accuracy of information. Legal restrictions and increased use of background checks pose significant challenges for people with prior convictions who are looking for employment.

11. Educate employers about laws regulating the hiring of people with prior convictions, understanding information provided in criminal records, and contracting with reputable background screening firms.
12. Strengthen and expand oversight and quality control mechanisms for background screening firms.
13. Develop a quality control system that makes public the accuracy of information provided by private screening firms in terms of their legal obligations and compliance with federal and state consumer protection laws.
14. Strengthen and enforce laws and regulations that create clear standards regulating the hiring of people with prior convictions and background screening and encourage employers to adopt fair hiring practices that reduce discrimination against people with conviction histories.
15. Engage district attorneys' offices in prosecuting employers and private screening firms that violate consumer protection laws.

Emergent Themes

- Relationships and Networks. Diverse groups with a variety of perspectives need to collaborate in meaningful ways, develop relationships, and establish trust.
- Localization and Individualization. Tailoring an approach to the needs and resources of people, programs, and communities leads to greater success. Training programs (both in and out of correctional settings) and community services should reflect the local labor market. Individuals should be well matched with training services, and real job opportunities. Skill assessment tools and career plans help increase the chances for a good match between the employee and the job.
- Awareness and Knowledge of Relevant Laws, Regulations, and Rights. An increased understanding of the issues covered in this report can lead to more employment opportunities. In addition, knowledge about laws and regulations related to background checks and private screening firms on the part of employers is also a priority.

Increasing employment opportunities for people with prior convictions can require state-level legislative action, changes at the county level, and the involvement of individual employers. Political challenges must be addressed to realize the Recommendations presented in this report. The current economic climate makes this work more difficult, but also more important.

The Guiding Principles can inform other efforts. The basic concepts of safety, community, equity, and responsibility should guide endeavors to increase employment opportunities for people with prior convictions. Reform efforts must allow for and respond to failures, highlight and build on successes, create momentum, and demonstrate the value to society of getting back to work.

Section One: Introduction

Stable employment makes for a higher quality of life for almost all working adults. With employment typically comes the increased ability to take care of oneself and one's family, the power to purchase goods and services, the opportunity to develop personal relationships, and the fulfillment of personal growth, among other benefits. Getting and keeping a job is not easy in the current, national economic climate, and the California budget crisis makes it even more difficult.

The reach of the criminal justice system has grown in recent decades, and the consequences of involvement with the criminal justice system are more serious than ever. An historic number of citizens have been convicted of a felony, and hundreds of thousands of people have served time in prison—in California alone. People with felony convictions are impacted by laws, policies, and practices related to almost all facets of life including housing, voting, education, and employment.

These two points lead to a situation in which one of the most important aspects of life—employment—is one of the biggest challenges for a remarkable number of citizens. The purposes of this report are to:

1. Show that increasing employment opportunities for people with prior convictions is important,
2. Present the challenges facing people with prior convictions to finding and keeping a job, and
3. Offer recommendations that a diverse group of stakeholders agrees on for ways to increase employment opportunities for people with prior convictions.

Employment generates positive outcomes for individuals, their families, their communities, and society overall. For those returning to their communities after a period of incarceration, employment is an anchor to meaningful engagement and productivity.

But the odds of getting a job are not favorable for people with prior convictions. A long history of research confirms that, all else equal, contact with the criminal justice system reduces one's employment opportunities (Buikhuisen and Dijksterhuis 1971; Boshier and Johnson 1974; Finn and Fontaine 1985; Petersilia 1999; Cohen and Nisbett 1997). According to one survey, 40% of employers indicated that they would “probably not” or “definitely not” be willing to hire an applicant with a criminal record (Holzer et al. 2003). That same survey found that employers were less than half as likely to fill a recent job vacancy with a former offender than with a welfare recipient. Sixty to 80% of formerly incarcerated people are unemployed one year after being released from prison (Legislative Analyst's Office 2008). In addition, financial penalties can long outlast a prison sentence. Men who have spent time in prison have lower employment rates and lower wages than those who have never spent time in prison. The annual earnings for men who have been incarcerated are estimated to be approximately 30% to 40% lower than men who have never been incarcerated (Western 2006).

Research shows that employment and incarceration are connected in several ways. Employment can result in lower recidivism rates. Employment before a prison term and employment after release from prison have both been shown to reduce recidivism (Harer 1994;

Uggen 2000; Visser 2008). Not only is obtaining a job critical, but maintaining a job is also key. Job stability is important to reductions in future crime (Sampson and Laub 1993). Wage levels are also a factor in the likelihood of success. Researchers have found that higher wages result in lower rates of recidivism (Grogger 1998; Finn 1998; Visser 2008).

Why should we care about employment for people who have been convicted? Given the many issues of importance to society, why does this issue warrant attention? The short answer is that the benefits of

increased employment go far beyond people with prior convictions and their immediate families. Communities are stronger when the individuals that live there are gainfully employed and engaged. Taxpayers benefit as reduced recidivism means lower costs to police, courts, jails, probation, prison, and parole. Lower recidivism means fewer victims. For employers, more people competing for jobs ultimately means better quality employees. Lastly, increasing employment opportunities for people with prior convictions is not just the “right” thing to do, it is the “smart” thing to do.

Section Two: Project Overview

The Berkeley Center for Criminal Justice (BCCJ) at the University of California Berkeley School of Law received a grant from The Rosenberg Foundation to explore ways to increase employment opportunities for people with prior convictions. The focus of this report is on California, and the information and discussion reflect current laws, policies, and practices in the state. This work is based on three major components: input and guidance from an Advisory Board; existing nation-wide and state-specific research, data, and publications; and site visits and interviews with stakeholders and experts from across the state.

The Advisory Board

The centerpiece of this project is an Advisory Board (the Board), which set the project’s priorities, provided knowledge and insight on relevant topics, and guided the overall direction of the project. The Board is a group of 15 highly accomplished leaders and experts on issues related to employment for people with prior convictions (see Appendix A for Board members’ bios). The Board was developed to represent diversity in the following factors:

1. Geographic area (Greater Sacramento Area, Greater Bay Area, Central Valley, and Southern California)
2. Stakeholder group (employers, people with prior convictions, law enforcement, advocates, and service providers)
3. State-level and local-level perspective
4. Political perspective

Despite this multi-level diversity, all of the Advisory Board members have a shared interest in addressing the employment challenges facing people with prior convictions. Three Board meetings were convened at Berkeley School of Law in October 2008, March 2009, and September 2009. The purpose of the first meeting was to prioritize the areas of focus; the second meeting delved into more detail on selected issues; and the third produced a set of Guiding Principles and Recommendations. In addition to the full Board meetings, BCCJ facilitated several smaller group conversations, conducted one-on-one interviews, and visited Board members’ organizations and agencies.

The Research

BCCJ compiled and synthesized the current knowledge on the relevant topics, which was limited for some of the issues (e.g., practices of private screening firms) and vast for others (e.g., correctional education programs). A full catalog of over 160 relevant publications is included as Appendix D. In addition, numerous government commissions, expert panels, and task forces in recent years have examined some of the same issues covered in this report. To provide some context and points of comparison, BCCJ compiled nearly 50 Recommendations that touch on these issues, the original text of which is included as Appendix C.¹

The information presented in this report and the Board's Recommendations were informed by the experiences and knowledge of a wide range of stakeholders and model programs and policies. Innovative, effective, and promising programs are highlighted in text boxes throughout the report. Appendix B lists individuals and organizations that contributed substantively to this process.

The Report

This report serves many functions. First, it presents a set of Guiding Principles upon which the work in this report rests and that can steer the direction of future work in this area. A diverse group of leaders agreeing on a set of Principles represents progress in and of itself, but more, the report presents a set of Recommendations for the State of California that, if implemented, would lead to significant progress in the employment status and prospects of people with prior convictions. The Recommendations

represent consensus among the Board members after several rounds of discussion and debate. Some of the Recommendations are shorter term and tangible, while others to be addressed over the long term are more systemic in nature but still warrant the attention of relevant stakeholders. Lastly, the report is a central source of information on relevant research, best practices, model programs, organizations, and publications.

Many audiences will find the information included in this document useful for understanding issues related to employment for people with prior convictions. Target audiences include: people with prior convictions, state and local elected officials, employers, and practitioners from many fields such as criminal justice, legal advocacy, and job training and placement. Stakeholder groups can use the Guiding Principles as a tool to enhance support for and further the development of more effective laws, policies, programs, and practices in California to improve employment outcomes for people with prior convictions.

A few of the terms used in this report arose out of discussions among Board members about the importance of language when discussing the issues covered here. Over time, the conventional language used to describe this group of individuals has changed. Even today, terms continue to be used that are considered by some groups to have a negative or demeaning connotation. For the purposes of this report the Advisory Board agreed to use the term "people with prior convictions." The Advisory Board members were in agreement that disrespectful or disparaging language must not be used during the project or in the report. It is worth noting, however, that original language and phrasing from existing laws and policies or prior research studies has not

¹ Note that the inclusion of recommendations from previous commissions and panels is not an endorsement of those recommendations by this Advisory Board. It is simply to present the existing work in this area.

been changed when the specifics of that language are important to the proper interpretation of the law or research.²

The first sections of the report provide some historical context and present current opportunities for positive change. Section V presents the Guiding Principles. Next is an overview of the research literature on

² For example, the Work Opportunity Tax Credit states that “ex-felons” are eligible for participation. In addition, some researchers use the terms “offenders” or “ex-offenders” and in order to accurately portray that research, that original language is used.

employers’ perspectives. The majority of the report focuses on increasing employment opportunities for people with prior convictions through three key goals: 1) skill development, 2) job creation, and 3) fair and accurate background checks. The report concludes with a summary of the findings and Recommendations, presents emergent themes, and comments on the policy implications. We hope that the information included in this report will serve as a tool for change.

Section Three: Historical and Current Context

The rise in the number of people who have contact with the justice system through arrests, convictions, and incarceration is unprecedented. The prison system has expanded in every state in the union, but significantly more in California than many other states. Between 1980 and 2009, the prison population increased by 405% nationally.³ In comparison, California’s prison population increased by 583%, from approximately 25,000 to 168,000 during that same period (Figure 1).⁴

The recidivism rates of people released from incarceration are troubling, and California is again above the national average. Nationally, 40% of parolees are returned to prison within three years of

release compared to 66% in California⁵ (Grattet et al. 2009). The low success rates shouldn’t be surprising. Prisoner participation in programs designed to help them reenter society has declined. In addition, fewer and fewer services are available to people returning to their communities. These individual-level challenges are compounded by the reality that many are released to communities with higher than average unemployment rates and crime rates.

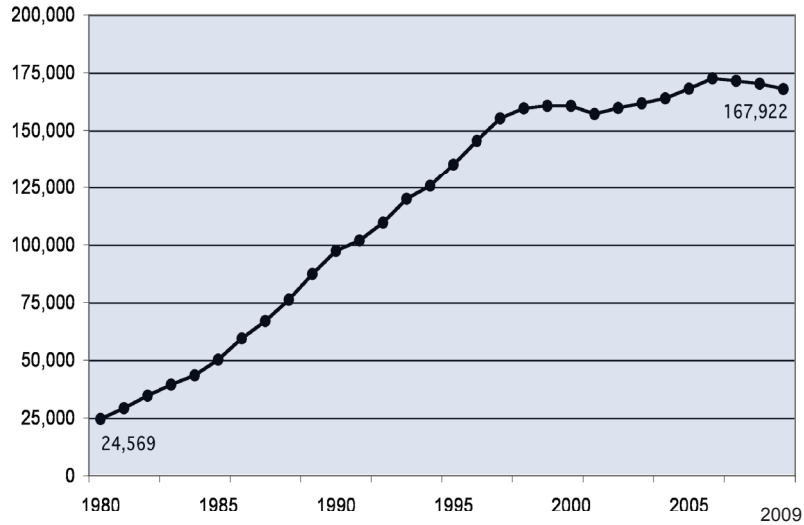
The prevalence of background checks has also increased steadily (Finlay 2008; Blumstein and Nakamura 2009; Bushway 2004). Nationwide, state criminal history repositories carry over 70 million criminal records (Bureau of Justice Statistics 2006). The number of Californians with a criminal record has continued to grow; there are nearly eight million individuals in the state’s criminal history file (Bureau of Justice Statistics 2008).

³ The U.S. prison population (including California) was 319,598 in 1980 and 1,613,656 in 2009; (Bureau of Justice Statistics).

⁴ California’s prison population was 24,569 in 1980 and 167,922 in 2009; (California Department of Corrections and Rehabilitation).

⁵ In October 2009, Section 48 of Senate Bill X3 18 authorized the placement of parolees onto Non-Revocable Parole (NRP) as of January 25, 2010. The key projected benefits of NRP is that it removes nonviolent offenders from parole supervision and allows CDCR to focus supervision on the most violent and serious offenders. http://www.cdcr.ca.gov/Parole/Non_Revocable_Parole/index.html

Figure 1: Growth in the California Prison Population 1980-2009



Source: 1980 - 2007: CDCR Historical Trends Reports: http://www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Annual/Hist2Archive.html

Source: 2008 - 2009: CDCR Monthly Population Reports for December: http://www.cdcr.ca.gov/Reports_Research/Offender_Information_Services_Branch/Population_Reports.html

High recidivism rates come with significant financial costs to the state. It is well known that California spends a tremendous amount of public dollars on incarceration. Indeed, the Governor, the legislature, and the courts are all wrestling with the giant correctional system. The California Department of Corrections and Rehabilitation (CDCR) budget was \$9.8 billion in the 2009-2010 fiscal year, and the average annual cost to house a prisoner was approximately \$49,000 (CDCR 2009). Corrections costs are only a portion of the direct and indirect costs to the state associated with high recidivism rates. Local police departments, the courts, probation, and parole all save money when recidivism rates decline.

Although life challenges exist prior to an individual's conviction, many difficulties are introduced or exacerbated because of a conviction. The costs—both

literally and figuratively—to people with convictions have continued to mount (Travis 2002). These “costs,” often referred to as the collateral consequences of incarceration, are far reaching and impact nearly every aspect of an individual's ability to successfully reintegrate into the community. Laws that apply to people with convictions after incarceration can impact parental rights, access to public housing, child support commitments, eligibility for welfare benefits, personal mobility, and access to education funding. Additional consequences involve exclusion from voting and the increasing trend among employers and landlords to request criminal background checks.⁶ The combination of collateral consequences with reentry challenges can create seemingly insurmountable obstacles to successful reintegration, which, without appropriate and available support, appears to set individuals up for failure.

⁶ See Colgate Love, “Relief from the Collateral Consequences of a Criminal Conviction: A State-by-State Resource Guide,” for a collection of downloadable state-level documents for an inventory of state law regarding loss of rights due to a felony conviction, process of restoration, pardon/expungement information, and contact information of corresponding agencies. www.sentencingproject.org/doc/File/Collateral%20Consequences/California.pdf

Wide Range of Challenges Facing Formerly Incarcerated People

Formerly incarcerated people face many dynamic and inter-related challenges as they reassemble their lives and work toward independent living. With few resources, people released from prison are expected to obtain employment and housing, reconnect with family members, reestablish financial footing, address substance abuse, physical, or mental health issues, and meet the conditions of their parole. Evidence continues to mount that multi-faceted approaches are the most successful ones (Carter, Gibel, Giguere and Stroker 2007; Raphael 2007; Petersilia 2003).

Obtaining and Maintaining Housing

Obtaining stable housing is one of the first obstacles encountered by people released from incarceration—a critical step toward independent living. A stable address is necessary for completing a job application, opening a bank account, and obtaining a driver's license. However, rental agreements typically require security deposits, up-front payments, personal references, and financial and criminal history checks, all of which disadvantage people with prior convictions from competing for housing in the private market. And there are legal eligibility restrictions in the public housing market. For example, federal guidelines bar housing to registered sex offenders or those evicted from public housing due to drug-related criminal activity (Legal Action Center 2000). Additionally, an individual may be denied housing for certain criminal histories that might include drugs or violence. Overcoming obstacles to housing—some at the policy level—is critical because of the domino effect that housing has on other decisive building blocks.

Access to Health Care

Individuals who have been recently released from jail or prison tend to have higher rates of physical and mental health problems (Hammett, Roberts, and Kennedy 2001). In California, recent research shows higher rates of chronic disease (hypertension, asthma) and infectious diseases (hepatitis, tuberculosis) among this population (Davis et al. 2009). These illnesses require consistent medical attention; it is critical that those returning to their communities have access to healthcare. However, few receive adequate healthcare due to challenges in getting health insurance or Medi-Cal. (Davis et al. 2009). Furthermore, the costs of medication and treatment can be prohibitive.

Substance Abuse and Mental Health Issues

People with prior convictions are likely to suffer from undiagnosed or untreated mental health issues both while incarcerated and after release (Davis et al. 2009). Although roughly two-thirds of California prisoners report a substance abuse issue, only 22% of inmates report receiving treatment. Just over half of prisoners reported recent mental health issues, but of those only 50% received treatment (Davis et al. 2009). These data underscore the fact that treatment needs are chronically unmet during incarceration; substance abuse and mental health treatment must be a part of any successful reentry effort.

Transportation Challenges

For many formerly incarcerated individuals, the lack of transportation is a very real barrier to a successful return to the community. Job interviews, medical appointments, visits with children, or probation appointments become nearly impossible without access to reliable transportation (Rossman and Roman 2003; La Vigne et al. 2004).

Personal Finances and Child Support

Formerly incarcerated individuals often face significant financial burdens upon release such as child support payments, which accumulate during incarceration. In addition, opening a bank account, producing a security deposit for housing, establishing transportation options, as well as paying for essentials like food and clothing pose enormous challenges.

Section Four: Opportunities for Change

Although the challenges facing individuals with prior convictions are daunting, and the number of individuals impacted is enormous, there is reason for hope. There are opportunities for change in the current social and political environment. Public awareness, the attention of key stakeholders, the current economic climate, and pressure from the courts could increase the possibility of meaningful reform in California.

Public Awareness. One of the most important keys to effective change is the awareness and support of the general public. High-profile debates between the legislature and the governor on the early release of CDCR prisoners has greatly increased the public's knowledge about the size and nature of problems in the state correctional system. Media coverage of this issue has been constant for many months. On the local level, many counties are struggling with overcrowded jails, which is also generating significant media coverage.

There are some indications that the public is supportive of a rehabilitative function within the correctional system. For example, the public appears to be more willing to increase the number and availability of programs and services that enhance the likelihood of a successful return from incarceration to the community. A 2006 public opinion poll about American attitudes toward rehabilitation and reentry of prisoners revealed that 70% of respondents were in favor of making state-funded rehabilitation services available to incarcerated people both while they are in prison and after they have been released from prison, and 82% said that job training was "very important" to successful reentry (Krisberg and Marchionna 2006).

Attention of Key Stakeholders. The state government and federal government have also increasingly been paying attention to these issues, which can be both positive and negative in terms of legislative and policy reform. During the most recent California legislative sessions, many bills were introduced related to prisons, parole, reentry, criminal history records, correctional programming, and sentencing, among others. A search of bills during the last two sessions indicated that no less than 30 bills were introduced related to the above-listed topics.

At the federal level, the Second Chance Act authorizes grant money for reentry programs with the goal of improving the success of people being released from prison or jail and returning to their community. The funding can be used for employment assistance programs, mentoring programs, and others intended to reduce recidivism.

The Second Chance Act

The Second Chance Act is federal legislation aimed at improving outcomes for people being released from prisons and jails. The Act was signed into law on April 9, 2008, and "authorizes the Secretary of Labor to make grants to nonprofit organizations to provide mentoring, job training and placement services, and other services to assist certain non-violent offenders in obtaining and retaining employment." In 2009, \$25 million was appropriated and in 2010 \$110 million was appropriated for Second Chance Act programs. Additional information about the Act is available at: www.nationalreentryresourcecenter.org/about/second-chance-act

Source: National Reentry Resource Center.

In addition to activity in the state legislature, numerous expert panels, commissions, advocacy groups, and researchers have published reports that address employment challenges for people with prior convictions. Some of the key groups that have published on this issue include the American Bar Association, the Little Hoover Commission, Public/Private Ventures, the National Institute of Corrections, the Pew Center on the States, the Reentry Policy Council, the Shriver National Center on Poverty Law, the Urban Institute, the U.S. Attorney General's Office, and the Vera Institute of Justice, as well as many universities and organizations with which the Advisory Board members are affiliated. (A compilation of their recommendations is included in Appendix C).

Policy Environment. In addition to efforts at the state and federal levels, municipalities across the state and the country are making major changes to local policies and practices. These include systematic reviews of hiring policies to the removal of questions about criminal histories from employment applications (i.e., “ban the box”), to changes in contractor bidding processes.⁷

Current Economic Climate. The condition of the state's economy may both help and hinder employment opportunities for people with prior convictions. As noted above, the state spends a staggering amount of public dollars on its prison system. California's current fiscal crisis necessitates significant—indeed drastic—cuts in state spending. It is in the public's interest to reduce what the state spends on its prisons each year. As previously stated, employment for people with prior convictions helps reduce recidivism.

At the same time, the struggling economy creates even greater challenges for people with prior convictions

⁷ For a full discussion of policy reform efforts see “Cities Pave the Way: Promising Reentry Policies that Promote Local Hiring of People with Criminal Records,” by the National League of Cities and the National Employment Law Project.

to get and keep a job. Over the last nine years, the unemployment rate in California has grown from 5.4% to 12.1%.⁸ Research has shown that 1) disadvantaged communities are typically the hardest hit during difficult economic times, and these are often the communities to which people being released from incarceration return; 2) employers are less likely to hire people with criminal records in tight labor markets; and 3) as the competition for dwindling resources increases, policymakers are often less likely to fund programs and services for people with prior convictions than many other interest groups.

Pressure from the Courts. Since the early 1990s, California has been involved in lawsuits related to inadequate mental health services and medical care and overcrowding in CDCR facilities.⁹ A three-judge panel was convened under the federal Prison Litigation Reform Act to determine whether a population cap should be placed on California prisons. In August of 2009, the panel issued an order which could require the state to reduce its prison population by as much as 40,000 over the next two years. This case may drive major reform of the state prison system.

⁸ U.S. Bureau of Labor Statistics.

⁹ *Coleman v. Schwarzenegger*, 2009 WL 2430820 (E.D. Cal., Aug. 4, 2009); *Plata v. Schwarzenegger*, 560 F.3d 996 (9th Cir. 2009); *Plata v. Davis*, 329 F.3d 1101 (9th Cir. 2003); *Gates v. Shinn*, 98 F.3d 463 (9th Cir. 1996); *Gates v. Rowland*, 39 F.3d 1439 (9th Cir. 1994).

