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*Barriers to Employment & Reentry for
Formerly Incarcerated People*

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About This Document:

This annotated bibliography was compiled primarily by Ryan van der Harst and Marina Hernandez, interns with the Thelton E. Henderson Center for Social Justice during the Spring 2008 semester and edited by Michael D. Sumner, Ph.D., Monique W. Morris, M.S., and Wilda White, J.D., MBA.

This annotated bibliography is designed to reflect an array of academic, federal research, policy, activist, and media literature on the impact of a criminal record on employment and successful reentry for formerly incarcerated people, particularly women and families.

How to Use This Document:

This document is arranged in alphabetical order by author's last name or organization's first word. Each annotation is numbered for easy reference. All online links are valid as of December 2008.

Annotations

- 1. All of Us or None. (2004). *San Francisco Peace & Justice Community Summit. Policy Recommendations & Briefing Packet. Retrieved from www.datacenter.org/reports/auonsummit2briefpac.pdf.***

This packet presents policy recommendations for local, state, and federal governments. They note that the stigma attached to having been incarcerated does not end upon release from prison. Several recommendations are presented, including removing the lifetime ban from food stamps and welfare, taking into consideration the needs and rights of children whose parents are arrested or incarcerated, overhauling the youth justice system in California, removing the “box” or question on applications regarding an applicant’s conviction history, and improving community services. Additional packets were completed for other San Francisco Bay Area locales.

- 2. All of Us or None. (2006). *All of Us or None and City of San Francisco Find Common Ground to End Discrimination. Press Release Packet.***

In this press release, organizers of a grassroots civil rights organization laud San Francisco for comprehensively reforming its hiring process to aid formerly incarcerated individuals in obtaining work with the City. The changes include not asking about convictions on the initial application and not requiring disclosure of past convictions until the finalist stage of the application process, providing an opportunity to explain conviction histories, ensuring the right to appeal decisions, banning formerly incarcerated individuals only from necessary positions, and including information about the ban in the job announcement.

- 3. Allard, P. (2002). *Life Sentences: Denying Welfare Benefits To Women Convicted of Drug Offenses. The Sentencing Project.***

This report focuses on the effects of the lifetime welfare ban against women who have drug offense convictions. The author notes that there are 42 states enforcing the welfare ban in full or in part, which affects more than 92,000 women and, in turn, approximately 135,800 children. California has the highest number of women affected by the ban (37,825). The lifetime welfare ban increases the challenge of successful reentry after incarceration, as it takes away transitional income helpful in meeting basic needs, like housing and child rearing. The ban limits formerly incarcerated women’s access to programs such as drug treatment services or employment. The author recommends a repeal of the lifetime welfare ban.

- 4. Buikhuisen, W. & Dijksterhuis, F.P.H. (1971). *Delinquency and Stigmatisation. British Journal of Criminology, 11, 185-187.***

In one of the first testing studies in this area, the authors investigate whether a prior incarceration hinders employment opportunities. The researchers mailed employment applications to employers in the Netherlands. Some of the applications indicated no criminal record, some revealed a misdemeanor for driving under the influence (DUI), and others disclosed a conviction for theft. Results indicate that either conviction reduces the likelihood of receiving a job offer.

5. Bushway, S.D. (2004). Labor Market Effects of Permitting Employer Access to Criminal History Records. *Journal of Contemporary Criminal Justice*, 20(3), 276-291.

In this article, Bushway tests the hypothesis that groups of individuals with high incarceration rates, such as African American males, receive decreased wages when employers are not allowed to view criminal history records. Using a simple economic model, he argues that when employers believe criminal records are an accurate predictor of productivity and when criminal records are not available, employers will lower wages for the group as a whole to mitigate the effects of hiring people with a criminal record. Bushway supports his argument by contrasting the high proportion of employers unwilling to hire people with a criminal record, and the low proportion of employers who actually check criminal records. He also argues that research by Pager – which demonstrated discrimination based upon race and past incarceration – supports his position, as the employers in the study cared about criminal history but did not conduct background checks. Though trends are in the expected direction, Bushway finds no significant correlation in wage differences for white and African American males in states with or without policies regulating employer access to criminal history records.

6. Chan, M., Guydish, J., Prem, R., Jessup, A.M., Cervantes, A. & Bostrom, A. (2005). Evaluation of Probation Case Management (PCM) for Drug-Involved Women Offenders. *Crime & Delinquency*, 51(4), 447-469.

The authors analyze the effectiveness of San Francisco's probation case management (PCM) intervention system as opposed to standard probation. PCM is a program that includes aspects of intensive supervision probation or parole (ISP) models, such as smaller caseloads, and adds additional case management components, which are designed to help assess and obtain needed services. Women who participated in the ISP program were more likely to have full custody of their children at the time of discharge; however, on the whole PCM did not result in better outcomes than standard probation after a year. The authors discuss limitations of the evaluation, including a small sample size.

7. Eckholm, E. "Experiment Will Test the Effectiveness of Post-Prison Employment Programs." *The New York Times*, Oct. 1, 2006.