President Barak Obama, November 24, 2007

“We must create a pathway for people coming out of jail to get the jobs, skills, and education they need to leave a life of crime. That means supporting effective training and mentoring programs to help people transition into jobs. That means reevaluating the laws against hiring people with a criminal record so that we don't foreclose legal and effective ways out of poverty and crime. That also means giving former prisoners parenting skills so they can give their children the sense of hope and opportunity that so many of them were denied.”

Section Five: Guiding Principles

The Guiding Principles were the starting point for developing a consensus on Recommendations for increasing employment opportunities for people with prior convictions. The 15 Board Members drafted, reviewed, and refined the Principles. These eight Principles reflect the multi-faceted nature of the issue and provide a foundation for the Recommendations that follow.

Covering a wide range of topics, the Principles assert fundamental truths about ways to improve employment prospects, as well as ways to benefit our communities, increase public safety, and achieve cost savings at the local and state levels.

Eight Guiding Principles for Increasing Employment Opportunities for People with Prior Convictions

- **Healthy Communities:** State and local governments derive significant benefits by reducing barriers to employment for people with prior convictions, thereby building strong, safe, and healthy communities.
- **Smart on Crime:** Employing people recently released from incarceration in quality jobs is a proven strategy to reduce recidivism, achieve cost savings, reduce victimization, and promote public safety.
- **Fiscal Responsibility:** Investing in rehabilitative programs and providing tools to people with prior convictions to increase their employability is fiscally responsible in this time of limited resources.
- **Fair and Accurate Background Checks:** Criminal background checks for employment should be accurate and implemented to comply with legal protections in order to ensure that all workers are treated fairly and to improve employers' hiring processes.
- **Discrimination:** Employment discrimination based on prior convictions has a negative impact on public safety and a disproportionate impact on people of color and low-income communities. Strong public policies are critical to overcoming employment discrimination based on prior convictions. At the same time, precluding people with certain types of convictions from working in certain types of jobs may be appropriate to ensure public safety.
- **Justice Reinvestment:** Preparation for a return to the community and program participation should start at the earliest opportunity in the system and should be a key focus of the criminal justice system. It is imperative to invest in the future by increasing sustainable employment and education prospects for people with prior convictions.
- **Rehabilitation:** Public policy should promote rehabilitation and support families and individual growth by creating opportunities that reinforce the critical value of work in our society.
- **Program Investment:** Resources should be directed at sustainable programs that are based on best practices and core principles, or are considered innovative and promising.

Section Six: Employers' Perspectives

This section focuses on factors that influence an employer's willingness to hire individuals with a prior conviction and is based primarily on what is known from the research literature. Research reveals that employers are very reluctant to hire people with prior convictions, even moreso relative to other difficult-to-employ populations such as welfare recipients and the long-term unemployed (Holzer et al. 2003). An employer's personal beliefs and biases and external factors related to a specific job or industry influence whether a person with a prior conviction is given fair consideration for employment and ultimately hired. The literature shows that there is no simple division between employers that will hire people with a prior conviction and those that will not. Employers' beliefs and practices are more nuanced. Employer willingness to hire varies depending on job-related factors (e.g., type of industry and size of business), applicant characteristics (e.g., the type of offense and prior work experience), and legal requirements to check backgrounds. However, industry and individual characteristics aside, there is also ample evidence that reluctance in large part stems from a negative stigma associated with people with prior convictions.

Research in this area is based primarily on surveys of employers, a number of which assess what employers say influences their hiring decisions (Pager 2003; Fahey et al. 2006; Holzer et al. 2003; Finn and Fontaine 1985; Employers Group Research Services 2002). Another approach uses data to examine how employers actually behave rather than what they say they will do (Holzer et al. 2003; Pager and Quillian 2005). Researchers analyze datasets on actual hiring practices and conduct experiments by presenting fictional job applicants who vary on selected

characteristics to employers and examining employer reactions (Holzer et al. 2001; Pager 2003; Morris et al. 2008).

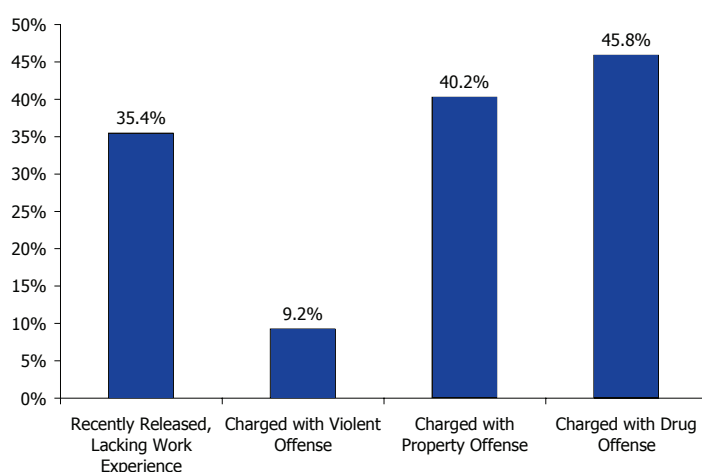
The type of industry appears to be a key consideration (Stoll and Bushway 2008). The specific position and type of industry can influence an employer's decision to hire a person with a prior conviction. Many employers in some industries, for example, are legally prohibited from hiring people with prior convictions. Just over 33% of positions in health services and 90% of social service industries are subject to such prohibitions (Raphael 2010). Employers are less likely to consider hiring people with prior convictions for jobs in which there is a significant amount of interaction with customers. Conversely, they are more likely to consider hiring people with prior convictions for jobs in which employees have limited interaction with customers, such as construction, manufacturing, and transportation (Holzer et al. 2003; Fahey et al. 2006). Other company characteristics that impact hiring decisions are the percent of unskilled jobs (in one study, at least 20%), and the total number of employees hired in the previous year (Holzer et al. 2003).

External factors such as the economic climate can influence employer decisions. There is evidence of a strong correlation between the degree to which employers discriminate against people with prior convictions and the tightness of the labor market (Freeman and Rodgers 1999; Pager 2003).

An employer's willingness to hire an applicant depends on a number of individual characteristics. The type of offense, time since release from prison, and prior work experience have been shown to play a role in hiring decisions.

A survey of California employers found that a large percentage of companies ask applicants with convictions about the type of offense (59%) and the length of time since an offense took place (80%) (EGRS 2002). That same survey found that 85% of employers reported that they would consider hiring an individual with a misdemeanor offense, but that they would be much less likely to offer jobs to those who had been convicted of more severe offenses (EGRS 2002). Evidence from a survey of Los Angeles-based employers reveals that employers reported that they consider the type of conviction when making hiring decisions and indicated being more likely to hire people charged with drug and property offenses, and least likely to offer positions to those charged with violent crime and sex offenses (see Figure 2) (Holzer et al. 2003). One study from the Baltimore area reveals that employers reported being most likely to overlook marijuana use, possession, or distribution; traffic violations; and other drug-related offenses. Baltimore area employers also reported that they were least likely to hire individuals with prior murder, robbery (excluding petty theft), rape, and child abuse offenses (Giguere and Dundes 2002).

Figure 2. Percentage of Employers Willing to Hire Ex-Offenders



Source: Holzer et al. 2003.

In addition to offense type, employers were more averse to applicants who had been recently released from prison and those who had no prior work experience (Holzer et al. 2003). Employers place a high premium on the degree to which formerly incarcerated individuals attempt to establish a positive track record through real work experience, which not only increases employer confidence, but signals some degree of job-readiness. Prior work experience and job-readiness relates to a larger issue of sufficient education, training, or experience to meet job requirements or the most qualified candidates. Employers have cited a skill “mismatch” between the type of credentials they seek and the work experience of applicants who have prior convictions (Petersilia 1999). Of course this consideration applies to all potential employees, but people with prior convictions are more likely to be lacking in these areas.

Evidence shows that employers almost universally seek out characteristics that indicate job-readiness as a “precondition to employment,” even when the job requires little formal training (Holzer et al. 2003). Furthermore, aspects of job-readiness involve less technical skills and more “soft skills” such as the expectation that the employee will arrive to work everyday on time, be a hard worker, take responsibility, have strong communication and interpersonal skills, have the capacity and desire to learn, and be generally trustworthy. (Holzer 1996; Fahey et al. 2006). Research has shown that these types of soft skills are critical to an individual with prior convictions getting and keeping a job. Trustworthiness in particular is highly valued by employers (Holzer et al. 2003).

Stigma. It has been well documented that formerly incarcerated individuals are negatively affected by stigma (Pager 2003; Rasmussen 1996; Whiting and Winter 1981). The act of informally screening

out job applicants based on the absence of certain “credentials” on a job application, such as graduation from high school or prior work experience, is known as “statistical discrimination.”¹⁰ With this practice, employers make assumptions, often erroneously, about members of stigmatized groups and the likelihood that they have come into contact with the criminal justice system (Holzer et al. 2002). Pager describes individuals who have spent time in prison as an “institutionally-branded” class of individuals (2003).

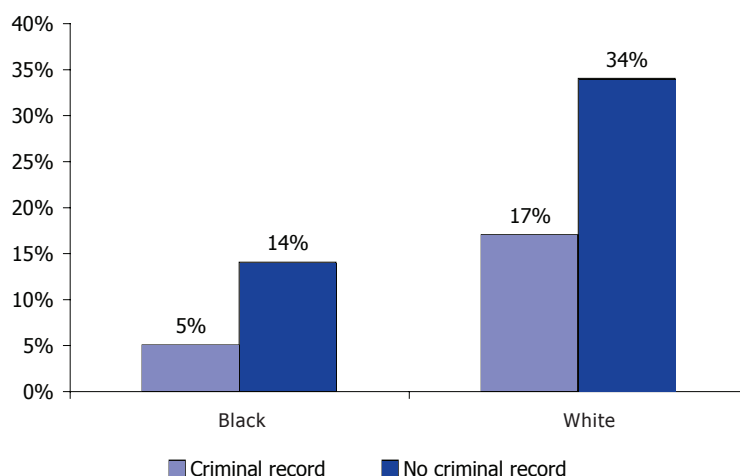
As noted above, trustworthiness is one of the characteristics employers value most. Studies have found that employers generally tend to think of people with prior convictions as the most untrustworthy group relative to other difficult-to-employ populations (Holzer et al. 2003). Employers report that they are less likely to hire an applicant with a prior conviction, because they are using criminal history information as an indication of unreliability and low skill level (Holzer et al. 2002). For example, the mere suspicion of prior criminal behavior as assumed from gaps in an applicant’s work history has been shown as a reason for exclusion (Holzer 1996).

Employers who avoid or are unwilling to hire people with prior convictions may use race as a proxy for contact with the criminal justice system—discriminating against people of color, as non-white groups are disproportionately represented in the criminal justice system (Weich and Angulo 2002). It is well documented in the research literature that race and prior convictions appear to work together to negatively impact employment opportunities—especially for African American men (Kirschenman and Neckerman 1991; Moss and Tilly 2001; Pager 2003).

¹⁰ Economists define statistical discrimination as cases where employers have difficulty distinguishing the relevant attributes of individuals, so they judge applicants differently based on their memberships in groups whom they believe to be more or less-skilled, on average (Holzer et al. 2003).

A study by Devah Pager focused on the employment outcomes of people who had been incarcerated and compared those outcomes across black and white job applicants (2003). The study used matched pairs (two white job seekers and two black job seekers) with similar backgrounds to assess how a criminal record impacted employment opportunities. As shown in Figure 3, white applicants who had no criminal record were called back 34% of the time compared to 17% of white applicants who had a criminal record. Black applicants who had no criminal record were called back 14% of the time compared to 5% of black applicants who had a criminal record. In other words, a criminal record reduced the likelihood of getting a callback from a potential employer by 50% for whites and by 65% for blacks.

Figure 3. Percentage of Job Applicants Called Back



Source: Pager 2003

Research from the Baltimore and Boston areas shows that employers place a high premium on the protection of their reputation (Giguere and Dundes 2002; Fahey et al. 2006). Employers believe that by hiring people with prior convictions they are themselves susceptible to stigmatization for being “offender friendly.”

Section Seven: Skill Development

One of the most obvious approaches to increasing employment opportunities for people with prior convictions is to increase their marketability to employers, who consider an applicant's education levels and training to identify the successful employee. A growing body of research supports the effectiveness of certain types of corrections-based and community-based programs. Skill development is directly related to increased employment and reduced recidivism.

Skills and experience deficit. It is well documented that the majority of incarcerated individuals have fewer marketable skills and less education than the general population (Harlow 2003; Crayton and Neusteter 2008; Greenberg et al. 2007). According to a 2007 report entitled, *Literacy Behind Bars*, those incarcerated were half as likely as the general population to have graduated from high school (13% versus 26%) and almost three times as likely to have been diagnosed with a learning disability (17% versus 6%) as the general population (Gaes 2008; Greenberg et al. 2007).

Limited program availability. The number of available programs in prisons as well as program participation has declined and is unable to keep up with the expanding prison population (Brazzell et al. 2009; Lynch and Sabol 2001). Almost all correctional facilities can claim to offer programs; however, only a fraction of prisoners have access to them. Just 10% of individuals released from prison in California in 2006 participated in any vocational training during their incarceration. In addition, nearly half had no rehabilitation program, work program, or work assignment during their time in prison (Petersilia 2007). Program availability after release is also lacking. Only 10% of parolees typically participate in vocational or educational programs

while under community supervision (Petersilia 2007). Low involvement is undoubtedly due in part to the competing demands on individuals after release such as meeting the conditions of community supervision, employment, and child care responsibilities, among others.

According to the Legislative Analyst's Office (LAO), CDCR has 28,000 academic and vocational education program slots, meaning that programs are available to only 16% of the prison population (Legislative Analyst's Office 2008). More than 23,000 prisoners were on waiting lists for education programs in California prisons in 2009 (CDCR 2009).

Many factors contribute to limited and declining program availability; among them is funding. In fiscal year 2010, education and training programs accounted for less than six percent of CDCR's budget (CDCR 2009).¹¹

What the Research Says

There is a significant and growing body of research on education, training, and job-readiness. The program outcomes that are generally assessed are recidivism- and employment-related measures such as wage levels and length of employment. Several reviews of the research literature conclude that overall, correctional education such as adult basic education, secondary education, and vocational training can improve employment outcomes and reduce recidivism (Gaes 2008; Drake et al. 2009). Further, there is evidence that programs that coordinate services prior to release and transition into the community have high rates of success (Bloom 2006). However, the magnitude of the effect (e.g., how much recidivism decreased or

¹¹ Approximately \$555 million of \$9.5 billion.

how much wages increased) varies significantly across studies. There are many programs that research has shown to be ineffective.

There is a great deal of evidence that correctional programs are an effective use of funds. However, program design (e.g., length of program, staff requirements, content of the curricula) and implementation vary widely, and identifying best practices for widespread implementation is challenging.

There are no standard correctional program or reentry practices across states or within California, and thus little clarity on what is the most effective and beneficial.

Although there is limited conclusive research on which specific program elements are the most effective for specific populations, a general consensus is emerging on the key principles of effective programs which include, skill building and cognitive development at an individual level, “multi-modal” approaches that address multiple needs of individuals and do not focus on only one issue, and program integrity—meaning that programs are implemented as designed and led by properly trained staff (MacKenzie 2008). Research on effective education strategies in general offers some key principles that can apply to a correctional setting:

- Clarity on quality instruction and recruitment and hiring processes that select the best-qualified instructors.
- Comprehensive orientation that includes student assessment and development of individual learning plans.
- Environments in which students feel safe.

Project RIO (Re-Integration of Offenders)

Project RIO is a collaboration between the Texas Workforce Commission, the Texas Department of Criminal Justice, the Texas Youth Commission, and 28 local workforce boards. The project, which was implemented statewide in 1993, strives to “provide a connection between education, training and employment during incarceration with employment, training, and education after release.” The project provided services to over 28,000 released prisoners in fiscal year 2009 alone (Texas Department of Criminal Justice 2010). An evaluation found that participants were less likely to return to prison one year after release, as only 23% of participants returned to prison compared to 38% of a comparison group of non-participants. The study also found that RIO participants were more successful with employment, as 69% had found employment within a year after release compared to 36% of the comparison group of non-parolees (Finn 1998).

- Satisfactory student/instructor ratios with an effort to minimize the range of skills and aptitude within a class (Comings et al. 2006).
- In addition to research on outcomes (e.g., employment status, wages, recidivism), there is also an emerging body of research on the importance—and difficulty—of effectively implementing programs in prisons and jails.

Recommendation 1: Remove barriers to implementing programs in correctional settings and allow more individuals to participate.

There are significant and varied challenges to actually implementing programs in correctional facilities.

- Priority on the part of facility administrators and staff to maintain control and ensure the safety of the staff and prisoners while administering educational programs.
- Class interruptions or cancellations due to an insufficient number of security staff or facility lock-downs.

- Changing student body due to transfers and releases after enrollment.
- Improperly trained instructional staff due to limited funding for training or high staff turnover.
- Inadequate or inappropriate classroom space due to overcrowding or competition for a limited number of rooms and inadequate materials due to limited funding.
- Security classification levels that preclude program participation.

Corrections officials should prioritize addressing and mitigating the significant barriers to operating successful education programs in correctional facilities. As many of the challenges listed above are broad-based, they warrant attention from state-level or county-level corrections officials. This could include providing funding to train instructional staff or altering security classification policies to include more prisoners. At the same time, officials at individual facilities should work to address local problems such as making adequate and safe classroom environments available for programs.

Ultimately, addressing implementation issues in correctional facilities will allow more prisoners to participate in programs. However, research shows that simply increasing the number of program slots is not enough. It is essential to offer quality programs that adhere to key, research-based principles and that address individual needs and risks.

Lessons from Project Greenlight

Project Greenlight was an innovative reentry demonstration program the design of which was based on research and best practices. The program provided intensive, multi-modal treatment and transitional services during an eight-week period prior to release from prison. An evaluation found participants performed worse in terms of recidivism after one year and suggests that short-term, prison-based programs may actually be counterproductive and may increase the probability of further criminal behavior.

Program implementation has been suggested as an explanation for Project Greenlight's failings. The comprehensive intervention required multiple and diverse program elements and worked with a large number of participants. Specific implementation problems include class sizes that were too large, project length that was condensed into a shorter timeframe than was designed, and unequal training of case managers (Wilson and Davis 2006; Wilson 2008).

Recommendation 2: Administer validated needs assessment tools and skills assessment tools to determine the most appropriate educational programs, vocational training, and job placement.

Maximize programming dollars by matching the right people with the right programs. Research has shown that a key principle of effective programs is to tailor them to individual needs and risks.

At the state level, CDCR has been using objective tools to better pair parolee risks with available resources. This translates into caseload and supervision

assignments that take into account an offender's criminal history and other personal characteristics. In this way, resources can be targeted to high-risk offenders; the more intensive and costly programs are reserved for the most dangerous offenders (Petersilia 2007). In January of 2006, the CDCR adopted the Correctional Offender Management Profiling for Alternative Sanctions (COMPAS) assessment tool.

Assessment practices at the county level in California vary widely. Variation in assessment practices across counties is not necessarily a bad thing, as the assessment tools should to some extent be tailored to local conditions. However, consistent use of objective assessment tools that have been validated should be standard practice when assigning individuals to programs.

When individuals are placed in programs that are not a good fit for their skills and needs, there is an increased risk that they will be placed in jobs that do

not work out well, which can damage relationships with employers. In fact, clearly identifying an employee's strengths and deficits is beneficial to employers. In short, appropriate assessment can help increase employers' support and trust.

Recommendation 3: Ensure that all individuals leaving incarceration have a commonly accepted form of personal identification.

One of the challenges of reentry is a lack of identification, which is required to access services. Formerly incarcerated individuals often do not have a birth certificate, social security card, or driver's license. This may seem small compared to the significant hurdles people face upon returning home, however, it is one of the most commonly cited issues. A valid form of identification is necessary for securing housing, opening a bank account, or applying for a job. Incarceration often results in lost documents, suspended licenses, or expired IDs. An identification card issued by the correctional system is not considered to be valid in many circumstances. For example, the Social Security Administration does not accept a prison-issued ID as a valid form of identification.

Recommendation 4: Ensure that programs include a transitional element from a correctional setting to a community setting and include both skill development through classroom learning and skill application through actual work experience.

A transitional program typically refers to a program that begins during incarceration and continues in the community. A transitional program could be an

Examples of Assessment Tools

CAIS and JAIS. The Correctional Assessment and Intervention System and the Juvenile Assessment and Intervention System examine risk, strengths, and needs and identify evidence-based supervision strategies that emphasize public safety, rehabilitation, accountability, and criminogenic needs.

CASAS. The Comprehensive Adult Student Assessment System assesses the ability to perform a number of basic competencies including reading, listening, and mathematics in everyday situations.

COMPAS. The Correctional Offender Management Profiling for Alternative Sanctions system is a statistically-based risk and needs assessment for adult and juvenile correctional populations. It was created to support criminal justice personnel in making decisions regarding placement, supervision, and case management in both community and correctional institution supervision settings.

Source: The Reentry Policy Council website. <http://tools.reentrypolicy.org/assessments/instruments>

education program, a vocational training program, substance abuse treatment, or life skills programs, among others.

Designers of rehabilitation programs should ensure a link between aftercare and programs in prison, so that when offenders leave prison, they still have the support they need. It is important that smooth transitioning and consistent rehabilitation activities occur before, during, and after release. Also critical to successful reintegration are job-readiness skills (appropriate work clothes, arriving on time, etc.). Getting a job and maintaining a job are two very different challenges. Aftercare is indispensable to any rehabilitation program. Emerging reentry literature shows the growing need for community-based problem-solving programs and community aftercare plans to make offender reentry successful (Wilson and Davis 2006; Bloom 2010).

Actual work experience is important to employers, not just the completion of education or training programs. Transitional job programs are typically short-term, paying jobs that assist participants in finding more permanent jobs.

Research on transitional employment has generated both promising and mixed findings, and more research is currently underway. Some evaluations show that transitional employment immediately following incarceration results in both increased

employment and reduced recidivism for up to two years after release (Western 2008). Other recent research found program participation to be associated only with significant reductions in recidivism—findings that were sustained in the second and third years of follow-up and long after the short-term effects of employment gains had disappeared. (Bloom 2010). According to one researcher, some of the key elements to effective transitional jobs programs include:

- Six to 12 months in transitional employment immediately after prison release is associated with reduced recidivism as well as increased employment (for the first one to two years).
- Discharge planning should be done in prison to help released prisoners move quickly into employment, housing, and substance-abuse treatment.
- Prisoners should receive risk and needs assessments that take into account skills, schooling, employment history, employment opportunities of parolees, and risk factors associated with recidivism before release to provide referrals for employment, housing, and treatment.
- Transitional employment should begin within a week of prison release and last up to 12 months (Western 2008).

The Center for Employment Opportunities (CEO)

CEO, based in New York City, works with approximately 2,000 parolees each year. In addition to job-readiness training and meetings with job coaches, participants are placed on a CEO work crew and paid the minimum wage. A recent evaluation of CEO reveals that program participation appears to have a large, though relatively short-term, impact on employment outcomes, where gains in employment were not sustained in the two- to three-year follow-up period (Bloom 2010). However, participation in the program was found to be associated with a long-term and statistically significant impact on reducing recidivism among clients during the same follow-up period, and long after the employment gains had disappeared. In part due to the evaluation findings, CEO implemented changes to improve job placement and retention outcomes, including an improved system of matching participants with jobs and increased follow-up with employed clients.

The research is not clear on which specific elements of reentry programs are the most effective for which specific groups of individuals. Additional research that is supported by quality data is important to increasing our understanding of the effectiveness of education and training programs.

Goodwill Industries

Goodwill Industries of San Francisco, San Mateo, and Marin Counties believes that work with dignity is a basic human right and helps people with convictions transform their lives and those of their families through the power of work. Last year, of the 4,100 people served, 39% had prior exposure to the criminal justice system and 38% of all Goodwill employees have prior convictions.

Program placement is based on participant backgrounds and career goals. Goodwill's RAMP program provides intensive job-readiness training; the Back on Track program works with certain young first-time offenders; and for those coming out of the criminal justice system, Goodwill has the Reentry Navigator program. Goodwill created the Bayview Hope Transportation Academy to provide people with an opportunity to earn their Class A commercial driving license. Goodwill is dedicated to people with prior convictions, no matter the economic climate, because of its mission of creating solutions to poverty through the businesses it operates.

Recommendation 5: Require state-funded education, vocational training, and job placement programs that work with people with prior convictions to collect data and monitor program performance.

A common criticism of the current system of program funding and operation is that the same programs get funded year after year with no demonstrated success. Requiring programs to collect process and outcome

data and to monitor program performance will enhance the accountability of existing programs and improve the “bang for the buck.” Limited resources should require programs to demonstrate quality performance.

There appears to be a window of opportunity to improve and expand programming. It is crucial that successes are documented in order to sustain support from politicians, the public, and other key stakeholders (e.g., the correctional officers' union and victims' rights groups). Without data documenting the benefits and successes of programs, sustained funding could be at risk.

Recommendation 6: Ensure that individuals' professional development and advancement are considered as part of education, training, and placement.

One measure of employment opportunities is a change in the number or percent of people with prior records who have jobs. These measures, however, do not account for the quality of a job or the potential development opportunities. The types of training and jobs often available to people with prior convictions can be considered “dead end” jobs. We know that higher quality jobs can lead to lower levels of criminal activity (Uggen 1999). In the short term or during a transitional period, simply having a job is critical to a successful return to the community. However, when planning for long-term job stability, opportunities for professional growth are essential. Certain sectors, such as trade unions and healthcare, may provide more long-term stability and personal fulfillment, which should be a factor in determining the best education and training programs for an individual.

Section Eight: Job Creation

Another means to increasing employment opportunities is through the creation of jobs. A range of external factors play a role in the extent to which job opportunities for people with prior convictions exist. What job markets or industries are in need of workers? What industries are experiencing significant growth? What networks are in place to connect people with prior convictions to job openings and connect appropriate skills with appropriate jobs? What local networks can be utilized to facilitate job creation at a community level?

Any effort to create jobs for people with prior convictions should ensure those individuals have a fair shot at a job opportunity. The aim is not to provide benefits or to hire individuals solely based on the fact that they have a prior conviction. Rather, job creation strategies should emphasize equal access to and strategic utilization of local employment opportunities.

Recommendation 7: Assess local labor needs as well as growth market needs to ensure that educational programs and vocational training are responsive to local needs and growth industries.

A key to successful job creation strategies is to ensure that the education and training that is available to people with prior convictions will actually lead to job placements. Often a program's focus is not

well aligned with what the market needs. Assessing employment needs to ensure that programs and trainings are responsive to those needs increases the effectiveness of programming resources. Too often, the focus is on developing programs or monitoring how the money is being spent and not enough attention is given to the up-front exercise of assessing market needs. Market needs can be assessed on two levels:

- **Local labor needs** are those of the communities where people with prior convictions live. For example, health services training programs should be offered near a community with a large health care facility and training for shipyard jobs should be offered in port cities.
- **Growth market needs** are from the perspective of the overall labor market at an industry level. For example, the “green jobs” industry has experienced significant growth over the last several years and recently approved government funding indicates that this industry will continue to grow.

Job creation needs to take place at a local level, as well as a state level. However, any comprehensive needs assessment should consider both perspectives when developing education and training programs. For example, the CDCR offers brushfire training, which is not very useful to released prisoners returning to urban communities.

Homeboy Industries' Solar Panel Program

Homeboy Industries provides job training, job placement, and employment to at-risk and formerly gang-involved youth. Homeboy Industries, which is partially funded by revenue from its own businesses, pays the tuition and an hourly wage for each student. Recently, Homeboy Industries partnered with the East Los Angeles Skills Center to offer a two-month intensive class for people with prior convictions. The Center offers a hands-on program that teaches the design, construction, and installation of solar panels. The intent is to give a very hard-to-hire group of people a skill set that is becoming more valuable in the job market as the economy moves in a "green" direction.

Recommendation 8: Support local job creation strategies that utilize the power of government hiring, and leverage government funding to provide equal employment opportunities for people with prior convictions.

People with prior convictions can benefit from equal employment opportunities based on their residential status or income status through government hiring and development funding. To have the greatest impact, job creation strategies should take advantage of local assets and resources. Below are a few examples of strategies that are local in focus and utilize the power of government hiring.¹²

¹² For more details on local job creation strategies see, "Making Development Work for Local Residents: Local Hire Programs and Implementation Strategies that Serve Low-Income Communities" by Kathleen Mulligan-Hansel and The Partnership for Working Families website at www.communitybenefits.org.

- **Bid incentives.** Local construction contracts are traditionally awarded to the lowest bidder that meets the specific job qualifications. "Best value bidding" or "best value contracting" is an increasingly used strategy of incorporating elements other than the lowest bid into contracting decisions. Factors can include wage and benefit plans, past performance, staffing, and safety and can reflect local hiring policies or economic benefit.
- **Community benefits agreements (CBA).** Community benefits agreements are negotiated contracts typically between a developer and a coalition of community-based organizations. The intent is to ensure that all members of a community have a voice in and benefit from local development projects. The agreements stipulate local training programs, living wages, and high-quality job creation, among other benefits.
- **First-source hiring agreements.** First-source hiring agreements can provide local residents the first opportunity to qualify for new jobs, and employers agree to not hire from outside sources for an agreed upon period of time. These agreements can be in the provisions of community benefits agreements, project labor agreements, or public contracting processes.

Los Angeles Airport Community Benefits Agreement

As part of a modernization project for Los Angeles Airport, a community benefits agreement was executed in 2004 and stipulated local hiring for a range of jobs at the airport including airline employees, service contractors, baggage handlers, and food service vendors. The targeted applicants were low-income individuals living in the project impact area. The CBA also stipulated that the City's Living Wage Ordinance apply to airport and contractor employees.

East Palo Alto's First Source Hiring Policy

The East Palo Alto First Source Hiring and Local Business Enterprise Policy covers all projects receiving a subsidy from the city of East Palo Alto, such as a grant, loan, or tax abatement valued over \$50,000. The policy, passed in 1996, requires that all projects receiving over \$50,000 from the city hire at least 30% of it's workforce from within East Palo Alto (East Palo Alto Redevelopment Agency 2001).

Recommendation 9: Engage private employers from both local markets and growing markets as strategic partners in shaping programs and training on an ongoing basis.

Employers need to be involved as strategic partners and play a role in shaping education and training programs in an ongoing way. Continuity will strengthen relationships, trust, and good communication. Ongoing partnerships will also help programs adapt as markets or economic climates change.

Private employers need to understand that employing people with prior convictions is good business. Some employers hire people with prior convictions as the "right" thing to do. However, large-scale participation by employers should be framed as the smart thing to do. Employers who have experience in employing people with prior convictions can educate other employers. Real-life success stories can be a convincing argument. Getting the attention of employers in the current economic climate is more challenging.

Tri-CED Community Recycling

Tri-CED is a nonprofit organization based in Union City that works primarily in the field of recycling. It is the largest nonprofit organization in California with the goal of employing difficult-to-hire workers and reintegrating them back into the workplace and community through "job training, work experience, and permanent jobs." Tri-CED has been successful at employing high-risk workers since 1980. Individuals who complete a six-month job training course are hired on a permanent or part-time basis. Many of those employed by Tri-CED continue their education either earning a GED or attending a community college.

Electronic Recyclers International, Inc. (ERI)

ERI, based in Fresno, is the largest electronic waste recycler in the U.S. and recycles over 170 million pounds per year at seven locations. ERI's core business is to recycle electronic waste, but part of their mission is "to recycle lives." Approximately, 50 of its 350 employees come for "second chances" programs and include recovering addicts and formerly incarcerated individuals.

Recommendation 10: Institute reentry roundtables or councils that represent a diverse group of stakeholders to assess how to increase local employment opportunities for people with prior convictions and develop strategies to optimize those opportunities.

One venue for encouraging job creation is the institution of reentry roundtables or reentry councils. Many such partnerships have been in existence for years, and more are being developed across the state. Reentry roundtables typically represent a diverse

group of local stakeholders including people with prior convictions and recently released people, community-based organizations, local service providers, and representatives from law enforcement. Although specific local conditions and priorities vary,

the general goal is the same. Reentry roundtables or councils can be used to build on existing relationships or to develop new relationships. In addition to developing strategies, a roundtable can be the venue through which the strategies are implemented.

Orange County Reentry Partnership (OCREP)

OCREP was founded in 2005 when the Sheriff's Department, the Probation Department, the CDCR, and its Parole Division brought together a coalition of eight corporations, 15 government agencies, 24 nonprofit organizations, and formerly incarcerated individuals. The mission is to "serve as a critical link between community resource providers and the formerly incarcerated striving to re-establish healthy, productive, and rewarding lives."

Together they have identified six components for successful reentry into Orange County communities: 1) early risk and needs assessments, 2) comprehensive case planning, 3) effective programming, 4) offender accountability, 5) transition planning, and 6) a network of support services (Walters and Wagner 2007).

San Diego Reentry Roundtable

The San Diego Reentry Roundtable was initially convened in 2001 to develop a concrete strategy that focused on the neighborhoods hit hardest by the removal, incarceration, and return of a large number of individuals. The mission is "to promote the safe and successful return of offenders to our community" by promoting best practices and eliminating barriers to successful reintegration into the community.

The roundtable members include representatives from correctional institutions, parole, probation, law enforcement, faith-based organizations, community-based organizations, government agencies, researchers, former prisoners and family members, and community members. (Reentry National Media Outreach Campaign 2007).

Section Nine: Fair and Accurate Background Checks

Laws and policies related to criminal records have changed remarkably in recent years. Restrictions on the types of jobs that people with prior convictions can hold, the percentage of employers who check applicants' backgrounds, the number of non-law enforcement entities that has access to criminal records, and concerns about the accuracy of information have all increased. These significant changes have introduced new problems with the background check system—or exacerbated previous ones.

According to the Society for Human Resource Management (SHRM), 29% of human resource professionals reported conducting background checks in 1996, and in 2004—just eight years later—the share of those checking backgrounds increased to 80% (Society for Human Resource Management 2004).¹³ Viewed another way, the share of employers who never check backgrounds has been declining. In 1994 52% of employers in one survey reported that they never checked applicants' backgrounds. According to a recent survey by the SHRM only seven percent

¹³ Notably, according to one survey the increase in background checks was not consistent across all types of companies. For example, dramatic increases were reported in retail trade, manufacturing, and large firms, but a decrease was reported in construction firms (Holzer et al. 2003).

of companies never check backgrounds (Society for Human Resource Management 2010). This growth in background checks is in part being driven by recent growth in the number of private background screening firms.

According to one inventory, over 200 employment sanctions are imposed on “ex-offenders” as a matter of law in California (Cantu and Petersilia 2006). Employers are legally required to conduct criminal background checks for many occupations including law enforcement, banking and securities, childcare, and healthcare positions (Bushway et al. 2007). Notably, some of these fields are those that are rapidly expanding or in which there is the greatest market demand.

There is no doubt that legal restrictions and background checks pose significant challenges for people with prior convictions who are looking for employment. However, compared to other states and the federal system, California’s laws are more restrictive in terms of access to records (Privacy Rights Clearinghouse 2009). The Legal Action Center has graded states on the extent to which their laws and policies pose barriers to reentry. California ranked second for the most restrictions on access to criminal records (Legal Action Center 2009). Federal law allows criminal convictions to be reported indefinitely but California state law does not allow convictions records that predate the screening by more than seven years. In addition, California forbids employers from asking about arrests that did not result in conviction, which many states allow.

Licensing in California

The California Department of Consumer Affairs (DCA) serves as the licensing entity of more than 100 business and 200 professional categories such as dentists, contractors, doctors, cosmetologists, and repair facilities of various types. The DCA is made up of 40 regulatory entities, all of which have some responsibility for establishing qualifications and levels of competency necessary for various types of licenses. A board may “suspend or revoke a license if crime is ‘substantially related’ to the qualifications, functions, or duties of the business or profession,” although the board must take into consideration all evidence of rehabilitation and develop proper criteria in order to evaluate the rehabilitation steps taken (Love 2008).

The dramatic growth in the use of criminal background checks makes addressing problems with the background check system more urgent. Stakeholders are very concerned about the accuracy and legality of information provided by private screening firms to employers. These include people with prior convictions, legal rights advocates, members of law enforcement, and employers themselves. State and federal databases are considered significant sources of bad information, as are the repositories from which private screeners extract criminal background information (Winston 2005). Examples of inaccurate data are incorrect conviction dates, incorrect conviction dispositions, records of people with the same name, and dismissed convictions still included in the records.

Another area of concern is that private screening firms share information with employers that they are legally prohibited from sharing such as information about a conviction that is more than seven years old and information about arrests that did not lead to convictions.

Expansion of the Private Screening Industry

The private screening industry has increased significantly in recent years and is estimated to be a \$4 billion industry, growing between 25% and 35% annually (Stolz 2006). In 2010, the National Association of Professional Background Screeners listed 307 individuals from 120 companies as members in California. The screening industry must comply with mandates of the federal Fair Credit Reporting Act (FCRA), as well as regulations of the California Investigative Consumer Reporting Agencies Act (ICRAA). ICRAA generally imposes stricter regulations than FCRA and is considered to be one of the stronger consumer protection laws in the country. For example, California firms cannot report convictions that are more than seven years old or arrests that did not lead to convictions.

What the Research Says

As previously mentioned, employers report that they are least likely to hire people with prior convictions compared to any other difficult-to-employ group. Surveys indicate that employers consider people with prior convictions as the least trustworthy group relative to other groups (Holzer et al. 2003). Indeed, many efforts to limit access to criminal records or knowledge of criminal history are premised on the idea that more knowledge about criminal records leads to refusal to hire. According to one study, in states where criminal records become available on the Internet, labor market outcomes for “ex-offenders” are

worse compared to states where this information is not available (Finlay 2008). However, Finlay provided some evidence that labor market outcomes are also worse for non-offenders who are demographically similar to ex-offenders in those states. Notably, no rigorous research studies support or refute the notion that delaying or removing criminal record disclosure from job applications alone results in more jobs for people with prior convictions.

Recidivism. There is a small, yet growing, body of research on how long after an offense is committed that an individual is no more likely to commit a new crime than someone who has never committed an offense. Some research finds that after six or seven years people with criminal records are no more likely to commit a new offense than people without criminal records. (Kurlychek et al. 2006). Blumstein and Nakamura examined the time period since last contact with the criminal justice system to estimate when the risk of a new arrest for an “ex-offender” is no different than the risk of arrest for the general population. The time period was found to vary from approximately four to eight years based on the offense type and the age at first arrest (Blumstein and Nakamura 2009). Findings from this line of research could be useful to law and policy reforms related to clearing records, dismissals, and length of time employers should have access to an individual’s conviction history.

National Attention on Criminal Records and Background Checks

U.S. Attorney General's Office. In June of 2006 the Attorney General issued a report on criminal background checks that recommended standardizing access, accuracy, and privacy protection of criminal records. (Office of the Attorney General 2006).

The National Task Force on the Criminal Backgrounding of America. This task force, established in August 2004, was comprised of representatives from a variety of federal agencies, private screening companies, employers, state legislators, and academics. The task force developed recommendations that included funding for the use of fingerprints for criminal record checks, working towards complete and accurate records, and developing a national education campaign (National Consortium for Justice Information and Statistics 2005).

The National Task Force on the Commercial Sale of Criminal Justice Record Information. This task force focused on the role of commercial background screening companies in the collection, preservation, sale, and distribution of criminal history record information. (National Consortium for Justice Information and Statistics 2005).

Recommendation 11: Educate employers about laws regulating the hiring of people with prior convictions, understanding information provided in criminal records, and contracting with reputable background screening firms.

A growing number of employers need knowledge about the laws regulating criminal background checks and the industry overall. The increases in the number of employers who check criminal backgrounds means that more employers are reviewing records and may have little experience doing so or outsourcing the service.

Knowledge of legal rights. There are many laws and regulations at the state and federal levels that cover employers' legal rights and requirements related to hiring people with prior convictions. Understanding these can be challenging to an employer, and in particular to employers with a small staff. Employers need to be well informed on negligent hiring, Equal Employment Opportunity Commission (EEOC)

guidelines, FCRA, and ICRAA, among other things. Education can help employers protect themselves from lawsuits; it can protect the rights of people with prior convictions; and it can be cost effective by avoiding unnecessary lawsuits or reducing hiring costs.

Reading criminal records. Understanding the details of the information in a criminal record file is critical to making well-informed hiring decisions. Employers often have difficulties reading criminal record files provided by private screening firms or a public data repository. In addition, employers need to be aware of the types of information that they are legally allowed to use as part of their hiring process.

Contracting with private screening firms. Screening firms vary widely in terms of the quality and accuracy of the information they provide. An employer must be able to discern whether a private screening firm is reputable. An educated employer is aware of the performance measures that indicate the quality of a firm's work.

Awareness of incentive programs. Several state and federal programs are designed to provide financial incentives such as tax credits and bonds to employers for hiring hard-to-employ groups. Employers who hire people with prior convictions are often eligible to participate in such programs, but the programs are generally underused. Two of the larger incentive programs are the federal Work Opportunity Tax Credit (WOTC) and the U.S. Department of Labor's Federal Bonding program. Low participation is, in part, considered to be the result of lack of awareness on the part of employers about their eligibility for the programs.

Although the specific and most important reasons for low employer participation in these programs are not known, they may be lack of employer awareness of the programs, insufficient amount of the tax credit or bond coverage, and administrative burden on employers.

The Work Opportunity Tax Credit

The Work Opportunity Tax Credit is a federal tax credit that started in 1996 to provide an incentive for private, for-profit employers to hire and retain targeted groups deemed hard-to-employ including "ex-felons who are within one year of their release from prison or within one year after their conviction." Such employers can receive up to \$2,400 in tax credit per year for two years.

Federal Bonding Program

The U.S. Department of Labor's Federal Bonding Program is intended to provide insurance to protect employers against "employee dishonesty" including theft, forgery, larceny, and embezzlement. Bonds are in effect the first day on the job, and the coverage ranges from \$5,000 to \$25,000 for a six-month period.

For additional information see U.S. Department of Labor web site: www.bonds4jobs.com/highlight.html and www.doleta.gov/business/incentives/opptax/.

Detailed prescriptions on the most effective strategies for educating employers are beyond the scope of this report. However, employer education strategies must be tailored to local needs, and multiple strategies should be pursued concurrently. The following are examples of strategies to educate employers:¹⁴

- Utilize employers as the instructors or messengers, as employers will be more receptive to information coming from other employers.
- Develop standardized, uniform education and training materials for state-level issues that could be distributed throughout the state (e.g., train-the-trainer materials).
- Develop education strategies for smaller, local employers at a community level to leverage existing partnerships and tailor campaigns to local job markets.
- Utilize local chamber of commerce networks as a way to connect with local employers.
- Develop education strategies targeted at certain industries in collaboration with industry associations to utilize existing networks.
- Utilize industry-specific associations as a way to connect with employers in targeted industries
- Develop and distribute standardized education and training materials for state-level issues that can be distributed across the state (e.g., state and federal laws and regulations).

¹⁴ This listing of strategies is not an endorsement by the full Advisory Board of the strategies. It simply presents some of the potential strategies that could be considered.

Recommendation 12: Strengthen and expand oversight and quality control mechanisms for background screening firms.

Technology has played a key role in the growth of the background screening industry, and the Internet is an obvious source of information for employers. The industry is decentralized, which poses a challenge to monitoring quality. Literally thousands of companies offer background checking services and they are operating in an environment with insufficient levels of oversight and inadequate quality control mechanisms.¹⁵

The members of the Advisory Board agree that the current system is problematic and that industry oversight needs to be strengthened. However, the Board felt that recommending specific approaches was beyond the scope of this group. Who should be responsible for oversight? Is it the role of the government to institute and enforce rules and regulations governing the private screening firm industry? Could the industry do a satisfactory job at “self policing” by, say, developing their own standards that would be monitored through professional associations?

¹⁵ Examples include firms providing illegal information such as information about arrests that did not lead to conviction and inaccurate information.

Recommendation 13: Develop a quality control system that makes public the accuracy of information provided by private screening firms in terms of their legal obligations and compliance with federal and state consumer protection laws.

Employers pay private screening firms to provide criminal record information to inform their hiring decisions; employers have a strong interest in information being accurate and legal. Increasing public transparency about practices and performance of individual companies will lead to overall improvement in the industry.

The lack of standardized data collection and reporting for private screening firms will make it challenging to develop a central “repository” of information. What data should be collected? Who should collect it? In what format should the information be reported? These questions are important to developing a system that will hold private screening firms accountable.

One possible strategy is to utilize industry associations as venues for sharing information about experiences with and performance of private screening firms. For example, member surveys on satisfaction with specific private screening firms can be conducted and the results shared with all members of an association.

Need for objective, systematic assessment of private screening firms.

The state should consider commissioning an academic institution, or another independent entity, to systematically assess the quality and legality of information provided by private screening firms to employers. This would allow for a better understanding of the prevalence and nature of problems within this relatively new industry.