This article describes an in-progress study being conducted by the Manpower Development Research Corporation and funded by the Joyce Foundation. The longitudinal study is measuring the effectiveness of transitional employment. The 3-year experiment began in January 2007, and includes 2,000 formerly incarcerated men. Some of the men will receive traditional employment aid services. Others will receive traditional services plus several months of work at a transitional position.

8. Emsellen, M. (2005). Congressional Briefing. "Smart on Crime" Agenda to Promote Public Safety While Addressing Occupational Barriers for People with Criminal Records. National Employment Law Project. Retrieved from nelp.3cdn.net/7bd6d5a42004c81558_1em6b5ix9.pdf

In this Congressional Briefing, the author discusses the need to provide an agenda that promotes public safety while analyzing the social barriers that prevent employment opportunities for formerly incarcerated people. The author reports that each year more than 630,000 people are released from U.S prisons. Two out of three of released non-violent offenders are people of color. Since the late 1990s, and after 9/11/01 in particular, there has been an increase in state and federal laws that deny employment to people who

have a criminal record. The author recommends limiting disqualifications that are not job related, particularly for non-violent drug offenses, eliminating lifetime disqualifications from positions, and allowing for waivers when a record of rehabilitation is presented.

- 9. Emsellem, M. (2005, August). Employment Screening for Criminal Records: Attorney General's Recommendations to Congress. *Comments of the National Employment Law Project to the U.S. Attorney General, Office of Legal Policy.* Retrieved from nelp.3cdn.net/f11cd062c2616976e7_h7m6bhpi2.pdf**

In this article, the author presents recommendations to the U.S. Attorney General from the National Employment Law Project regarding employment screening for criminal records. Although the numbers of criminal background checks more than doubled between 1999 and 2004, most background checks are being performed for civil purposes rather than for criminal investigations. This has greatly affected one in five adults, disproportionately African American, who have a criminal record. To curb this impact, the author recommends "...reduce[d] unwarranted barriers in laws that limit the job opportunities of people with criminal records" and recommendations from the Attorney General regarding procedural protections. The author also suggests that applicants should have the right to ask for a copy of their criminal record once a job has been denied, so as to maximize the possibility of submitting an appeal. Furthermore, the author notes that employers should not only take into account an applicant's criminal record, but also consider an applicant's history of loyal service in previous positions.

- 10. Gould, E.D., Weinberg, B.A., & Mustard, D.B. (2002). Crime Rates and Local Labor Market Opportunities in the United States: 1979-1997. *The Review of Economics and Statistics*, 84(1), 45-61.**

This article examines the relationship between labor market conditions for unskilled positions held by less educated men, and their association with crime rates. Like most previous research, the authors find that higher unemployment is related to increased crime rates between 1979 and 1997. Extending existing research, they also examined the role of wages on the crime rate. They find that not only are higher wages associated with decreases in crime rates, but this relationship appears to be stronger than the role of unemployment. These associations are still significant after controlling for a number of variables, including individual and family characteristics.

- 11. Institute on Women & Criminal Justice. (2006). The Punitiveness Report – HARD HIT: The Growth in Imprisonment of Women, 1977 – 2004.**

Commissioned by the Institute on Women & Criminal Justice, this report examines the rate of female incarceration by state and region. According to the report, the number of women incarcerated between 1977 and 2004 grew by 757%, from 11,212 in 1977 to 96,124 in 2004. Southern and Mountain states experienced the largest increases. The authors attribute part of the increase to laws enacted and policies adopted as part of the War on Drugs. To reverse this trend, the report recommends repealing harsh sentencing laws, and creating reentry and other social support programs.

12. Hall, E.A., Baldwin, D.M. & Prendergast, M. (2001). Women on Parole: Barriers to Success after Substance Abuse Treatment. *Human Organization*, 60(3), 225-233.

The authors interviewed 39 female participants of an in-prison residential substance abuse treatment program about the barriers to success on parole. In general, the women said that they did not take advantage of community-based residential treatment programs because of concerns about freedom, family, and finances. Some women felt that they did not need treatment-based support after their release. The women also felt that the lack of vocational training and the challenge of avoiding high-use, drug areas were barriers to their success on parole.

13. Harris, P.M. & Keller, K.S. (2005). Ex-Offenders Need Not Apply. *Journal of Contemporary Criminal Justice*, 21(1), 6-30.

The authors identify direct and indirect barriers to the employment of formerly incarcerated people. Direct barriers include laws and occupational code licensing requirements; indirect barriers include laws that allow employers to refuse to hire formerly incarcerated people. The authors argue that criminal history alone cannot predict the risk of workplace crime by formerly incarcerated people, and that background checks do not reliably yield accurate information about an applicant's criminal history. The authors note that little research has been conducted to determine whether workplace crime is disproportionately committed by formerly incarcerated people. Before adopting legal barriers to the employment of formerly incarcerated people, the authors suggest considering: (1) the costs of not imposing barriers; (2) the willingness of co-workers to work alongside formerly incarcerated people; (3) the scant evidence linking formerly incarcerated people to workplace crime; and (4) whether means other than exclusion exist to mitigate the risk of workplace crime by formerly incarcerated people.