Recommendation 14: Strengthen and enforce laws and regulations that create clear standards regulating the hiring of people with prior convictions and background screening and encourage employers to adopt fair hiring practices that reduce discrimination against people with conviction histories.

Job applicants with prior convictions are illegally denied jobs when employers and private screening firms do not comply with federal and state consumer protection laws. These laws regulate the accuracy of the information in criminal background checks.

Consumer protection laws are also violated when certain steps in the criminal background check process are not followed. For example, a person with a prior conviction should be provided a copy of a criminal record report that was provided to a potential employer within three days regardless of the action taken by an employer. People with prior convictions are also guaranteed fair notice of negative employment decisions based on an individual's criminal record.

California's consumer protection laws are considered to be relatively strong compared to most other states. Thus, unlike many other states, in California the challenge is compliance with existing laws rather than changing laws. Enforcing the federal Fair Credit Reporting Act and the California Investigative Consumer Reporting Agencies Act is difficult.

Federal and state law requires that any convictions considered during the selection process must be directly related to responsibilities of the job. However, enforcement of these laws is lacking.

No federal or state law specifically protects people with prior convictions from employment discrimination. However, in some cases, the courts have ruled that refusing to hire an individual based on a prior conviction is illegal race discrimination under Title VII of the Civil Rights Act of 1964. This is based on the fact that racial minorities are arrested and convicted at disproportionate rates. In other words, denying people with prior convictions a job has been deemed by some courts to be racially discriminatory.

The Equal Employment Opportunity Commission (EEOC) has issued policy guidance on the use of background screening for employment purposes; employers should review their hiring policies to ensure that they are in compliance with the guidelines. The EEOC guidelines state that information contained in the criminal record must be job related. Specifically, three factors should be considered: "1) The nature and gravity of the offense or offenses, 2) the time that has passed since the conviction and/or completion of the sentence, and 3) the nature of the job held or sought."¹⁶

This report does not endorse specific strategies for improving law enforcement, as that is beyond the scope of the Advisory Board. However, one strategy is to raise awareness of the issue with legislators and their staff through informational legislative hearings. Another could be to develop a process whereby screening firms are required to provide evidence of compliance with consumer protection laws such as publicizing audit results or information about complaints filed against the firm.

¹⁶ EEOC Policy Statement on the Issue of Conviction Records under Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. § 2000e et seq. (1982). (2/4/87).

The “Ban the Box” Campaign

Ban the Box is a policy in which the question about whether an applicant has a criminal record is removed from the standard, initial employment application. Criminal background checks are conducted in the later stages of the hiring process, after applicants have passed an initial review, been selected for an interview, or are being considered to receive a job offer. The policy, which was developed by All of Us or None, a California-based advocacy organization, was initially launched in San Francisco and has been adopted by 22 additional cities and counties across the country. Similar policies have also been adopted by 12 states (National League of Cities 2010).

The City of Boston removed the question about prior convictions from its job applications and, in cases in which a background check is conducted, it is not done until an applicant is considered “otherwise qualified.”* Before an applicant is denied a job based on information from a criminal background check, a copy of the criminal record must be given to the applicant for an opportunity to correct inaccuracies and present evidence of rehabilitation. In addition, to obtain contracts with the City, a private contractor—of which there are approximately 50,000—must also have policies of nondiscrimination against people with prior convictions who seek employment (Henry and Jacobs 2007).

The City of Minneapolis removed the question about criminal background checks from its standard city employment applications in December 2006, under the Fair Hiring Practices Resolution. Also, background checks are not done until a job applicant has been given a conditional job offer. According to the City’s Human Resource Department, of the applicants for whom a background check “raised a potential concern” nearly 60% were hired, compared to less than 6% before Ban the Box was adopted. The City estimates that the time and resources used to process city job applications has declined by 28% (National League of Cities 2010).

The State of New Mexico enacted legislation in 2010 that prohibits state agencies from asking about applicants’ criminal histories on an initial job application. Only after an applicant has been selected as a finalist can a criminal history be considered as part of the hiring decision. The use of an arrest record that did not lead to a conviction is also prohibited (National Employment Law Project 2010).

Note: For more information about Ban the Box policies that have been adopted by cities and counties see National Employment Law Project, “Major U.S. Cities and Counties Adopt Hiring Policies to Remove Unfair Barriers to Employment of People with Criminal Records,” at www.nelp.org/page/-/SCLP/CityandCountyHiringInitiatives.pdf.

* This does not include jobs for which criminal background checks are legal requirements.

Recommendation 15: Engage district attorneys’ offices in prosecuting employers and private screening firms that violate consumer protection laws.

District Attorneys’ offices have the authority to prosecute employers and private screening firms that violate consumer protection laws. Given the

responsibility of District Attorneys’ offices to enforce a broad range of laws and regulations, prioritizing the enforcement of consumer protection laws in cases involving people with prior convictions is difficult. Nonetheless, people with prior convictions and legal rights advocates should attempt to engage District Attorneys’ offices in these types of cases.

Section Ten: Emergent Themes

Several notable themes emerge from the range of issues covered in this report.

Relationships and Networks. Relationships, partnerships, and networks are critical to affecting real change. Across almost all topics addressed in this project, it was found that diverse groups with a variety of perspectives need to collaborate in meaningful ways, develop relationships, and establish trust.

Liaisons can serve as a bridge to connect different individuals and organizations and to connect employers with prospective employees. A liaison builds relationships and trust with the various parties and can help facilitate communication among them. The third party must be trusted by all of the parties involved. Individuals with prior convictions have no or limited previous work experience and no one to “vouch” for them. A liaison can reduce the risk that employers perceive by vouching for prospective employees.

Existing reentry roundtables or councils continue to make progress toward shared goals and prove that partnerships can lead to success.

Lastly, the accomplishments of this Advisory Board demonstrate that building relationships and establishing trust among individuals with very different perspectives can lead to consensus on many issues.

Localization and Individualization. Tailoring an approach to best fit the needs and resources of people, programs, and communities leads to greater

success. Training programs (both in and out of correctional settings) and community services should reflect the local labor market. Individuals should be well matched with training and services, and those should be matched to real job opportunities. Skill assessment tools and career plans can help increase the chances for a good match between the employee and the job.

Awareness and Knowledge of Relevant Laws, Regulations, and Rights. An increased understanding of the issues covered in this report can lead to more employment opportunities. In addition, knowledge about laws and regulations related to background checks and private screening firms on the part of employers is also a priority.

People with prior convictions are not fully informed about their legal rights and access to services. Job applicants may not realize when they are the victims of discriminatory actions or be aware of financial incentives programs such as tax credits and bonding offered by federal and state governments. In California, unlike in many other states, education about and adherence to existing laws would lead to progress.

Increasing employment opportunities for people with prior convictions can be accomplished in many ways. Some of the issues discussed here require state-level legislative action, others require changes at the county level, and still others involve individual employers. This document can be useful to a wide range of people and organizations—state and local, public and private—to pursue their specific interests.

Currently there are opportunities for change as a result of increased public awareness, the attention of key stakeholders, the current economic climate, and pressure from the courts. However, many challenges remain. Political challenges must be addressed to realize some of the Recommendations presented in this report. The current economic climate makes this work more difficult, but also more important.

The Guiding Principles can inform other efforts. The basic concepts of safety, community, equity, and responsibility should guide endeavors to increase employment opportunities for people with prior convictions. Reform efforts must allow for and respond to failures, highlight and build on successes, create momentum, and demonstrate the value to society of getting back to work.

References

- Bloom, Dan, "Employment-Focused Programs for Ex-Prisoners: What Have We Learned, What Are We Learning, and Where Should We Go From Here?" National Poverty Center, Gerald R. Ford School of Public Policy, (University of Michigan: MDRC, 2006).
- Bloom, Dan, "Transitional Jobs: Background, Program Models, and Evaluation," Evidence (MDRC, February 2010).
- Blumstein, Alfred, and Kiminori Nakamura, "Redemption in the Presence of Widespread Criminal Background Checks," *Criminology*, Vol. 47, No. 2 (2009).
- Boshier, Roger, and Derek Johnson, "Does Conviction Affect Employment Opportunities?" *British Journal of Criminology*, Vol. 20 (1974).
- Buikhuisen, Wouter, and Fokke P.H. Dijksterhuis, "Delinquency and Stigmatisation," *British Journal of Criminology*, Vol. 11 (1971).
- Brazzell, Diana, Anna Crayton, Debbie A. Mukamal, Amy L. Solomon, and Nicole Lindahl, "From the Classroom to the Community: Exploring the Role of Education during Incarceration and Reentry," (Washington, DC: The Urban Institute with John Jay College of Criminal Justice, New York, 2009).
- Bureau of Justice Statistics, "Survey of State Criminal History Information Systems, 2003," (Washington, DC: US Department of Justice, Office of Justice Programs, October 2006).
- Bureau of Justice Statistics, "Survey of State Criminal History Information Systems, 2006," (Washington, DC: US Department of Justice, Office of Justice Programs, October 2008).
- Bushway, Shawn D., "Labor Market Effects of Permitting Employer Access to Criminal History Records," *Journal of Contemporary Criminal Justice*, Vol. 20 No. 3 (2004).
- Bushway, Shawn and Gary Sweeten, "Abolish Lifetime Bans for Ex-Felons," American Society of Criminology, Columbus, OH, ETATS-UNIS (2007).
- California Department of Corrections and Rehabilitation, "Corrections Moving Forward," (Sacramento, CA: California Department of Corrections and Rehabilitation, 2009).
- Cantu, Jonathan and Joan Petersilia, "A Survey of Employment Sanctions Imposed Upon Ex-Offenders by California Law," (2006).
- Carter, Madeline M., Susan Gibel, Rachelle Giguere, and Richard Stroker, "Increasing Public Safety Through Successful Offender Reentry: Evidence-based and Emerging Practices in Corrections," (Silver Spring, MD: Center for Effective Public Policy, 2007).
- Chao, Elaine, "From Hard Time to Full Time: Strategies to Help Move Ex-Offenders' from Welfare to Work," U.S. Department of Labor, Employment and Training Administration (2001).
- City of East Palo Alto Redevelopment Agency, "First Source Hiring and Local Business Enterprise Policy," (September 2001).
- Cohen, Dov and Richard E. Nisbett, "Field Experiments Examining the Culture of Honor: The Role of Institutions in Perpetuating Norms about Violence," *Personality and Social Psychology Bulletin*, Vol. 23 No. 11, 1997).
- Comings, John P., Lisa Soricone, and Maricel Santos, "An Evidence-based Adult Education Program Model Appropriate for Research," National Center for the Study of Adult Learning and Literacy (March 2006).
- Crayton, Anna and Suzanne Rebecca Neustete, "The Current State of Correctional Education," (paper presented at the Reentry Roundtable on Education, John Jay College of Criminal Justice, New York, March 31, 2008).

- Davis, Lois M., Nancy Nicosia, Adrian Overton, Lisa Miyashiro, Kathryn Pitkin Derose, Terry Fain, Susan Turner, Paul Steinberg, and Eugene Williams III, "Understanding the Public Health Implications of Prisoner Reentry in California, Phase I Report," (Santa Monica, CA: RAND, Health and Infrastructure, Safety, and Environment, 2009).
- Drake, Elizabeth, Steve Aos and Marna G. Miller, "Evidence-Based Public Policy Options to Reduce Crime and Criminal Justice Costs: Implications in Washington State," *Victims and Offenders*, 4: 170-196 (2009).
- Employers Group Research Services, "Employment of Ex-Offenders: A Survey of Employers' Policies and Practices," (SFWORKS 2002).
- Fahey, Jennifer, Cheryl Roberts, and Len Engel, "Employment of Ex-Offenders: Employer Perspectives," (Crime and Justice Institute 2006).
- Finlay, Keith, "Effect of Employer Access to Criminal History Data on the Labor Market Outcomes of Ex-Offenders and Non-Offenders," National Bureau of Economic Research Working Paper #13935 (April 2008).
- Finn, Peter, "Job Placement for Offenders in Relation to Recidivism," *Journal of Offender Rehabilitation*, Vol. 28 (1998).
- Finn, R.H., and Patricia A. Fontaine, "The Association between Selected Characteristics and Perceived Employability of Offenders," *Criminal Justice and Behavior*, Vol. 12 No. 3 (1985).
- Freeman, Richard, and William M. Rodgers III, "Area Economic Conditions and the Labor Market Outcomes of Young Men in the 1990s Expansion," NBER Working Paper No. 7073, (Cambridge, MA: National Bureau of Economic Research, 1999).
- Gaes, Gerald G., "The Impact of Prison Education Programs on Post-Release Outcomes," Reentry Roundtable on Education (2008).
- Giguere, Rachelle and Lauren Dundes, "Help Wanted: A Survey of Employer Concerns About Hiring Ex-Convicts," *Criminal Justice Policy Review*, Vol. 13 No. 4 (2002).
- Grattet, Ryken, Joan Petersilia, Jeffrey Lin, and Marlene Beckman, "Parole Violations and Revocations in California: Analysis and Suggestions for Action," *Federal Probation*, Vol. 73, No. 1 (2009).
- Greenberg, Elizabeth, Eric Dunleavy, and Mark Kutner, "Literacy Behind Bars: Results from the 2003 National Assessment of Adult Literacy Prison Survey," (Washington, DC: National Center for Education Statistics, 2007).
- Grogger, Jeff, "Market Wages and Youth Crime," *Journal of Labor Economics*, 16(4): 756-91 (1998).
- Hamersma, Sarah, "The Work Opportunity and Welfare-to-Work Tax Credits," *Tax Policy Issues and Options*, No. 15, (Washington, DC: Urban-Brookings Tax Policy Center, October 2005).
- Hammett, Theodore M., Roberts, Cheryl, and Sofia Kennedy, "Health-Related Issues in Prisoner Reentry," *Crime and Delinquency*, 47(3): 390-409 (2001).
- Harer, Miles D. "Recidivism of Federal Prisoners Released in 1987," (Washington, DC: Federal Bureau of Prisons, Office of Research and Evaluation, 1994).
- Harlow, Caroline W., "Education and Correctional Populations," (Washington, DC: US Department of Justice, Bureau of Justice Statistics, 2003).
- Henry, Jessica, and James Jacobs, "Ban the Box to Promote Ex-Offender Employment," *Criminology and Public Policy*, Vol. 6, No. 4 (2007).
- Holzer, Harry, "What Employers Want: Job Prospects for Less-Educated Workers," (New York: Russell Sage Foundation, 1996).
- Holzer, Harry, Steven Raphael, and Michal A. Stoll, "Will Employers Hire Ex-Offenders? Employer Checks, Background Checks, and Their Determinants," Institute of Business and Economic Research, Berkeley Program on Housing and Urban Policy (University of California, Berkeley, 2001).

- Holzer, Harry, Steven Raphael, and Michael A. Stoll, "Can Employers Play a More Positive Role in Prisoner Reentry?" (Washington, DC: The Urban Institute, 2002).
- Holzer, Harry, Steven Raphael, and Michael A. Stoll, "Employer Demand for Ex-Offenders: Recent Evidence from Los Angeles," (Washington, DC: The Urban Institute, 2003).
- Holzer, Harry, Steven Raphael, and Michael A. Stoll, "Employment Barriers Facing Ex-Offenders," (Washington, DC: The Urban Institute, 2003).
- Kirschenman, Joleen and Kathryn Neckerman, "We'd Love to Hire Them But..." In Christopher Jencks and Paul E. Peterson, (Eds.), *The Urban Underclass*, (Washington, DC: The Brookings Institution, 1991).
- Krisberg, Barry and Susan Marchionna, "Attitudes of US Voters toward Prisoner Rehabilitation and Reentry Policies," National Council on Crime and Delinquency (April 2006).
- Kurlychek, Megan C., Robert Brame and Shawn D. Bushway, "Scarlet Letters and Recidivism: Does An Old Criminal Record Predict Future Offending?" *Criminology and Public Policy*, Vol. 5, No. 3 (2006).
- Laub, John, and Robert Sampson, "Understanding Desistance from Crime," *Crime and Justice*, 28: 1-70 (2001).
- Legal Action Center, "Housing Laws Affecting Individuals with Criminal Convictions," (Washington, DC: Legal Action Center, 2000).
- Legal Action Center, "After Prison: Roadblocks to Reentry. A Report on State Legal Barriers Facing People with Criminal Records," (2009 update).
- Legislative Analyst's Office, California Department of Rehabilitation and Correction presented to Senate Budget Subcommittee No. 4 on State Administration, (March 19, 2009).
- Legislative Analyst's Office, "Judicial and Criminal Justice, 2007 – 2008 Analysis."
- Little Hoover Commission, "Beyond Bars: Correctional Reforms to Lower Prison Costs and Reduce Crime," (1998).
- Little Hoover Commission, "Back to the Community: Safe and Sound Parole Policies," (2003).
- Little Hoover Commission, "Solving California's Corrections Crisis: Time is Running Out," (2007).
- Love, Margaret Colgate, "Relief from the Collateral Consequences of a Criminal Conviction: A State-by-State Resource Guide," Sentencing Project Online (June 2008).
- Lynch, James P. and William J. Sabol, "Prisoner Reentry in Perspective," *Crime Policy Report*, Vol. 3. (Washington, DC: The Urban Institute, 2001).
- MacKenzie, Doris Layton, "Structure and Components of Successful Educational Programs," John Jay College of Criminal Justice, Reentry Roundtable on Education (2008).
- Morris, Monique, Michael Sumner and Jessica Borja, "A Higher Hurdle: Barriers to Employment for Formerly Incarcerated Women," UC Berkeley School of Law, Thelton E. Henderson Center for Social Justice (2008).
- Moss, Philip, and Chris Tilly, "Why Opportunity Isn't Knocking: Racial Inequality and the Demand for Labor" in *Urban Inequity: Evidence from Four Cities*, (Russell Sage Foundation, 2001).
- National Consortium for Criminal Justice Information and Statistics, "Report of the National Task Force on the Commercial Sale of Justice Record Information," (2005).
- National Consortium for Criminal Justice Information and Statistics, "Report of the National Task Force on the Criminal Backgrounding of America," (2005).
- National Employment Law Project, "New State Initiatives Adopt Model Hiring Policies Reducing Barriers to Employment of People with Criminal Records," (June 2010).
- National League of Cities and the National Employment Law Project, "Cities Pave the Way: Promising Reentry Policies that Promote Local Hiring of People with Criminal Records," (2010).

- Office of the Attorney General, US Department of Justice, "The Attorney General's Report on Criminal History Background Checks," (June 2006).
- Pager, Devah, "The Mark of a Criminal Record," *American Journal of Sociology*, 108:937-975 (2003).
- Pager, Devah and Lincoln Quillian, "Walking the Talk? What Employers Say Versus What They Do," *American Sociological Review*, Vol. 70 (2005).
- Petersilia, Joan, "Parole and Prisoner Reentry in the United States," in Michael Tonry and Joan Petersilia (Eds.), *Prisons*, (Chicago, IL: University of Chicago Press, 1999).
- Petersilia, Joan, *When Prisoners Come Home: Parole and Prisoner Reentry*, (Oxford University Press, 2003).
- Petersilia, Joan, "What Works in Prisoner Reentry? Reviewing and Questioning the Evidence," *Federal Probation*, Vol. 68, No. 2 (2004).
- Petersilia, Joan, "Understanding California Corrections," California Policy Research Center, University of California (2006).
- Petersilia, Joan, "Meeting the Challenges of Rehabilitation in California's Prison and Parole System," A Report from Governor Schwarzenegger's Rehabilitation Strike Team, (Sacramento, CA: Office of the Governor, December 2007).
- Privacy Rights Clearinghouse, "Employment Background Checks in California: New Focus on Accuracy," (May 2009).
- Raphael, Steven, "The Impact of Incarceration on the Employment Outcomes of Former Inmates: Policy Options for Fostering Self-Sufficiency," (paper prepared for the Institute for Research on Poverty, Working Conference on Pathways to Self-Sufficiency: Getting Ahead in an Era Beyond Welfare Reform, Madison, WI (September 6 and 7, 2007).
- Raphael, Steven, "Improving Employment Prospects for Former Prison Inmates: Challenges and Policy," NBER Working Paper No. W15874 (April 2010).
- Rasmusen, Eric B., "Stigma and Self-Fulfilling Expectations of Criminality," *Journal of Law and Economics*, 39 (1996).
- Reentry National Media Outreach Campaign, "Reentry Profile: The San Diego Reentry Roundtable," (September 2007).
- Reentry Policy Council, "Charting the Safe and Successful Return of Prisoners to the Community," Washington, DC: US Department of Justice, US Department of Labor, and the US Department of Health and Human Services (2003).
- Rossman, Shelli B., and Caterina G. Roman, "Case-Managed Reentry and Employment: Lessons from the Opportunity to Succeed Program," *Justice Research and Policy*, 5, No. 2: 75-100 (2003).
- Sampson, Robert, and John H. Laub, "Crime in the Making: Pathways and Turning Points Through Life," (Cambridge: Harvard University Press, 1993).
- Sampson, Robert, and John H. Laub, "A Life-Course Theory of Cumulative Disadvantage and the Stability of Delinquency," *Advances in Criminology Theory*, 7:133-61 (1997).
- Smith, C.J., J. Bechtel, A. Patrick, R.R. Smith, and L. Wilson-Gentry, "Correctional Industries Preparing Inmates for Reentry: Recidivism and Post-release Employment," (Washington, DC: US Department of Justice, National Institute of Justice, 2006).
- Society for Human Resources Management, "Background Checking: Conducting Criminal Background Checks," (January 2010).
- Society for Human Resources Management, "SHRM Finds Employers are Increasingly Conducting Background Checks to Ensure Workplace Safety," (Press release, January 2004).

- Stoll, Michael, and Shawn D. Bushway, "The Effect of Criminal Background Checks on Hiring Ex-Offenders," *Criminology & Public Policy*, Vol. 7 No. 3 (2008).
- Stolz, Richard F., "Background Backfire," (Human Resource Executive Online, 2006). Available at: <http://www.hreonline.com/HRE/story.jsp?storyId=4295589>
- Texas Department of Criminal Justice, "Project RIO Strategic Plan, FY 2010 – 2011" (March 2010).
- Travis, Jeremy, "Invisible Punishment: An Instrument of Social Exclusion," in *Invisible Punishment: The Collateral Consequences of Mass Imprisonment*, Marc Mauer and Meta Chesney Lind (Eds.), (The New Press, 2002).
- Uggen, Christopher, "Ex-Offenders and the Conformist Alternative: A Job Quality Model of Work and Crime," *Social Problems*, Vol. 46, No. 1 (February 1999).
- Uggen, Christopher, "Work as a Turning Point in the Life Course of Criminals: A Duration Model of Age, Employment, and Recidivism," *American Sociological Review*, (2000).
- Visher, Christy, Sara Debus, and Jennifer Yahner, "Employment after Prison: A Longitudinal Study of Releasees Three States," (Washington, DC: The Urban Institute, 2008).
- Walters, Charles, and Lilya Wagner, "Creative Partnerships That Support Inmate Reentry Programs: Involving Public, Private, and Nonprofit Organizations," Large Jail Network Exchange (2007).
- Weich, R. H., and C.T. Angulo, "Racial Disparities in the American Criminal Justice System," In D. M. Piché, W. L. Taylor, & R. A. Reed (Eds.), *Rights at Risk: Equality in an Age of Terrorism* (Washington, DC: Citizen's Civil Rights Commission, 2002).
- Western, Bruce, *Punishment and Inequality in America*, (Russell Sage Foundation, 2006).
- Western, Bruce, "Criminal Background Checks and Employment Among Workers with Criminal Records," *Criminology & Public Policy*, Vol. 7 No. 3 (2008).
- Western, Bruce, "From Prison to Work: A Proposal for a National Prisoner Reentry Program," (Washington, DC: The Brookings Institution, December 2008).
- Whiting, B. M., and E. Winters, "Ex-offenders and job employment in East Central Wisconsin," *Corrections Today*, 423 (1981).
- Wilson, James A., and Robert C. Davis, "Good Intentions Meet Hard Realities: An Evaluation of the Project Greenlight Reentry Program," *Criminology & Public Policy*, Vol. 5, No. 2 (2006).
- Wilson, James A., "Habilitation or Harm: Project Greenlight and the Potential Consequences of Correctional Programming. Corrections Today... and Tomorrow: A Compilation of Corrections-Related Articles," (Washington, DC: National Institute of Justice, June 2008).
- Winston, Craig N., "The National Crime Information Center: A Review and Evaluation," National Association of Professional Background Screeners (August 2005).

Additional Sources

- American Bar Association, “Justice Kennedy Commission Report to the House of Delegations Recommendations,” (2004).
- Aos, Steve, Marna Miller and Elizabeth Drake, “Evidence-Based Corrections Programs: What Works and What Does Not,” (Olympia: Washington State Institute for Public Policy, 2006).
- Bushway, Shawn D., Shauna Briggs, Faye Taxman, Meredith Thanner, and Mischelle Van Brakle, “Private Providers of Criminal History Records: Do You Get What You Pay For?” in *Barriers to Reentry*, Shawn D. Bushway, Michael A. Stoll, and David F. Weiman (Eds.), (New York: Russell Sage Foundation, 2007).
- Bushway, Shawn D., Michael A. Stoll, and David F. Weiman (Eds.), *Barriers to Reentry: The Labor Market for Released Prisoners in Post-Industrial America*, (New York: Russell Sage Foundation, 2007).
- California Department of Corrections and Rehabilitation, “A Roadmap for Effective Offender Programming in California,” Expert Panel on Adult Offender and Recidivism Reduction Programming Report to the California State Legislature (2007).
- Emsellem, Maurice, “‘Smart on Crime’ Agenda: Reducing Recidivism in California by Addressing Occupational Barriers for People with Criminal Records,” (Hearing testimony before the California Legislature Assembly Business and Professions Committee, November 1, 2005.)
- Emsellem, Maurice, “Collateral Consequences of Criminal Convictions,” (Hearing testimony before the US Congress House of Representatives, Judiciary Committee, June 9, 2010).
- Freeman, Richard, “Incarceration, Criminal Background Checks, and Employment in a Low(er) Crime Society,” *Criminology and Public Policy*, Vol. 7 No. 3, (2008).
- GAO, “Work Opportunity Tax Credit: Employers Do Not Appear to Dismiss Employees to Increase Tax Credits,” (Washington, DC: The General Accounting Office, 2001).
- Harrison, Byron and Robert Carl Schehr, “Offenders and Post-Release Jobs: Variables Influencing Success and Failure,” *Rehabilitation*, 39, 35-68, (2004).
- Hirsch, Amy, Sharon Dietrich, Rue Landau, Peter Schneider, Irv Ackelsberg, Judith Bernstein-Baker and Joseph Hohenstein, *Every Door Closed: Barriers “Facing Parents with Criminal Records”*, (Washington, DC: Center for Law and Social Policy and Community Legal Services, 1992).
- Holzer, Harry, Steven Raphael, and Michal A. Stoll, “Perceived Criminality, Criminal Background Checks and the Racial Hiring Practices of Employers,” *Journal of Law and Economics*, Volume XLIX, (2006).
- Holzer, Harry, “Collateral Costs: The Effects of Incarceration on Employment and Earnings of Young Workers,” IZA Discussion Paper No. 3118 (2007).
- Lawrence, Sarah, Daniel P. Mears, Glenn Dubin, and Jeremy Travis, “The Practice and Promise of Prison Programming,” (Washington, DC: The Urban Institute, Justice Policy Center, 2002).
- Maruna, Shadd, *Making Good: How Ex-Convicts Reform and Rebuild Their Lives* (Washington, DC: American Psychological Association, 2001).
- Moses, Marilyn, and Cindy Smith, “Factories Behind Fences: Do Prison ‘Real Work’ Programs Work?” *National Institute of Justice Journal* No. 257 (2008).
- Mukamal, Debbie, “From Hard Time to Full Time: Strategies to Help Move Ex-Offenders from Welfare to Work,” Legal Action Center, (Washington, DC: Department of Labor’s Employment and Training Administration, 2001).
- Mulligan-Hansel, Kathleen, “Making Development Work for Local Residents: Local Hire Programs and Implementation Strategies that Serve Local Communities,” *Partnership for Working Families* (June 2008).
- Pager, Devah, *Marked: Race, Crime, and Finding Work in an Era of Mass Incarceration*, (Chicago, IL: University of Chicago Press, 2007).

- Rhine, Edward E., Tina L. Mawhorr, and Evalyn C. Parks, "Implementation: The Bane of Effective Correctional Programs," *Criminology & Public Policy*, Vol. 5, No. 2, (2006).
- Solomon, Amy L., Kelly D. Johnson, Jeremy Travis, and Elizabeth C. McBride, "From Prison to Work: The Employment Dimensions of Prisoner Reentry," A Report of the Reentry Roundtable, (Washington, DC: The Urban Institute, October 2004).
- Stafford, Christopher, Finding Work: How to Approach the Intersection of "Prisoner Reentry, Employment and Recidivism," *Georgetown Journal on Poverty Law and Policy*, Vol. XIII No. 2, (2006).
- Travis, Jeremy, Amy L. Solomon and Michelle Waul, "From Prison to Home: the Dimensions and Consequences of Prisoner Reentry," (Washington, DC: The Urban Institute, 2001).
- Travis, Jeremy, *But They All Come Back: Facing the Challenges of Prisoner Reentry*, (The Urban Institute Press, 2005).
- Uggen, Christopher, "The Effect of Criminal Background Checks on Hiring Ex-Offenders," *Criminology and Public Policy*, Vol. 7 No. 3 (2008).
- US Equal Employment Opportunity Commission, "Policy Statement on the Consideration of Arrest Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964," (EEOC Compliance Manual, 1990).
- Wilson, David, Catherine Gallagher and Doris MacKenzie, A Meta-Analysis of Corrections-Based Education, Vocation and Work Programs for Adult Offenders, *Journal of Research in Crime and Delinquency*, 37, 4: 347-368, (2000).

Appendix A: Advisory Board Member Biographies

Deborah Alvarez-Rodriguez joined Goodwill Industries as President and CEO in March 2004. Prior to joining Goodwill, Alvarez-Rodriguez was Vice President of Silicon Valley's Omidyar Foundation, the family foundation created by the founder of E-Bay. Previously she served as the Director of San Francisco's Department of Children, Youth and Their Families (DCYF). Before joining DCYF, Alvarez-Rodriguez specialized in evaluation, strategic planning, and health system redesign at the Lewin Group, an internationally recognized health care consulting firm. Previous to that position, she was Founder and CEO of San Francisco's Every Child Can Learn Foundation, Executive Director of Intergovernmental and School-linked Services at the San Francisco Unified School District, and Assistant Director for Budget and Planning for the San Francisco Department of Public Health. Alvarez-Rodriguez is a graduate of Harvard-Radcliffe College.

Alvarez-Rodriguez has been named one of the most influential women in Bay Area nonprofits by the San Francisco Business Times. She also received, on behalf of the agency, the 2006 Leadership Independent Sector Award, which recognized Goodwill's innovative job training program and leadership development initiatives.

Father Gregory Boyle, an ordained priest, is Executive Director of Homeboy Industries in Los Angeles and an acknowledged expert on gangs and intervention approaches. Homeboy Industries' nonprofit economic development enterprises include Homeboy Bakery, Homeboy Silkscreen, Homeboy Maintenance, Homeboy/Homegirl Merchandise, and Homegirl Café.

Father Boyle is currently a member of the National Leadership Council of the Iris Alliance Fund, and serves on the Advisory Boards for the Loyola Law School Center for Juvenile Law and Policy, and the National Youth Gang Center. He also served as a member of the State Commission on Juvenile Justice, Crime, and Delinquency Prevention. Father Boyle has received numerous accolades and recognition on behalf of Homeboy and for his work with former gang members, including the California Peace Prize. He is also a consultant to youth service and governmental agencies, policy-makers, and employers. Father Boyle received a bachelor's degree in English from Gonzaga University, a Master of Arts degree in English from Loyola Marymount University, a Master of Divinity from the Weston School of Theology, and a Sacred Theology Masters degree from the Jesuit School of Theology.

Sheriff Bill Brown was elected as Santa Barbara County's Sheriff-Coroner in November, 2006. Sheriff Brown started his law enforcement career in 1977 with the Pacifica Police Department and transferred to the Inglewood Police Department in 1980. In 1992 he was selected to serve as Chief of Police for the City of Moscow, Idaho, and in 1995 was appointed Chief of Police for the City of Lompoc. Sheriff Brown is a past president of the California Police Chiefs Association, chairman of the Santa Barbara County Law Enforcement Chiefs Association, and executive director of the Santa Barbara Regional Narcotic Enforcement Team.

Sheriff Brown is active in the community, serving as a board member for the North County Rape Crisis and Child Protection Center, an honorary board member

for Santa Barbara Domestic Violence Solutions, an advisory board member of the Anti-Defamation League, steering committee member for both the Santa Barbara County Reentry Project and Santa Barbara's "Fighting Back" (Against Alcohol & Drug Abuse), and he sits on the Lompoc Hospital District Board of Trustees. Sheriff Brown worked with Santa Barbara City College (SBCC) to dedicate an Inmate Learning Center at Santa Barbara County Jail in June 2008. SBCC offers various programs, including GED, literacy and ESL classes, life management skills programs, and a special "STEP/Jail Program" which counsels individuals in the availability of opportunities for post-release follow-up that is designed to encourage continued involvement in educational/vocational programs.

Sheriff Brown earned a bachelor's degree in management from the University of Redlands in 1987 and received a master's degree in public administration from the University of Southern California in 1995. He was president of the 91st Class of the Delinquency Control Institute, and is a graduate of the Northwest Command College, and the 169th Session of the FBI National Academy.

Allen Davenport is the former Director of Government Relations for the Service Employees International Union (SEIU) California State Council, which is the largest union in California, with more than 700,000 members. A union member since 1971, Davenport was previously the chief consultant for employment security programs (unemployment insurance, disability insurance, and job training) on the staff of the state Senate Industrial Relations Committee for seven years. Prior to that, he served in a similar capacity in the executive office of the California Employment Development Department under governors Jerry Brown and George Deukmejian. He began his career in the department as a job developer

for ex-offenders and public assistance recipients in Hayward and Stockton. He is also currently a member of the California Commission on Health and Safety and Workers' Compensation, appointed by the Speaker of the Assembly. He is a former Peace Corps volunteer and a graduate of San Francisco State University.

Chief Ronald Davis was appointed Chief of Police for the City of East Palo Alto in May 2005. Prior to his appointment, Chief Davis spent 19 years with the Oakland Police Department. Chief Davis is the former San Francisco Chapter President and Region Vice-President of the National Organization of Black Law Enforcement Executives (NOBLE). He is a member of the International Association of Chiefs of Police (IACP) Professional Standards Committee. He is a former Senior Advisor to the Police Assessment Resource Center (PARC) and the Special Counsel to the Los Angeles County Sheriff's Department. Davis testified at the United States Senate Judiciary Committee hearings on racial profiling as well as the United States Congressional Black Caucus hearings on police misconduct.

Chief Davis is a specialty faculty member of the National Judicial College. He has lectured at Stanford University, the University of California, Berkeley, Illinois State University, Mercyhurst College, and Capital Law School. He has received numerous awards including the LexisNexis Civil Rights Impact Award, the NOBLE Presidential Award, the Robert Lamb Humanitarian Award, and two Oakland Police Department Medals of Merit. Chief Davis has a bachelor's degree from Southern Illinois University and is a graduate of the Senior Executive Program at Harvard University's John F. Kennedy School of Government. Chief Davis is the author of several articles and publications including: "Bias-Based Policing, Racial Profiling: What Does

the Data Mean,” “Police Accountability: Looking Beyond the Videotape,” and the NOBLE Report on Racial Profiling. He is also the co-author of the publication, “How to Correctly Collect and Analyze Racial Profiling Data: Your Reputation Depends on It,” and a contributing author to the Police Executive Research Forum publication, “Chief Concerns: The Use of Force.” Davis also serves as a member of the prestigious Harvard University Executive Sessions on Policing.

District Attorney Bonnie M. Dumanis, who took office in January, 2003, is the first woman to serve as the District Attorney for San Diego County. Dumanis leads an office of more than 1,000 employees, including more than 300 attorneys and 150 investigators. The San Diego District Attorney’s Office is the second largest DA’s Office in California and the sixth largest in the United States.

Dumanis received her Juris Doctorate degree from Thomas Jefferson School of Law and served as a prosecutor for 12 years. In 1994, Dumanis was elected to the Municipal Court, and in 1998 she was elected to the San Diego Superior Court. During her tenure on the bench, Dumanis was the driving force behind an innovative program, Domestic Violence Court.

Dumanis serves on the California State Bar Association Board of Governors and is President of the California District Attorneys Association Board of Directors. She is a Commissioner for California Peace Officers Standards and Training, a member of the San Diego County Police Chiefs and Sheriff’s Association, an Earl B. Gilliam Bar Association Member, and a past president of the Lawyers Club of San Diego. She served on the Board of Directors of the San Diego Bar Association and taught ethics at the University of San Diego, School of Law.

Maurice Emsellem is the National Employment Law Project’s (NELP) Public Policy Co-Director. His areas of specialization are government systems of support, including the unemployment compensation system, workforce development programs, and the welfare system. Emsellem also directs NELP’s Second Chance Labor Project, which promotes policy reform that expands the employment opportunities of people with criminal records.

Emsellem was a Soros Justice Senior Fellow in 2004 and a Visiting Public Interest Mentor at Stanford Law School in 2003. He received his B.A. in 1982 from the University of Michigan and his J.D. in 1986 from Northeastern University School of Law.

Kevin Grant is the Violence Prevention Network Coordinator for the City of Oakland Department of Human Services. Grant has 17 years of experience working with groups, individuals and organizations tackling the challenge of making life changes, specifically around reentry. He has vast experience designing, implementing, and managing programs, including state licensing and certification programs. Grant provides services to juvenile, youth, and adult parole and probation departments, staff, and clients. He has also been the trainer and keynote motivational speaker for the New Parole Model P.A.C.T Orientation throughout Regions One and Two with the California Department of Corrections and Rehabilitation.

Grant serves as a consultant and provides training and contract services for a host of organizations, including community-based and governmental agencies, police departments, and the California Department of Corrections and Rehabilitation. Grant has worked with several jurisdictions to design and implement many programs including the Crime Intervention Workshop for the Alameda County Juvenile Probation Department, the Youthful Offender Block Grant, and Gender Specific High Control Offenders.

Mike Jimenez is the current President of the California Correctional Peace Officers Association. Jimenez has also worked in the Kern County Sheriff's Department and local county jail. In 1986, Jimenez began his employment with the California Department of Corrections at Avenal State Prison. In Avenal, Jimenez became involved in CCPOA, where he served as its chapter President and on its Board of Directors. In 1992, he was a member of CCPOA's negotiating team to help the union negotiate a contract agreement with the State of California. It was a valuable experience that only deepened his dedication to improving the benefits and working conditions of his fellow correctional officers.

In late 1994, Jimenez was elected CCPOA's Executive Vice President, a position he would hold for seven years before being elected State President in September 2002. Over the years Jimenez has participated in numerous panels involving judicial sentencing, prison reform and improvements, reducing recidivism rates and improving working conditions for members of CCPOA. He has also served the criminal justice community as a board member of several victim advocacy groups.

Nancy Nittler is the Placer County Personnel Department Personnel Director. She also served as President of the County Personnel Administrators Association of California. She has extensive experience within human resource management, including serving on the California Public Employers Relations Association and the International Personnel Management Association. Before her work at the Placer County Personnel Department Nittler worked at Ralph Anderson & Associates, a firm that provides executive search and consulting services to an array of cities, counties, special districts, state agencies, and other organizations.

Nittler is also active in various community organizations, including the Placer County Child Care Advisory Council, and a Board Member at the Auburn Rotary Club and the Auburn Community Cancer Endowment Fund. Ms. Nittler has a Bachelor of Science from UC Davis.

Anita Paredes is the Executive Director of Community Connection Resource Center, a nonprofit agency based in San Diego that is dedicated to creating healthy and safe communities by breaking the cycle of crime, incarceration, and substance abuse. Community Connection programs include employment development for parolees, residential and outpatient drug treatment, and transitional case management for parolees. Prior to joining Community Connection in 1986, Paredes was a research associate for the National Council on Crime and Delinquency in San Francisco. She spearheaded the creation of the San Diego Reentry Roundtable, which advocates for the safe and successful return of offenders to the community, and served as its chair for five years. She was a part-time instructor at San Diego State University in Criminal Justice from 2003-2008.

She has developed life skills and substance abuse treatment programs for inmates in jails and prisons, and has implemented community programs such as drug courts, Proposition 36, and drug treatment furloughs. She is currently a member of the design team of the "Coming Home to Stay" prisoner reentry initiative funded by the San Diego Grantmakers. Paredes received both her bachelor's degree and a master's degree from San Diego State University.

Chief Colleene Preciado is the former Chief Probation Officer with the Orange County Probation Department. As the Chief of the second largest probation department in California, she was

responsible for leading the 1,690 strong workforce and managing the \$160 million operating budget. As a 30-year veteran of the agency, she has served in almost every capacity during her career. She managed the County's Juvenile Hall from 1994 through 2000. Preciado served as Chief Deputy for five years. She retired from the Orange County Probation Department in April 2010.

From 2003 to 2005 Preciado served as Chair for the Southern Regional Chapter of the California Association of Probation Services Administrators (CAPSA), and was elected as CAPSA State President. She has served as treasurer for the Orange County Narcotics Officers Association and was an active member of the Orange County Gang Investigators Association. Preciado served as a volunteer mentor for the Orange County Bar Foundation's juvenile diversion program, Shortstop/Programma Shortstop. She is also a graduate of the Orange County Leadership Academy and is a founding member of the OCLA alumni steering committee.

Preciado is a guest lecturer at California State University, Fullerton, and has provided numerous STC courses since the late 1980's. She received her Bachelor's degree from California State University, Long Beach.

Professor Steven Raphael is a Professor of Public Policy at the University of California, Goldman School of Public Policy. From 2003 to 2006, Raphael was an Associate Dean at the Goldman School. Prior to joining the faculty at UC Berkeley, he was an assistant professor of Economics at the University of California, San Diego from 1996 to 1999. He has been a research affiliate at the National Poverty Center at the University of Michigan since 2004. He is also the Co-director and Co-principal investigator of the

Berkeley Integrated Graduate Education, Research, and Training (IGERT) Program in Politics, Economics, Psychology, and Public Policy.

Raphael's primary fields of concentration are labor and urban economics. He has authored several research projects investigating the relationship between racial segregation in housing markets and the relative employment prospects of African Americans. Raphael has also written theoretical and empirical papers on the economics of discrimination, the role of access to transportation in determining employment outcomes, the relationship between unemployment and crime, the role of peer influences on youth behavior, the effect of trade unions on wage structures, and homelessness. Raphael received his PhD in economics from the University of California, Berkeley in 1996. He received his B.A. in economics from San Diego State University in 1990.

John S. Shegerian is the Chairman and CEO of Electronic Recyclers, Inc. (ERI). Established in 2002, ERI is an Electronic Waste collector and recycler, specializing in the environmentally safe and socially responsible dismantling of electronic items such as computers, televisions, and monitors. Electronic Recyclers is recognized as the Number One Electronic Waste Recycler in the state of California and one of the largest in North America. Shegerian has a 25-year track record of converting start-ups into large successful business enterprises. Shegerian is the creator of several successful search engines, including founder of Addicted.com, a comprehensive and interactive website dedicated to helping those struggling with the disease of addiction.

Shegerian serves on the California Commission for Jobs and Economic Growth and was recently appointed by Governor Schwarzenegger to serve

on the Governor's Gang Advisory Committee. In 1993, Shegerian co-founded Homeboy Tortillas and Homeboy Industries. For his work with ERI, Shegerian was named the Clean Tech Entrepreneur of the Year for Northern California by Ernst & Young in 2008 and is a national finalist for Entrepreneur of the Year honors. Shegerian is also the recipient of the prestigious "Dr. Martin Luther King Jr. Award," presented to businesspeople working to provide compassionate solutions for society's problems. Shegerian serves as an executive board member of the Alliance Toward Harnessing Global Opportunities and as a board member on the VerdeXchange for Innovations and Developments in the Green Economy. He also serves on the Fundraising Committee and as an Ambassador of Education at California State University at Fresno, on the Board of the Boys and Girls Club of Fresno, and on the Media Relations steering committee for the State of California's Integrated Waste Management Board.

Richard Valle is the Founder and President of TRI-CED Community Recycling, a nonprofit corporation. Valle has served on the Union City Council since 1997. He is a Vietnam Veteran, U.S. Army Medic, and past President of the Union City Police Activities League (PAL). He is a member of the James Logan High School School Site Council, a former member of the Union City Chamber of Commerce Board of Directors, Advisor to Centro de Servicios, Board of Directors, a nonprofit charitable organization and a member of the Union City Historical Museum. He was also a Board Member for St. Rose Hospital and one of the founders of the Materials For the Future Foundation located at the Presidio in San Francisco and is currently the Treasurer of the Board of Directors. Formerly he was Executive Director of Spectrum Community Services. Valle has a Masters Degree in Public Administration and a B.A. in Sociology from California State University, Hayward.

Appendix B: Individuals and Organizations that Provided Substantive Input

- All of Us or None
- California Employment Development Department
- California Workforce Investment Board
- Center for Employment Opportunities
- City of Stockton Blue Ribbon Crime Committee
- Delancey Street Foundation
- Employee Relations, Inc.
- Exact Staff Program
- Governor's Office of Gang and Youth Violence Policy
- Hewlett Foundation
- H.I.R.E. Network
- Home of Chicken and Waffles
- Los Angeles Police Department, Reentry Coordination Section
- Metro Career Center, San Diego Workforce Partnership
- New Way of Life
- Oakland Private Industry Council
- Orange County AFL-CIO
- Safe Communities Reentry Council
- Safer Foundation
- San Diego Reentry Partnership
- San Diego Workforce Partnership
- San Francisco AFL-CIO
- San Francisco Chamber of Commerce
- Santa Barbara County Reentry Project
- Second Chance
- United Methodist Urban Ministries
- United Postal Service
- United States Department of Labor, Federal Bonding Program
- Watts Labor Community Action Committee

Note: This does not include input from Advisory Board members and representatives of their organizations.

Appendix C: Compilation of Recommendations from Previous Reports and Publications

The Berkeley Center for Criminal Justice has surveyed the leading reports and publications related to increasing employment opportunities for people with prior convictions and compiled recommendations drawn from previous research, commissions, and expert panels. The recommendations included below are presented in the original language and are not endorsed by the Advisory Board. Rather, this compilation is intended to illustrate the extent to which these issues have been examined by others and to present their suggestions for ways to increase employment opportunities.

Many of the recommendations below bear strong resemblance to those endorsed by the Advisory Board members in this report. The compiled recommendations have been grouped under the three goals around which this report is organized: job creation, skill development, and fair and accurate background checks.

I. Skill Development

1. The state should expand work programs to involve all eligible inmates, and in particular those programs that increase prison self-sufficiency and give inmates the experience needed to increase their employability upon release (Little Hoover Commission 1998).
2. Existing CDCR academic and vocational programs should be performed, with a particular focus on the ability of any given program to deliver job training that is relevant to current labor market demands (Petersilia 2007).
3. Determine offender rehabilitation treatment programming based on the results of assessments tools that identify and measure criminogenic and other needs (California Department of Corrections and Rehabilitation 2007).
4. Develop core prison programs in academic, vocational, and financial education (Petersilia 2007).
5. Teach inmates functional, educational, and vocational competencies based on employment market demand and public safety requirements (Reentry Policy Council 2003).
6. Provide inmates with opportunities to participate in work assignments and skill-building programs that build toward successful careers in the community (Reentry Policy Council 2003).
7. Sentenced criminals should receive assessments, treatment, and aftercare. The state courts should order assessments to be conducted to determine what kinds of treatment and educational opportunities are likely to be effective with individual felons. The assessments should be used by the Department of Corrections and county correctional officials when making placement decisions (Little Hoover Commission 1998).

8. Prioritize the delivery of programs that will help address inmates' profound and widespread problems with substance abuse, inadequate education, and lack of job skills. The politically expedient effort to cut or deprioritize such programs because they coddle criminals has been extremely short-sighted and ultimately threatens public safety (Petersilia 2006).
9. Create and monitor a behavior management (or case) plan for each offender. Case plans are critical to assigning offenders to the right programs (California Department of Corrections and Rehabilitation 2007).
10. Select and deliver a core set of programs for offenders that cover major offender areas. These include: academic, vocational and financial; alcohol and drugs; anger management; criminal thinking; family; and sex offenses (California Department of Corrections and Rehabilitation 2007).
11. Identify community service opportunities and internships for people released from prison or jail who cannot find work so that they can acquire real work experience and on-the-job training (Reentry Policy Council 2003).
12. From the beginning of incarceration, provide appropriate programming, including substance abuse treatment, educational and job training opportunities, and mental health counseling and services; and assist prisoners returning to the community with transitional housing, job placement assistance, and substance abuse avoidance (American Bar Association 2004).
13. The state should expand programs that research shows reduce recidivism. As programs are increased, the state should establish incentives for offenders to participate, including: linking credits towards early release to completion of education and job training programs, as well as plans for a job and housing; and requiring inmates to make progress toward educational or drug treatment goals before becoming eligible for work assignments (Little Hoover Commission 2007).
14. Ensure that workforce development providers address the full spectrum of needs of individuals seeking employment or career services (Reentry Policy Council 2003).
15. Develop systems and procedures to collect and utilize programming process and outcome measures (California Department of Corrections and Rehabilitation 2007).
16. Encourage a more detailed examination of patterns of desistance as they relate to type of prior offense and demographic characteristics of the population. Encourage studies designed to examine longer follow-up periods, as our analyses clearly reveal a continued converging trend over time in the risk of new offending for non-offenders and one-time offenders (Kurlychek, Brame, and Bushway 2006).
17. Develop measures to monitor and evaluate the performance of workforce development programs (Reentry Policy Council 2003).
18. All programs should be rigorously and independently evaluated. Innovation will be needed to implement the best methods for reducing recidivism. To establish public confidence and ensure cost-effectiveness, all educational, vocational and drug treatment programs should be independently evaluated (Little Hoover Commission 1998).

II. Job Creation

19. Increase the number of private industry partnerships with the appropriate program monitoring and continued evaluation (Smith et al. 2006).
20. Make it easier for employers to hire prisoners while they are still incarcerated (Holzer, Raphael and Stoll 2002).
21. Encourage employers to visit the correctional facility and meet with prospective employees before they are released (Reentry Policy Council 2003).
22. Engage community members and community-based services to act as intermediaries between employers and job-seeking individuals (Reentry Policy Council 2003).
23. To improve the transition of parolees, the state should build strong partnerships with communities. Specifically, the state should fully support reentry units established in the 2003-2004 Budget Act and partner with local law enforcement and community providers to link inmates with jobs, housing, drug treatment, and other support prior to their release (Little Hoover Commission 2003).
24. Develop pre-apprenticeship work assignments which provide a clear path into community-based apprenticeship programs in high-demand occupations (Reentry Policy Council 2003).
25. Connect inmates to employment, including supportive employment and employment services, before their release to the community. Initiate job searches before people in prison or jail are released using community-based workforce development resources (Reentry Policy Council 2003).
26. Promote use of work-release programs as a transition between work inside a correctional facility and work after release into the community (Reentry Policy Council 2003).
27. Determine which industries and employers are willing to hire people with criminal records and encourage job development and placement in those sectors (Reentry Policy Council 2003).
28. Continue to develop and strengthen formal partnerships with community stakeholders. This will improve coordination of transition services for offenders moving from prison to their home communities (California Department of Corrections and Rehabilitation 2007).
29. Engage the community to help reduce the likelihood offenders will return to a life of crime. Critical thinking, positive relationships, and healthy behaviors are critical to offenders' success upon release (California Department of Corrections and Rehabilitation 2007).
30. Analyze the job market in the area to which people in prison or jail will be returning. Ensure that the vocational and education classes target the needs of the job market. Provide work assignments in prison or jail that correspond to the needs of the employment market (Reentry Policy Council 2003).
31. Improve the bonding and tax credit programs:
 - Increase the amount of the protection beyond \$5,000.
 - Provide protection for harms in addition to theft, such as against negligent hiring, personal injury, or workers' compensation claims that could arise from crimes of violence.
 - Increase the time period for coverage beyond six months.

32. Return the administration of the program to the U.S. Department of Labor, so that ex-offenders are not dependent on their state's agreement to participate in the program (Hirsh et al. 2002).
33. Educate employers about financial incentives, such as the Federal Bonding Program, Work Opportunity Tax Credit, Welfare-to-Work programs, and first-source agreements, which make a person who was released from prison a more appealing prospective employ (Reentry Policy Council 2003).
34. To encourage employers to hire ex-offenders is to introduce and link them to the range of financial incentives for those who hire from this population. Among those are the Federal Bonding Programs, various tax credits, and Workforce Investment Act (WIA) assistance (Chao 2001).
35. Improve bonding and tax credit programs to encourage employers to hire ex-offenders (Hirsh et al. 2002).
36. Use community corrections officers and third-party intermediaries to assist employers with the supervision and management of people released from prison or jail (Reentry Policy Council 2003).
37. [The] Work Opportunities Tax Credit program should be improved to enhance its value as an incentive to hire ex-offenders. Most notably, the requirement that an ex-offender be hired within a year after conviction or incarceration should be loosened (Hirsh et al. 2002).

III. Fair and Accurate Background Checks

38. Short-term bans of ex-felons and long-term bans may be justified in certain politically sensitive cases, such as barring child sex offenders from working with children. Blanket lifetime bans of ex-felons, however are not supported by criminological research and should be abolished (Bushway and Sweeten 2007).
39. Review employment laws that affect the employment of people based on criminal history, and eliminate those provisions that are not directly linked to improving public safety (Reentry Policy Council 2003).
40. Promote individualized decisions about hiring instead of blanket bans and provide documented means for people with convictions to demonstrate rehabilitation (Reentry Policy Council 2003).
41. Identify collateral sanctions imposed upon conviction and discretionary disqualification of convicted persons from otherwise generally available opportunities and benefits; limit collateral sanctions to those that are specifically warranted by the conduct underlying the conviction, and prohibit those that unreasonably infringe on fundamental rights or frustrate successful reentry; and limit situations in which a convicted person may be disqualified from otherwise available benefits and opportunities, including employment, to the greatest extent consistent with public safety (American Bar Association 2004).

42. Avoid overbroad blanket employment prohibitions on ex-offenders that are created by law (Hirsh et al. 2002).
43. Publicize and enforce existing laws limiting employer consideration of criminal records and enact new laws to protect ex-offenders (Hirsh et al. 2002).
44. Assist rehabilitated ex-offenders in finding work by expunging offenses, sealing records, offering certificates of rehabilitation, and/or revising pardon standards and procedures (Hirsh et al. 2002).
45. Congress should consider steps that would improve and create additional consumer protections relating to name checks of criminal history information records used for employment purposes such as: amending the Fair Credit Reporting Act to require a consumer reporting agency, before reporting name-based criminal history along with fingerprint-based information to: confirm the accuracy and completeness of criminal history records obtained solely through a name-based search; or disclose the name-based information to the individual along with the fingerprint information and allow the individual to challenge the accuracy of the information before it is reported to the user (U.S. Department of Justice 2006).
46. Establish a national accreditation process for criminal history record repositories, much the same way that crime laboratories are accredited, to better ensure data quality by measuring repository performance against national standards (U.S. Department of Justice 2006).
47. Enrolled users seeking access to criminal history information under this new authority should certify that the information obtained will not be used in violation of any applicable federal or state equal employment opportunity law or regulation (U.S. Department of Justice 2006).
48. Federal funds should be targeted at reaching national standards established by the Attorney General relating to disposition reporting and record completeness, including declinations to prosecute and expungement and sealing orders, so that there is uniformity in improvements by repositories nationwide (U.S. Department of Justice 2006).
49. Assist, to the extent appropriate, people with criminal records seeking to surmount legal and logistical obstacles to employment (Reentry Policy Council 2003).

Appendix D: Relevant Publications

		Education and Training	Criminal Records/Background Checks	Recidivism	Incarceration and Reentry	Employers and Employment
		1	2	3	4	5
American Bar Association	August 2004		2		4	
Justice Kennedy Commission Recommendations to the ABA House of Delegates	This report concludes that America's criminal justice system relies too heavily on incarceration and needs to consider more effective alternatives. This report gives a list of recommendations that stem from this conclusion.					
http://www.abanet.org/media/jkcrecs.html						
American Bar Association Commission on Effective Criminal Sanctions	January 2009		2			
Internal Exile: Collateral Consequences of Conviction in Federal Laws and Regulations	This report describes the collateral consequences of a criminal conviction under federal statutes and regulations.					
http://www.abanet.org/cecs/internalexile.pdf						
Aos, Steve, Marna Miller, and Elizabeth Drake	2006	1		3		
Evidence-Based Public Policy Options to Reduce Future Prison Construction, Criminal Justice Costs, and Crime Rates	This publication analyzes a number of different program types including sexual offender treatment, substance abuse, education, and vocational training. Costs and overall savings to the state and to the community are included.					
http://www.wsipp.wa.gov/rptfiles/06-10-1201.pdf						
ASIS International	2006		2			5
Preemployment Background Screening Guidelines	The guidelines presents information about preemployment background screening, the Fair Credit Reporting Act, privacy issues, key elements of preemployment background screening, and the use of credit reporting agencies in preemployment background screening.					
http://www.peaceatwork.org/resources/ASIS-GuidelinesPreemploymentScreening.pdf						
Atkinson, Rob and Knut A. Rostad	May 2003	1			4	
Can Inmates Become an Integral Part of the U.S. Workforce?	This publication summarizes the benefits and reforms of prison work programs.					
http://www.urban.org/UploadedPDF/410854_atkinson_rostad.pdf						
Austin, James, Todd Clear, Troy Duster, David F. Greenberg, John Irwin, Candace McCoy, Alan Mobley, Barbara Owen, and Joshua Page	November 2007	1			4	
Unlocking America: Why and How to Reduce America's Prison Population	This document presents national data on crime rates and incarceration, three key myths about crime and incarceration, the limits of prison-based rehabilitation and treatment programs in reducing the prison population, decarceration and its associated cost savings and public safety benefits, and policy recommendations.					
http://www.nicic.org/Library/022716						
Barnow, Bart	February 2004	1				5
Job Creation for Low-Wage Workers: An Assessment of Public Service Jobs, Tax Credits, and Empowerment Zones	This publication discusses training, assessment of the labor market, tax incentives and public employment programs.					
http://aspe.hhs.gov/hsp/lwlm99/barnow.htm						
Batiuk, Mary Ellen	2005	1		3		
Disentangling the Effects of Correctional Education: Are Current Policies Misguided? An Event History Analysis	This study compares the effects of different types of correctional education programs with a specific focus on discerning the relative effects of college versus non-college education.					
http://crj.sagepub.com/cgi/content/abstract/5/1/55						
Bauldry, Shawn, Danijela Korom-Djakovic, Wendy S. McClanahan, Jennifer McMaken and Lauren J. Kotloff	January 2009	1			4	5
Mentoring Formerly Incarcerated Adults: Insight from the Ready4Work Reentry Initiative	Report on policy and programs aimed at formerly incarcerated adults. This report reviews policy and existing reentry programs.					
http://www.ppv.org/ppv/publications/assets/265_publication.pdf						

Berk, Jillian	November 2007	2	5
Does Work Release Work? http://client.norc.org/jole/SOLEweb/8318.pdf	This study examines the impact of work release programs on prisoners and their chances of recidivism using a variety of econometric techniques.		
Bloom, Dan	July 2006	1	4 5
Employment Focused Programs for Ex-Prisoners: What have we learned, what are we learning, and where should we go from here? http://www.mdrc.org/publications/435/full.pdf	This publication reviews previous research, describes planned ongoing evaluations and proposes some ideas for future research.		
Bloom, Dan	February 2010	1	5
Transitional Jobs: Background, Program Models, and Evaluation Evidence http://nicic.gov/Library/024374	This paper describes the origins of the transitional jobs models that are operating today, reviews the evidence on the effectiveness of this approach and other subsidized employment models, and offers some suggestions regarding the next steps for program design and research.		
Bloom, Dan, Cindy Redcross, Janine Zweig and Gilda Azurdia	November 2007	1	4 5
Transitional Jobs for Ex-Prisoners: Early Impacts from a Random Assignment Evaluation of the Center for Employment Opportunities (CEO) Prisoner Reentry Program http://www.mdrc.org/publications/468/full.pdf	The paper shows the results from an evaluation made by CEO. CEO uses a specific model where they place an ex-offender in a temporary minimum wage job, after a 4 day training course. Within weeks they receive help in finding permanent jobs.		
Blumstein, Alfred and Kiminori Nakamura	May 2009	2	
Redemption in the Presence of Widespread Criminal Background Checks http://www.ncjrs.gov/pdffiles1/nij/226872.pdf	This article argues for a time limit for which a prior conviction can come up and handicap a person when searching for a job.		
Bouman, John, Joseph A. Antolin, Melissa Young	July/August 2007	1 2	5
Attacking Poverty by Attacking Chronic Unemployment: An Update on Developments in Transitional Job Strategies for Former Prisoners http://www.transitionaljobs.net/Resources/Attacking%20Poverty%20TJ%20update%20article.pdf	This article discusses recent developments in the use of transitional job programs for people with criminal records. It highlights progress at the federal level and also discusses state and local developments as well as foundations and organizations supporting transitional job programs.		
Brazzell, Diana, Anna Crayton, Debbie A. Mukamal, Amy L. Solomon, and Nicole Lindahl	2009	1	
From the Classroom to the Community: Exploring the Role of Education During Incarceration and Reentry http://www.urban.org/UploadedPDF/411963_classroom_community.pdf	This report surveys the current landscape of correctional education, discussing both the educational needs of people involved in the criminal justice system and the programs being provided to meet those needs.		
Brown, Brenner, and Robin Campbell, eds.	2005	1	3 4
Smoothering the Path from Prison to Home: A Roundtable Discussion on the Lessons of Project Greenlight http://www.ncjrs.gov/pdffiles1/nij/grants/213714.pdf	This text contains the highlights of a roundtable discussion on the Project Greenlight Program and the evaluation outcomes.		
Bryan, Jennifer, Alana Gunn, and Stephanie Henthorn	August 2007	1	5
CEO's Rapid Rewards Program: Using Incentives to Promote Employment Retention for Formerly Incarcerated individuals http://www.reentry.net/library/item.158465-CEOs_Rapid_Rewards_Program_Using_Incentives_to_Promote_Employment_Retention	This report discusses CEO's work experience program, the Neighborhood Work Project (NWP), and the Rapid Rewards Program.		
Buck, Maria L.	Fall 2000	1	5
Getting Back to Work: Employment Programs for Ex-Offenders http://www.ppv.org/ppv/publications/assets/94_publication.pdf	This research report chronicles the history of workforce development programs focused going back to 1960s. Topics discussed include program evaluation, current programs, and funding.		

Bureau of Justice Statistics, US DOJ	November 2003	2		
Compendium of State Privacy and Security Legislation: 2002 Overview http://bjs.ojp.usdoj.gov/content/pub/pdf/cspsl02.pdf	This report analyzes state laws and regulations regarding criminal records. It summarizes and categorizes laws and regulations by state.			
Bureau of Justice Statistics, US DOJ	January 2003	1		
Education and Correctional Populations http://www.ojp.usdoj.gov/bjs/pub/pdf/ecp.pdf	This publication presents a summary of education levels among the correctional population.			
Bureau of Justice Statistics, US DOJ	October 2008	2		
A Survey of State Criminal History Information Systems, 2006 http://www.ncjrs.gov/pdffiles1/bjs/grants/224889.pdf	This publication gives an overview of criminal history information systems based on surveys of states.			
Bushway, Shawn	2004	2		5
Labor Market Effects of Permitting Employer Access to Criminal History Records http://ccj.sagepub.com/cgi/content/abstract/20/3/276	This article uses a simple economic analysis to argue that employer access to criminal history records might actually increase the wages of individuals without criminal history records and may, moreover, increase average market wages for groups of individuals with large number of convicted individuals, such as Black males. This theory is tested by exploiting cross-state variation in policies governing employer access to criminal history records.			
Bushway, Shawn	May 2003	1	3	4
Reentry and Prison Work Programs http://www.urban.org/UploadedPDF/410853_bushway.pdf	This publication looks at employment programs inside penal institutions and how they affect reentry and recidivism.			
Bushway, Shawn and Gary Sweeten	October 2007	1		
Abolish Lifetime Bans for Ex-Felons http://www.reentry.net/library/item.173229-Abolish_Lifetime_Bans_for_ExFelons	Journal article looking at collateral consequences of lifetime bans for formerly incarcerated people. Effect of Lifetime bans on criminal behavior, numbers of people affected.			
Bushway, Shawn D., Shauna Briggs, Faye Taxman, Meredith Thanner, and Mischelle Van Brakle	2006			
Private Providers of Criminal History Records: Do You Get What You Pay For? In "Barriers to Reentry," Shawn D. Bushway, Michael A. Stoll, and David F. Weiman (Eds.)	This study conducted an analysis of firms offering internet-based background checks in order to gather pricing of background checks and types of information given out. A historical look at criminal background checks and how they operate is also presented.			
Bushway, Shawn, Michael Stoll & David Weiman	2007	1	4	5
Barriers to Reentry? The Labor Market for Released Prisoners in Post-Industrial America Not available online.	This book contains various articles that examine the intersection of imprisonment and employment from many vantage points including employer surveys, interviews with former prisoners, and data.			
California Department of Correction and Rehabilitation, Expert Panel	2007	1	4	
A Roadmap for Effective Offender Programming in CA http://www.cdcr.ca.gov/News/2007_Press_Releases/docs/ExpertPanelRpt.pdf	This report presents an assessment and list of recommendations for fixing reentry programming in CA as put together by an expert panel by the CDCR.			
Cantu, Jonathan, and Joan Petersilia	January 2006	2		
A Survey of Employment Sanctions Imposed Upon Ex-Offenders by California Law http://www.law.stanford.edu/program/centers/scjc/workingpapers/JCantu_06.pdf	This paper summarizes current laws that act as barriers to employment for formerly incarcerated individuals.			
Carter, Kim	September 2006	3		
Invisible Bars: Barriers to Women's Health and Well-being During and After Incarceration http://www.nic.org/Library/021897	This report presents the problems faced by women who have been incarcerated, findings of two studies and recommendations based on the findings of both studies.			

Carter, Madeline M., Susan Gibel, Rachelle Giguere, and Richard Stroker	2007	1	4
Increasing Public Safety Through Successful Offender Reentry: Evidence-based and Emerging Practices in Corrections	This handbook outlines how institutional corrections and community supervision agency leadership can realign their vision and mission to produce more successful outcomes with offenders while changing the organizational culture, increasing agency effectiveness through enhanced partnerships with others, and engaging staff in effective offender management practices that will help them to be more successful in their work with offenders.		
http://nicic.gov/Library/023247			
Chao, Elaine	June 2001	2	5
From Hard Time to Full Time: Strategies to Help Move Ex-Offenders' from Welfare to Work	This guide presents information for workforce development organizations and welfare offices on understanding the barriers individuals with criminal history records face in obtaining employment and how to assist them in that process.		
http://www.hirenetwork.org/pdfs/From_Hard_Time_to_Full_Time.pdf			
Cheliotis, Leonidas	2008	4	5
Reconsidering the Effectiveness of Temporary Release: A Systematic Review	This article offers a systematic review of the 'what works' literature on temporary release, particularly as concerns home leave and work release programs.		
http://papers.ssrn.com/sol3/papers.cfm?abstract_id=1589052			
Cho, Rosa, and John H. Tyler	2008	1	5
Prison-based Adult Basic Education and Post-release Labor Market Outcomes	Researchers used administrative data from Florida to determine the extent to which participation in prison-based Adult Basic Education (ABE) improves post-release earnings and/or employment.		
http://www.urban.org/projects/reentry-roundtable/upload/Tyler.pdf			
Crayton, Anna and Suzanne Rebecca Neustete	2008	1	
The Current State of Correctional Education, Paper presented at the Reentry Roundtable on Education, John Jay College of Criminal Justice	This paper provides an overview of the state of correctional education in the United States including data and information on programs and education levels.		
http://www.jjay.cuny.edu/CraytonNeusteter_FinalPaper.pdf			
Daggett, Dawn	2008	1	4
Faith-Based Correctional Programming in Federal Prisons: Factors Affecting Program Completion	This study presents a quantitative analysis of factors associated with program volunteers' completion or failure using operational and survey data collected from the program sites.		
http://cjb.sagepub.com/content/35/7/848.full.pdf+html			
Davis, Lois, Nancy Nicosia, Adrian Overton, Lisa Miyashiro, Kathryn Pitkin Derose, Terry Fain, Susan Turner, Paul Steinberg, Eugene Williams, III	2009		4
Understanding the Health Implications of Prisoner Reentry in California, Phase I report	This report covers the findings of a phase I study regarding healthcare needs of prisoners reentering the community.		
http://www.rand.org/pubs/technical_reports/2009/RAND_TR687.pdf			
Davis, Lois, Nancy Nicosia, Adrian Overton, Lisa Miyashiro, Kathryn Pitkin Derose, Terry Fain, Susan Turner, Paul Steinberg, Eugene Williams, III, RAND	2009		4
Assessing Parolees' Health Care Needs and Potential Access to Health Care Services in California	This report addresses the health care needs of prisoners in California, the geographic distribution of state prisoners who return to local communities in California, and the types of health, mental health, and substance abuse services that are available in these communities for the returning prisoners.		
http://www.rand.org/pubs/research_briefs/2009/RAND_RB9458.pdf			
Dietrich, Sharon	2006	2	
Expanded Use of Criminal Records and Its Impact on Re-entry	This report discusses the effect of the growth of criminal background checks on persons with criminal records.		
www.reentry.net/library/attachment.79813?print			
Dietrich, Sharon	2002	2	5
Criminal Records and Employment: Ex-Offenders Thwarted in Attempts to Earn a Living for Their Families	This essay explores the legal frameworks that govern the use of criminal records in the employment context, the realities that ex-offenders encounter when looking for work, and the strategies that ex-offenders may be able to use when looking for work.		
http://www.clasp.org/publications/every_door_closed.pdf			

Employers Group Research Services	2002	2	5
Employment of Ex-Offenders: A Survey of Employers' Policies and Practices http://www.sfworks.org/docs/Employer%20survey%20report.pdf	This report discusses a poll regarding companies' pre-employment practices as they relate to ex-offenders. It was given to 2,200 California employers.		
Employers Group Research Services	April 12, 2002	5	
Employment of Ex-Offenders: A Survey of Employer's Policies and Practices http://www.sfworks.org/docs/Employer%20survey%20report.pdf	This report presents results of a survey of 122 companies on their attitudes and practices towards employing ex-offenders.		
Emsellen, Maurice	June, 9 2010	2	5
Testimony Hearing Before the U.S. Congress, House of Representatives, Judiciary Committee, Subcommittee on Crime, Terrorism & Homeland Security http://judiciary.house.gov/hearings/pdf/Emsellem100609.pdf	Testimony of Maurice Emsellem on the subject of federal reform efforts related to criminal background checks.		
Emsellen, Maurice	April 26, 2010	2	5
Testimony Hearing Before the U.S. Congress, House of Representatives, Judiciary Committee, Subcommittee on Crime, Terrorism & Homeland Security http://nelp.3cdn.net/09844c01251e45bbf4_6gm6ii9ld.pdf	Testimony of Maurice Emsellem on the subject of growing reliance on criminal background checks on the job, scope and impact of criminal background checks for employment. Examine reforming Federal Laws that deny employment to people with criminal convictions, improving reliability of rap sheets.		
Fahey, Jennifer, Cheryl Roberts and Len Engel	October 2006		5
Employment of Ex-Offenders: Employer Perspectives http://nicic.gov/Library/024141	This publication presents a review of national research literature as well as the recommendations that came from four focus groups held with 28 employers in the greater Boston area.		
Farley, Chelsea	July 2005	2	5
Leaving the Street In Brief http://www.ppv.org/ppv/publications/assets/183_publication.pdf	This report explores the lives and perspectives of young men with criminal records, who are now in the labor market and are also fathers.		
Farley, Chelsea and Wendy McClanahan	May 2007	1	4 5
Ready4Work In Brief: Update on Outcomes: Reentry May Be Critical for States, Cities http://www.ppv.org/ppv/publications/assets/216_publication.pdf	This publication presents the evaluation of outcomes from the Ready4Work program.		
Feeney, Kevin Joseph	2008	1	3
The Role of Vocational Training in Pathways toward Desistance http://www3.interscience.wiley.com/cgi-bin/fulltext/121422519/PDFSTART	This essay explores the relationship between vocational training and prisoner reentry.		
Finlay, Keith	April 2008	2	5
Effect of Employer Access to Criminal History Data on the Labor Market Outcomes of Ex-Offenders and Non-Offenders http://www.nber.org/papers/w13935	This paper discusses the effect of expanded employer access to criminal history data on the labor market in terms of outcomes of ex-offenders and non-offenders. This paper tests hypotheses about ex-offenders and non-offenders using criminal and labor market histories from the 1997 cohort of the National Longitudinal Survey of Youth.		
Finn, R.H., and Patricia A. Fontaine	September 1985	2	5
The Association between Selected Characteristics and Perceived Employability of Offenders http://cjb.sagepub.com/content/12/3/353.short	This study was an experimental design done to examine biases by employers of job applicants with criminal records using fictitious job applicants.		
Freeman, Richard	May 2003	3	5
Can We Close the Revolving Door?: Recidivism vs. Employment of Ex-Offenders in the U.S. http://www.urban.org/UploadedPDF/410857_Freeman.pdf	A summary of the basic characteristics of prisoners and ex-offenders, recidivism rates, and factors that limit the employment of formerly incarcerated individuals. This paper also discusses medical problems incarcerated and formerly incarcerated individuals face as well as challenges other in some people's ability to make socially acceptable moral judgments.		
Freudenberg, Nicholas	2005	3	4 5
Coming Home from Jail: The Social and Health Consequences of Community Reentry for Women, Male Adolescents, and Their Families and Communities http://ajph.aphapublications.org/cgi/reprint/95/10/1725	This paper discusses a study conducted on the experiences of adolescent males and adult women returning home from New York City Jails in order to examine their social and health consequences.		

Gaes, Gerald G.	2008	1	3	4
The Impact of Prison Education Programs on Post-Release Outcomes http://www.jjay.cuny.edu/centersinstitutes/pri/pdfs/aesTheEffectivenessofPrisonEducationPrograms.pdf	This meta-analysis reviews the evidence of the impact of correctional education programs on post-release outcomes.			
GAO	2001			5
Work Opportunity Tax Credit: Employers Do Not Appear to Dismiss Employees to Increase Tax Credits http://www.gao.gov/new.items/d01329.pdf	This paper analyzes nationwide data from the IRS on employers and their use of Work Opportunity Tax Credits (WOTC) when hiring individuals to better understand who uses the WOTC and what their motivations are for doing so.			
Giguere, Rachelle	2002			5
Help Wanted: A Survey of Employer Concerns About Hiring Ex-Convicts http://cjp.sagepub.com/content/13/4/396.abstract	This report presents the findings of a survey given to 62 Baltimore area employers on their willingness to hire an ex-offender as described in hypothetical scenarios.			
Grattet, Ryken, Joan Petersilia, Jeffrey Lin, Marlene Beckman	June 2009			
Parole Violations and Revocations in California: Analysis and Suggestions for Action http://sociology.ucdavis.edu/people/ryken/pdf/Federal%20Probation%202009-06.pdf	This paper outlines how California's parole system works, presents California parole data, and then through analysis presents recommendations on reforming the parole system in California.			
Greenberg, Elizabeth, Eric Dunleavy, Mark Kutner	May 2007	1		
Literacy Behind Bars: Results From the 2003 National Assessment of Adult Literacy Prison Survey http://nces.ed.gov/PUBSEARCH/pubsinfo.asp?pubid=2007473	This publication presents the findings of an assessment administered to approximately 1,200 adults incarcerated in state and federal prisons as well as 18,000 adults living in households on literacy, prison programming, and skills.			
Hagan, John	1993		3	5
The Social Embeddedness of Crime and Unemployment http://www.heinonline.org.ezp-prod1.hul.harvard.edu/HOL/PDF?handle=hein.journals/crim31&collection=journals&id=475&print=27&ext=.pdf	This publication discusses the concept of social embeddedness as a facilitator for employment and the lack of embeddedness as a contributor to unemployment and subsequently criminal involvement.			
Hamersma, Sarah	October 1, 2005			5
The Work Opportunity and Welfare-to-Work Tax Credits http://www.urban.org/UploadedPDF/311233_tax_credits.pdf	This publication describes Work Opportunity and Welfare-to-Work Tax Credits and presents data on their use.			
Harrison, Byron	2004	1	3	5
Offenders and Post-Release Jobs: Variables Influencing Success and Failure http://www.marshall.edu/disabled/My%20Documents/View_EText.pdf	In this essay, secondary data is analyzed on recidivism and employability for ex-offenders. In addition, a review of the literature and history on ex-offender vocational guidance and placement programs contrasts views regarding their success and failures, and the reasons for recidivism.			
Hicks, Jodina	2004	1		4
Employment Upon Re-Entry: Prison-Based Preparedness Leads to Community-Based Success http://findarticles.com/p/articles/mi_hb6399/is_6_66/ai_n29129120/?tag=content;col1	An overview of the Safer Foundation's research used to create the Sheridan Correctional Center in Illinois. The Safer Sheridan model integrates substance abuse treatment with vocational preparedness training and workplace acculturation.			
Hirsch, Amy, Sharon Dietrich, Rue Landau, Peter Schneider, Irv Ackelsberg	2002		2	5
Every Door Closed: Barriers Facing Parents With Criminal Records http://www.clasp.org/publications/every_door_closed.pdf	This report contains information on parents with criminal records and their struggles with employment, public benefits, housing, child welfare, student loans, and immigration.			
Holzer, Harry J.	October 2007			5
Collateral Costs: The Effects of Incarceration on the Employment and Earnings of Young Workers http://ftp.iza.org/dp3118.pdf	This paper reviews the empirical evidence on the effects of incarceration on the subsequent employment and earnings of less- educated young prisoners.			
Holzer, Harry J., Steven Raphael and Michael Stoll	2006		2	5
Perceived Criminality, Criminal Background Checks, and the Racial Hiring Practices of Employers http://www.law.berkeley.edu/institutes/csrls/raphael%20paper1.pdf	This paper analyzes the effect of employer-initiated criminal background checks on the likelihood that employers hire African- Americans.			

Holzer, Harry J., Steven Raphael and Michael Stoll	Summer 2004	2	5
How willing are employers to hire ex-offenders? http://www.irp.wisc.edu/publications/focus/pdfs/foc232h.pdf	The article analyzes companies in Los Angeles in 2001 and compares them to surveys from the early 1990's on their attitudes on their willingness to hire ex-offenders.		
Holzer, Harry J., Steven Raphael, and Michael A. Stoll	2001	2	5
Will Employers Hire Ex-Offenders? Employer Checks, Background Checks, and Their Determinants http://repositories.cdlib.org/cgi/viewcontent.cgi?article=1023&context=iber/bphup	This report analyzes employer demand for ex-offenders using data from a recent survey of employers. Employers were asked about their preferences for ex-offenders and the extent to which they check criminal backgrounds. The report also investigates the firm and job characteristics that correlate with these measures of employer demand and also how it changed in the 1990s.		
Holzer, Harry J., Steven Raphael, Michael A. Stoll	May 2003	2	5
Employment Barriers Facing Ex-Offenders, presented at Urban Institute Reentry Roundtable http://www.urban.org/UploadedPDF/410855_holzer.pdf	Discussion of employment and earnings of ex-offenders, barriers that limit employment opportunities on the supply and demand sides.		
Holzer, Harry J., Steven Raphael, Michael A. Stoll	March 2003	2	5
Employer Demand for Ex-Offenders: Recent Evidence from Los Angeles http://www.urban.org/UploadedPDF/410779_ExOffenders.pdf	This paper analyzes employer demand for ex-offenders using an employer survey taken in Los Angeles in 2001.		
Hurry, Jane	2006	1	5
Rapid Evidence Assessment of Interventions that Promote Employment for Offenders http://www.eukn.org/E_library/Security_Crime_Prevention/Tackling_Crime/Working_with_Offenders/Rapid_evidence_assessment_of_interventions_that_promote_employment_for_offenders_UK	This review systematically draws together empirical evidence about interventions that focus on promoting employment for offenders and provides a synthesized and sound evidence base to inform policy makers, practitioners, and researchers.		
Jennsen, Eric and Gary E. Reed	2006	1	3
Adult Correctional Education Programs: An Update on Current Status Based on Recent Studies http://eric.ed.gov/ERICWebPortal/search/detailmini.jsp?_nfpb=true&_ERICExtSearch_SearchValue_0=EJ844568&ERICExtSearch_SearchType_0=no&accno=EJ844568	This project evaluates the empirical research on adult educational programs and recidivism from the mid-1990s to the present. The studies are summarized, integrated, and rated according to the University of Maryland Scale for Scientific Rigor.		
Johnson Listwan, Shelley, Francis T. Cullen, and Edward J. Latessa	December 2006	1	4
How to Prevent Prisoner Re-entry Programs from Failing: Insights from Evidence-Based Corrections http://thexoffender.net/Documents/How%20to%20prevent%20Prisoner%20Re-enty%20failings.pdf	This paper presents a historical analysis of the "reentry crisis" followed by a discussion of principles for effective correctional intervention.		
Johnson, Laura, and Renata Cobbs Fletcher with Chelsea Farley	May 2008	3	4
From Options to Action: A Roadmap for City Leaders to Connect Formerly Incarcerated Individuals to Work http://www.ppv.org/ppv/publications/assets/235_publication.pdf	A report by mayors, city leaders, academics, and practitioners from 20 cities that details ways to aid in reentry into society.		
Kachnowski, Vera	August 2005	1	5
Employment and Prisoner Reentry http://www.urban.org/UploadedPDF/311215_employment.pdf	This policy brief draws on employment data gathered as part of the Returning Home study through interviews with 400 male Illinois prisoners before and up to three times after their release. It presents findings on pre- and in-prison employment training and experiences as well as post release employment outcomes among released prisoners who returned to Chicago.		
Kemp, Kathleen	2004	1	5
Developing Employment Services for Criminal Justice Clients Enrolled in Drug User Treatment Programs http://www.informaworld.com/smpp/section?content=a713747270&fulltext=713240928	This article explores a series of strategies implemented from 1999 to 2001 to help offenders paroled to substance abuse treatment to gain employment. A total of 245 paroled offenders enrolled in an outpatient substance abuse treatment program voluntarily agreed to participate in one of four different vocational intervention programs.		

Kirschenman, Joleen and Kathryn Neckerman	1991	5		
We'd Love to Hire Them But... In "The Urban Underclass," Christopher Jencks and Paul E. Peterson, (Eds.)	This paper explores the meaning of race and ethnicity to employers by conducting interviews with Chicago-area businesses.			
Kling, Jeffrey	2006	5		
Incarceration Length, Employment, and Earnings http://www.nber.org/~kling/494.pdf	This paper estimates the effects of increases in incarceration length on employment and earnings prospects of individuals after their release from prison.			
Kotloff, Lauren	February 2005	1	5	
Leaving the Street: Young Fathers Move from Hustling to Legitimate Work http://www.ppv.org/ppv/publications/assets/181_publication.pdf	This report draws on the experiences of 27 men involved in Fathers at Work programs.			
Krienert, Jessie	2005	1	5	
Bridging the Gap between Prison and Community Employment: An Initial Assessment of Current Information http://www.informaworld.com/smpp/section?content=a727644694&fulltext=713240928	This article assesses baseline information concerning available prison to community employment programs - programs that start inside the prison and link directly to community employment. Data was collected using a web-based survey distributed to state departments of corrections.			
Krisberg, Barry and Susan Marchionna	April 2006	4		
Attitudes of US Voters toward Prisoner Rehabilitation and Reentry Policies http://www.policyarchive.org/handle/10207/bitstreams/5943.pdf	This article reviews the survey findings of over 1,000 randomly chosen people to better understand American attitudes toward rehabilitation and reentry of prisoners into their home communities.			
Kurlycheck, Megan, Robert Brame, Shawn D. Bushway	March 1, 2006	2	3	
Enduring Risk? Old Criminal Records and Short-Term Predictions of Criminal Involvement http://blogs.law.columbia.edu/4cs/files/2008/11/crime-and-delinquency-racine.pdf	Research paper examines police conduct data from 1942 Racone birth cohort study to determine whether individuals whose last criminal record occurred many years ago exhibit a higher risk of acquiring future criminal records than those with no criminal record at all.			
Kurlychek, Megan, Robert Brame, Shawn D. Bushway	2006	2	3	
Scarlet Letters and Recidivism: Does an Old Criminal Record Predict Future Offending? http://www3.interscience.wiley.com/cgi-bin/fulltext/118577099/PDFSTART	This research paper explores the issue of the ability of prior criminal records to predict future offending.			
Laub, John H., and Robert J. Sampson	2001			
Understanding Desistance from Crime and Justice http://people.stu.ca/~hckdd/truth/Crim/article%202.pdf	This paper examines theory, quantitative, and qualitative research on desistance from crime and substance abuse. It presents a life-course perspective on desistance based on a long-term study of crime and deviance over a life span. Essentially, this article offers a theoretical framework that identifies the key sources of change in the desistance process and begins to specify the causal mechanism involved in the desistance process.			
Legal Action Center	2004	2	4	
After Prison: Roadblocks to Reentry http://www.lac.org/roadblocks-to-reentry/upload/lacreport/LAC_PrintReport.pdf	This report summarizes legal obstacles that occur post-incarceration. It also Includes a breakdown of laws by state.			
Legal Action Center	2009	1	2	5
After Prison: Roadblocks to Reentry. A Report on State Legal Barriers Facing People with Criminal Records http://www.lac.org/roadblocks-to-reentry/upload/lacreport/LAC_PrintReport.pdf	This report summarizes the findings of an two-year study by the Legal Action Center of the legal obstacles that people with criminal records face when they attempt to reenter society and become productive, law-abiding citizens.			

Lindahl, Nichole	Summer 2007	1	4
Venturing Beyond the Gates: Facilitating Successful Reentry with Entrepreneurship http://www.jjay.cuny.edu/centersinstitutes/pri/pdfs/VenturingBeyondtheGates.pdf	This report discusses entrepreneurship programs as tools toward successful reintegration of people coming home from prison. It also provides examples of current programs and advice on how to start pilot program.		
Little Hoover Commission	January 25, 2007		
Solving California's Corrections Crisis: Time is Running Out http://books.google.com/books?hl=en&lr=&id=JFz9jyZbM4UC&oi=fnd&pg=PR1&dq=Solving+California%27s+Corrections+Crisis:+Time+is+Running+Out&ots=2BL3Scg6bA&sig=zS2dng2xmtbe9KMBEgRD4M8ueYc#v=onepage&q&f=false	This publication describes the California corrections crisis and presents a series of recommendations for reform.		
Little Hoover Commission	1998		4
Beyond Bars: Correctional Reforms to Lower Prison Costs and Reduce Crime http://www.lhc.ca.gov/studies/144/144es.html	This report puts forth suggestions on how to ensure public safety and maintain fiscal responsibility through creating an integrated criminal justice system, maximizing existing facilities, and expanding facilities through competitive procedures.		
Little Hoover Commission	November 2003	3	4
Back to the Community: Safe and Sound Parole Policies http://www.lhc.ca.gov/studies/172/execsum172.pdf	This report presents a list of recommendation that the Commission came up with to address the improvement of parole in California.		
Love, Margaret Colgate	June 2008	2	
Relief from the Collateral Consequences of a Criminal Conviction: A State-by-State Resource Guide http://www.sentencingproject.org/doc/File/Collateral%20Consequences/execsumm.pdf	This resource guide surveys the legal mechanisms available in each U.S. jurisdiction by which a person convicted of a crime may avoid or mitigate the collateral penalties and disabilities that accompany a criminal conviction.		
Lowenkamp, Christopher and Edward J. Latessa	2005	1	4
Successful Reentry Programs: Lessons Learned from the "What Works" Research http://www.atc-reentryroundtable.org/articles/LOWENKAMP-SUCCESSFUL%20REENTRY%20PROGRAMS.pdf	This publication is an overview of research on residential programs that served offenders during reentry and should be used to shape development of reentry programs.		
MacKenzie, Doris Layton	Spring 2008	1	3
Structure and Components of Successful Education Programs http://www.jjay.cuny.edu/centersinstitutes/pri/pdfs/DorisMackenzie_Final.pdf	This paper analyzes studies on successful education programs in incarceration facilities and concludes that GED and post-secondary courses reduce recidivism, but that general "life skills" classes do not.		
Maruna, Shadd	2001	1	
Making Good: How Ex-Convicts Reform and Rebuild Their Lives	This book compares and contrasts the stories of ex-convicts who are actively involved in criminal behavior with those who are desisting from crime and drug use. This book suggests that success in reform depends on providing rehabilitative opportunities that encourage rehabilitation.		
Matt, George, Lara Bellardita, Gene Fischer and Scott Silverman	2006	1	4 5
Psychological Resources and Mental Health Among the Difficult-to-Employ: Can a pre-employment training program make a difference? http://iospress.metapress.com/content/9233pkk3mglttdwm/	This study examined participants in a pre-employment training program who exhibited significantly higher levels of psychological stress.		
McGlaze, Aidan	April 10, 2006	1	4
Making the Most of California's Correctional Education Reform: A Survey and Suggestions for Further Steps http://papers.ssrn.com/sol3/papers.cfm?abstract_id=977001	This paper surveys California's correctional education reform, arguing for expanded services on the grounds that improved education reduces recidivism, saves money, and facilitates prisoner reentry.		
McLean, Rachel, and Michael D. Thompson	2007		3 4
Repaying Debts http://www.nicic.org/Library/022598	This publication includes policy recommendations on how policymakers can increase accountability among people who commit crimes, improve rates of child support collection and victim restitution, and make people's transition from prisons and jails into the community safe and successful ones.		

MDRC	2007	1	5
Four Strategies to Overcome Barriers to Employment: An Introduction to the Enhanced Services for the Hard-to-Employ Demonstration and Evaluation Project http://www.mdrc.org/publications/469/overview.html	This report describes the origin of the Hard-To-Employ Demonstration Evaluation Project and the rationale for the demonstration, the research design, and the four programs and the characteristics of their participants.		
Mellow, Jeff, and Debbie A. Mukamal, Stefan F. LoBuglio, Amy L. Solomon, and Jenny W.L. Osborne	May 2008	4	
The Jail Administrator's Toolkit for Reentry http://www.urban.org/UploadedPDF/411661_toolkit_for_reentry.pdf	This publication is a toolkit that targets practitioners in hopes of assisting with the improvement of the jail to probation reentry process.		
Morris, Monique W.	December 2008	2	5
A Higher Hurdle: Barriers to Employment for Formerly Incarcerated Women http://www.law.berkeley.edu/files/A_Higher_Hurdle_December_2008.pdf	This study combines a matched-pair testing methodology and participatory research strategy to measure potential differential treatment among formerly incarcerated women seeking employment.		
Moses, Marilyn and Cindy Smith	June 2008	1	3 4
Factories Behind Fences: Do Prison 'Real Work' Programs Work? http://www.ojp.usdoj.gov/nij/journals/257/real-work-programs.html	Evaluation of programs that allow prisoners to contribute to society from behind bars.		
Moss, Philip, and Chris Tilly	2001		5
Why Opportunity Isn't Knocking: Racial Inequality and the Demand for Labor in "Urban Inequity: Evidence from Four Cities" O'Connor, Alice, Chris Tilly, and Lawrence D. Bobo (Eds.)	This paper examines the data of the Multi-City Study Employer Survey and presents quantitative and qualitative findings on skills, location, employer attitudes, and hiring procedures.		
Mukamal, Debbie	June 2001	1	5
From Hard Time to Full Time: Strategies to Help Move Ex-Offenders from Welfare to Work http://www.hirenetwork.org/pdfs/From_Hard_Time_to_Full_Time.pdf	This survey details need including barriers faced; provides resources/guidance for workforce development staff serves as a "how to guide" to help move from welfare to work.		
Mulligan-Hansel, Kathleen	2001		5
Making Development Work for Local Residents: Local Hire Programs and Implementation Strategies that Serve Local Communities http://www.communitybenefits.org/downloads/Making%20Development%20Work%20for%20Local%20Residents%20Exec.%20Summary.pdf	This publication profiles model local hire programs including East Palo Alto ordinance, the Los Angeles airport modernization CBA, and the project labor agreement for the Port of Oakland modernization. The research concludes that these local hire programs have developed effective mechanisms for helping low-income local residents find jobs at new development sites and have created job opportunities with existing employers that had previously been unavailable to many low-income workers.		
National Employment Law Project	June 21, 2007	2	5
New City Hiring Policies Promote Public Safety by Reducing Barriers to Employment of People with Criminal Records http://www.mayorsinnovation.org/pdf/Article5_HC.pdf	This article summarizes a few cities' attempts at removing unfair barriers to employment of people with criminal records.		
National Employment Law Project	June 2010	2	
New State Initiatives Adopt Model Hiring Policies Reducing Barriers to Employment of People with Criminal Records http://www.nelp.org/page/-/SCLP/ModelStateHiringInitiatives.pdf?nocdn=1	This article provides information on existing statewide ban-the-box laws and new proposed legislation.		
National Institute of Corrections	September 2002	2	5
Corrections Employment Eligibility for Ex-Offenders http://nicic.org/pubs/2002/018209.pdf	This report discusses the variety of effects that convictions can have on employment opportunities as well as recent policy and practice changes relevant to corrections.		
National Institute of Justice	June 1998		4
Texas' Project RIO: Reintegration of Offenders http://www.nicic.org/pubs/1998/serial643.pdf	This study is an evaluation of Project RIO in Texas.		

National League of Cities and the National Employment Law Project	2010	5
Cities Pave the Way: Promising Reentry Policies that Promote Local Hiring of People with Criminal Records	This paper assembles the most promising local policies that promote the hiring of people with criminal records and highlights a range of other innovative hiring strategies, ranging from first source hiring policies to special tax credits and bonding subsidies. This paper also describes some of the fundamentals of the local government hiring process and the federal civil rights laws that regulate criminal background checks.	
http://nelp.3cdn.net/70437de6195bc023c8_89m6i6f3q.pdf		
Needels, Karen	1996	3 5
Go Directly to Jail and Do Not Collect? A Long-term Study of Recidivism, Employment and Earnings Patterns Among Prison Releases	This study examined 17 years of criminal activity and 9 years of earnings records for 1,176 men released from Georgia prisons to better understand how demographic and criminal history characteristics affect labor market patterns among prison releases.	
http://jrc.sagepub.com/content/33/4/471.abstract		
Office of the Attorney General, U.S. DOJ	June 2006	2
The Attorney General's Report on Criminal History Background Checks	This report presents information regarding criminal the laws surrounding background checks, obtaining them, and their use.	
http://www.justice.gov/olp/ag_bgchecks_report.pdf		
O'Hear, Michael	2007	3 4
The Second Chance Act and the Future of Reentry Reform	This essay comments on the history of the second chance act, how it works, and how it impacts the future of reentry reform in America.	
http://caliber.ucpress.net/doi/pdf/10.1525/fsr.2007.20.2.75		
Pager, Devah	March 1, 2003	2
The Mark of a Criminal Record	This article focuses on the consequences of incarceration for the employment outcomes of black and white job seekers. It uses an audit study approach.	
http://www.princeton.edu/~pager/pager_ajs.pdf		
Pager, Devah	2007	2
Marked: Race, Crime, and Finding Work in an Era of Mass Incarceration	This book discusses a study where matched pairs of young men were randomly assigned criminal records and sent out to get jobs throughout the city of Milwaukee. This book discusses the results of this study in terms of race and criminal records and its implications.	
http://www.press.uchicago.edu/Misc/Chicago/644839.html		
Pager, Devah	Summer 2008	4
Creating Second Chances	The article considers prisoner reentry interventions and policy in light of the evidence of what works, what doesn't and why.	
http://www.stanford.edu/group/scspi/pdfs/pathways/summer_2008/Pager.pdf		
Pager, Devah and Lincoln Quillian	2005	5
Walking the Talk? What Employers Say Versus What They Do	This article discusses the relationship between employers' attitudes toward hiring ex-offenders and their actual hiring behavior.	
http://www.princeton.edu/~pager/asr_pager&quillian.pdf		
Petersilia, Joan	September 2001	4
Prisoner Reentry: Public Safety and Reintegration Challenges	This article analyzes the collateral consequences involved with recycling parolees in and out of families and communities including community cohesion and social disorganization, work and economic well-being, family matters, mental and physical health, political alienation, and housing and homelessness.	
http://tpj.sagepub.com/cgi/content/abstract/81/3/360		
Petersilia, Joan	2004	1 4
What Works In Prisoner Reentry? Reviewing and Questioning the Evidence	This article presents data on America's correctional system and reviews evidence for what constitutes a "reentry program," what works for helping former prisoners reintegrate back into society, and how these programs might be better implemented.	
http://www.caction.org/rrt_new/professionals/articles/PETERSILIA-WHAT%20WORKS.pdf		
Petersilia, Joan	December 2007	4
Meeting the Challenges of Rehabilitation in CA's Prison and Parole System	This report summarizes the work of the Government-established strike teams (Facilities Strike Team and Rehabilitation Strike Team) created for the assistance of reforming CDCR that were composed of more than 30 experts from all around the state of California. A 4-pronged strategy for bringing rehabilitation programs back into the California corrections system was implemented and this report describes those initiatives in detail.	
http://www.cdcr.ca.gov/news/docs/GovRehabilitationStrikeTeamRpt_012308.pdf		

Petersilia, Joan	2005/2006?	4		
Understanding CA Corrections http://ucicorrections.seweb.uci.edu/pdf/UnderstandingCorrectionsPetersilia20061.pdf	This report summarizes existing data about California corrections in terms of prisons, violence, gangs, treatment, criminal records, parole and recidivism followed by suggestions for change.			
Piehl, Anne	May 2003	3	4	5
Crime, Work, and Reentry http://www.urban.org/UploadedPDF/410856_Piehl.pdf	Examines the ways in which employment conditions can effect criminal activity.			
Rakis, John	2005	3		5
Improving the Employment Rates of Ex-Prisoners Under Parole http://www.uscourts.gov/uscourts/FederalCourts/PPS/Fedprob/2005-06/employment.html	This paper outlines the challenges faced by ex-prisoners seeking employment followed by a discussion of all the different ways to combat the challenges including the role of parole officer, career guidance, job readiness assistance, fidelity bonding, and WOTC. Policy recommendations are included at the end.			
Raphael, Stephen	September 2007	2	4	
The Impact of Incarceration on the Employment Outcomes of Former Inmates: Policy Options for Fostering Self-Sufficiency http://gsppi.berkeley.edu/faculty/sraphael/raphael-july-2007.pdf	This focuses on recent incarceration trends, discusses the evidence pertaining to the employment effects of serving time and discusses several policy options.			
Raphael, Stephen & Rudolph Winter-Ebmer	2001	3		5
Identifying the Effect of Unemployment on Crime http://www.jstor.org/stable/pdfplus/725653.pdf	This paper analyzes the relationship between unemployment and crime using U.S. state data.			
Raphael, Steven	April 2010	1	3	5
Improving Employment Prospects for Former Prison Inmates: Challenges and Policy http://www.nber.org/papers/w15874	This paper analyzes the employment prospects of former prison inmates and reviews recent programmatic evaluations of reentry programs that either aim to improve employment among the formerly incarcerated or aim to reduce recidivism through treatment interventions centered on employment.			
Redcross, Cindy, Dan Bloom, Gilda Azurdia, Janine Zweig, and Nancy Pindus	August 2009	1	3	5
Transitional Jobs for Ex-Prisoners: Implementation, Two-Year Impacts, and Costs of the Center for Employment Opportunities Prison Reentry Program http://www.mdrc.org/publications/529/full.pdf	This study assesses the Center for Employment Opportunities' program under the Hard-To-Employ Demonstration project. Almost 1,000 subject had been followed for two years at the time of this paper.			
Reentry Policy Council	January 2005		4	
Charting the Safe and Successful Return of Prisoners to the Community http://www.nicic.org/Library/020211	This document presents detailed policy statements/recommendations focused on 1) planning a re-entry initiative, 2) review of the reentry process from admission to an institution to return to the community, and 3) elements of effective health and social service systems.			
Rhine, Edward, Tina Mawhorr, Evalyn Parks	May 2006	1		4
Implementation: The Bane of Effective Correctional Programs http://www3.interscience.wiley.com/journal/118577083/abstract?CRETRY=1&SRETRY=0	This study evaluates the reasons for failure of implementing evidence-based programs in correctional facilities.			
Rose, Dina and Todd Clear	January 30, 2002	1		4
Incarceration, Reentry and Social Capital: Social Networks in the Balance http://www.urban.org/UploadedPDF/410623_SocialCapital.pdf	The article explores the aggregate impact of offender reentry on community levels of social capital and the effect it has on the children living in areas effect by crime.			
Seiter, Richard	2003	1	3	4
Prisoner Reentry: What Works, What Does Not, and What is Promising? http://www.caction.org/rrt_new/professionals/articles/SEITER-WHAT%20WORKS.pdf	This paper defines reentry, categorizes reentry programs, and uses the Maryland Scale of Scientific Method to determine the effectiveness of program categories.			

Smith, Cindy, Jennifer Bechtel, Angie Patrick, Richard R. Smith, and Laura Wilson-Gentry	June 2006	3	5	
Correctional Industries Preparing Inmates for Re-entry: Recidivism and Post-release http://www.ncjrs.gov/pdffiles1/nij/grants/214608.pdf	This report summarizes the first national review of the recidivism and post-release employment effects of the Prison Industries Enhancement Certification Program (PIECP) engaging state prison inmates in private sector jobs since 1979.			
Solomon, Amy L., Jenny Osborne, Laura Winterfield, Brian Elderbroom, Peggy Burke, Richard P. Stroker, Edward E. Rhine, and William D. Burrell	December 2008	4		
Putting Public Safety First: 13 Parole Supervision Strategies to Enhance Reentry Outcomes http://www.urban.org/publications/411791.html	This paper is the result of two meetings with national experts on the topic of parole supervision. It gives a review of research literature, describes 13 key strategies to enhance reentry outcomes, and presents examples from the field.			
Solomon, Amy LI, Jenny W.L. Osborne, Stefan F. LoBuglio, Jeff Mellow, and Debbie A. Mukamal	May 2008	4		
Life After Lockup: Improving Reentry from Jail to the Community http://www.ojp.usdoj.gov/BJA/pdf/LifeAfterLockup.pdf	This publication describes the Jail Reentry Roundtable Initiative and synthesizes the seven papers, three meetings, and dozens of interviews of practioners around the country that were conducted. It addresses the state of jails in America, the transition process to probation, and the role of probation in the reentry process.			
Solomon, Amy, Kelly Dedel Johnson, Jeremy Travis, and Elizabeth C. McBride	2004	4		
From Prison to Work: The Employment Dimensions of Prisoner Reentry http://www.urban.org/UploadedPDF/411097_From_Prison_to_Work.pdf	This report highlights relevant research and identifies key policy issues on finding employment after prison by addressing the relationships between work and reentry and familial, community, and societal factors, identifying gaps in the economy that former prisoners could potentially fill, examining opportunities for (as well as legal barriers to) work after prison, and identifying key considerations to meeting the goal of enhancing work opportunities available to former prisoners.			
Stafford, Christopher	2006	3	4	5
Finding Work: How to Approach the Intersection of Prisoner Reentry, Employment, and Recidivism http://heinonline.org/HOL/Page?handle=hein.journals/geojpovlp13&div=18&g_sent=1&collection=journals	An overview of post-incarceration obstacles and a review of restrictions that might need to be re-evaluated and modified.			
Stoll, Michael and Shawn D. Bushway	April 2007	2		5
The Effect of Criminal Background Checks on Hiring Ex-Offenders http://npc.umich.edu/publications/u/working_paper07-08.pdf	This paper explores the debate about previously incarcerated people finding employment after prison by using establishment-level data collected in Los Angele in 2001.			
Taxman, Faye	June 2006	4		
The Role of Community Supervision in Addressing Reentry from Jails http://www.urban.org/projects/reentry-roundtable/upload/taxman_ui_revised.pdf	This paper presents an assessment of reentry programs in jails with a focus on the importance of behavior management and on prioritizing high risk offenders.			
Texas Department of Criminal Justice, Texas Workforce Commission and Texas Youth Commission	March 2008	1	2	4 5
Project RIO Strategic Plan Fiscal Years 2010-2011 http://www.twc.state.tx.us/svcs/rio.html	This document describes Project RIO which provides links between education, training, and employment during incarceration with employment, training, and education after release.			
Travis, Jeremy	2002	2	4	5
Invisible Punishment: An Instrument of Social Exclusion, in "Invisible Punishment: The Collateral Consequences of Mass Imprisonment," Marc Mauer and Meta Chesney Lind (Eds.) http://www.urban.org/publications/1000557.html	This article discusses the implications of the diminution of the rights and privileges of citizenship and legal residency in the U.S. of people who are incarcerated. This article argues that these elements should be brought to into view as visible players in the realm of sentencing instead of lingering in the background as silent punishments that last longer than an incarceration sentence.			
Travis, Jeremy	2005	1	3	4 5
But They All Come Back: Facing the Challenges of Prisoner Reentry http://www.urban.org/books/allcomeback/	This book describes the realities of returning prisoners within seven policy domains: public safety, families and children, work, housing, public health, civic identity, and community capacity and proposes a new architecture for the American criminal justice system that is organized around five principles of reentry.			

Travis, Jeremy, Amy L. Solomon and Michelle Waul	2001		4
From Prison to Home: the Dimensions and Consequences of Prisoner Reentry http://www.urban.org/pdfs/from_prison_to_home.pdf	This report describes the reentry process, the challenges for reentry, and the consequences of reentry along several key dimensions. Throughout the report, research findings, key strategic policies, and research opportunities are identified.		
Turner, Susan	2007	1	
What Crime Rates Tell Us About Where to Focus Programs and Services for Prisoners http://www3.interscience.wiley.com/cgi-bin/fulltext/117993457/PDFSTART	This paper explores what happens to crime rates when an increase in the number of prisoners released from incarceration occurs.		
Tyler, John H., and Jeffrey Kling	2006	1	5
Prison-Based Education and Re-Entry into the Mainstream Labor Market http://www.nber.org/~kling/prison_ged.pdf	This paper estimates the post-release economic effects of participation in prison-based programs using a panel of earnings records and a set of individual information from administrative data in the state of Florida.		
Uggen, Christopher	2000	3	5
Work as a Turning Point in the Life Course of Criminals: A Duration Model of Age, Employment, and Recidivism http://www.jstor.org/stable/2657381	This study uses event history models to better understand if work functions as a turning point in the life course of former criminals.		
Uggen, Christopher	1999	3	5
Ex-Offenders and the Conformist Alternative: A Job Quality Model of Work and Crime http://www.jstor.org/sici?sici=0037-7791(199902)46%3A1%3C127%3AEATCAA%3E2.0.CO%3B2-U&cookieSet=1	This study tests whether exposure to high quality jobs, net of background and alternative employment measures, reduces subsequent criminal activity.		
Visher, Christie	2005	1	3 5
Ex-Offender Employment Programs and Recidivism: A Meta-Analysis http://www.springerlink.com/content/r86832p63050t11j/fulltext.pdf	This paper presents the results of a quantitative meta-analysis of eight random assignment studies of ex-offender employment programs using the Campbell Collaboration methodology.		
Visher, Christy, Laura Winterfield, and Mark B. Coggeshall	April 2003	1	3
Systematic Review of The Effects of Non-Custodial Employment Programs on the Recidivism Rates of Ex-Offenders www.campbellcollaboration.org/lib/download/48/	This publication is a systematic review the effects of programs designed to increase employment through job training and/or job placement among formerly incarcerated persons (i.e., those recently released), aimed at improving employment and reducing recidivism.		
Visher, Christy, Sara Debus, and Jennifer Yahner	2008		5
Employment after Prison: A Longitudinal Study of Releases in Three States http://www.urban.org/publications/411778.html	This publication explores the reality of finding employment after prison from the perspective of 740 former male prisoners in Illinois, Ohio, and Texas.		
Visher, Christy	December 2007	1	4
Returning Home: Emerging Findings and Policy Lessons about Prisoner Reentry http://caliber.ucpress.net/doi/pdf/10.1525/fsr.2007.20.2.93	This essay discusses the current landscape of reentry and puts forth findings, policy lessons and recommendations within the context of the Second Chance Act.		
Wallace, Dee and Laura Wyckoff	May 2008	2	5
Going to Work With a Criminal Record: Lessons from the Fathers at Work Initiative http://www.ppv.org/ppv/publications/assets/238_publication.pdf	The report offers fundamental lessons on connecting people with criminal records to appropriate jobs and employers, as well as tools to organize the effort.		
Washington State Institute for Public Policy	January 2006	1	3
Evidence-Based Adult Corrections Programs: What Works and What does Not http://wsipp.wa.gov/rptfiles/06-01-1201.pdf	The report is a review of 291 evidence based programs for adult offenders. It asks "what works, if anything to lower the criminal recidivism rates of ex-offenders?"		

Welfare-to-Work Partnership	2002			5
Smart Solutions: Individuals with Criminal Histories: A Potential Untapped Resource http://www.lac.org/doc_library/lac/publications/smart_solutions.pdf	This paper outlines the advantages to hiring ex-offenders and gives examples of success stories.			
Western, Bruce	December 2008	1	4	5
From Prison to Work: A Proposal for a National Prisoner Reentry Program http://www.brookings.edu/~media/Files/rc/papers/2008/12_prison_to_work_western/12_prison_to_work_western.pdf	This paper proposes a national prisoner reentry program whose core elements would be up to a year of transitional employment to all parolees in need of work. This paper discusses transitional jobs and their effectiveness as well as costs associated with this type of program.			
Western, Bruce	2008	2		5
Criminal Background Checks and Employment Among Workers with Criminal Records http://onlinelibrary.wiley.com/doi/10.1111/j.1745-9133.2008.00518.x/pdf	This policy essay discusses the concept that limiting background checks may only have modest effects on improving employment among individuals with criminal records.			
Western, Bruce, and B. Petit	2000			5
Incarceration and Racial Inequality in Men's Employment http://www.jstor.org/stable/2696029?cookieSet=1	This paper aims to estimate employment-population ratios for black and white men with an adjustment for incarceration. Data from surveys of prisons and jails is combined with data from population surveys.			
Wilson, David, Catherine A. Gallagher, and Doris L. MacKenzie	2000	1	3	
A Meta-Analysis of Corrections-Based Education, Vocation, and Work Programs for Adult Offenders http://jrc.sagepub.com/content/37/4/347.full.pdf+html	This study conducted a meta-analysis of the recidivism outcomes of 33 independent experimental and quasi-experimental evaluations of education, vocation, and work programs and found that program participants recidivate at a lower rate than nonparticipants.			
Wilson, James A.	2006	1		
Good Intentions Meet Hard Realities: An Evaluation of the Project Greenlight Reentry Program http://www3.interscience.wiley.com/cgi-bin/fulltext/118577081/PDFSTART	This paper discusses possible explanations for why participants in the Project Greenlight program had significantly worse measures of recidivism after one year.			
Wilson, James A.	June 2008	1	3	
Habilitation or Harm: Project Greenlight and the Potential Consequences of Correctional Programming. In Corrections Today... and Tomorrow: A Compilation of Corrections-Related Articles http://www.ncjrs.gov/pdffiles1/nij/221166.pdf	This article briefly describes the Project Greenlight program and it's successes and failures. It also discusses issues involving correctional programming in relation to Project Greenlight.			



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