14. Heinrich, S. (2000). Reducing Recidivism through Work: Barriers and Opportunities for Employment of Ex-offenders. Great Cities Institute, University of Illinois. Abstract available at www.ncjrs.gov/App/Publications/abstract.aspx?ID=202837.

This article discusses methods to reduce recidivism by improving employment opportunities for formerly incarcerated people. The article identifies barriers to employment by formerly incarcerated people that include limited education and financial resources, substance abuse, mental illness, the stigma associated with incarceration, background checks, and legal barriers to certain fields such as healthcare. The author lauds government programs that provide incentives to employers that hire formerly incarcerated people. However, the author cautions that these programs need to be monitored to ensure their effectiveness. The author identifies the need for programs that begin before release from prison; programs that provide value-added services to employers; and programs that help formerly incarcerated people retain their jobs after placement.

15. Hill, L. "L.A. County Should Ban the Box." *The Huffington Post*, June 16th, 2006. Retrieved from www.huffingtonpost.com/liberty-hill/la-county-should-ban-th_b_23202.html

This blog post argues that the City of Los Angeles should join other cities in the effort to "ban the box," i.e., delete the question on applications for public employment that asks about felony convictions. The post argues that the "box" perpetuates the stigma against formerly incarcerated people, which hinders

them from obtaining good jobs. The post also argues that government should support women while they seek employment by providing money and food stamps.

16. Holzer, H.J., Raphael, S. & Stoll M.A. (2002). Will Employers Hire Ex-Offenders? Employer Preferences, Background Checks, and Their Determinants. In M. Pattillo et. al. eds. *The Impact of Incarceration on Families and Communities*. New York: Russell Sage Foundation.

This article examines attitudes about hiring formerly incarcerated people. The authors present the results of a telephone survey of employers. Employers were asked about their willingness to hire workers that have criminal histories, and whether they used criminal background checks when selecting their employees. They found that 60% of the employers surveyed would probably not consider hiring a person with a criminal history while 38% stated that they would consider hiring a person with a criminal background. Employers reported that they would not conduct criminal background checks unless they found during the interview that it was necessary in order to assess the trustworthiness of the prospective employee. The authors conclude that the results raise interesting policy questions with respect to state laws that govern non-criminal justice access to criminal history records. Finally, the authors suggest that further research be conducted to understand more fully the demands on employers who hire people with criminal records.

17. Holzer, H.J., Raphael, S. & Stoll, M.A. (2003). Employer Demand for Ex-Offenders: Recent Evidence from Los Angeles. Discussion Paper No. 1268-03, Institute for Research on Poverty, University of Wisconsin, Madison, WI.

This article analyzes the hiring behavior of employers towards formerly incarcerated people. The authors surveyed Los Angeles employers and found that although the self-reported willingness of employers to hire people with a criminal record is low, employers who reported being willing to hire formerly incarcerated individuals were more likely to do so. On the whole, employers were less averse to hiring persons with a criminal record for drug and property-related offenses than individuals involved in violent crime or those recently released from prison and without work experience. Since the early 1990s, the number of employers using background checks greatly increased. In 2003, more than half of employers performed background checks.

18. Holzer, H.J., Raphael, S. & Stoll, M.A. (2003). Employment Barriers Facing Ex-Offenders. Urban Institute Reentry Roundtable. New York University Law School.

This summary covers a range of issues relating to the reentry of formerly incarcerated people into the labor market. According to the authors, studies indicate employment rates and earnings are reduced by 30 percent per incarceration. Supply-side (applicant) barriers to employment related to incarceration include limited education, cognitive skills, and work experience, substance abuse, physical and mental disabilities, residence in communities with few opportunities, and discrimination against people of color, who are disproportionately incarcerated. Demand-side (employer) barriers to employment imposed by the employer often include a desire for “job-readiness” on behalf of the applicant, racial and gender bias, and the legal repercussions of “negligent hiring.” The authors note, however, that given the imminent retirement of the baby boom generation, job opportunities for formerly incarcerated people may increase because of a declining applicant pool. Lastly, the authors offer policy recommendations including hiring prisoners while they are still incarcerated, increasing the availability and accuracy of criminal records,

increasing funding for agencies to link recently released people to jobs, increasing funding for federal bond programs so as to provide insurance for employers who hire applicants with criminal records, and offering incentives like tax credits or wage subsidies to people with criminal records to encourage them to accept and keep low-paying jobs rather than pursuing more profitable, illicit work.

19. Holzer, H.J., Raphael, S. & Stoll, M.A. (2006). Perceived Criminality, Criminal Background Checks, and the Racial Hiring Practices of Employers. *Journal of Law and Economics*, 49(2), 451-480.

The authors argue that criminal background checks may have a positive effect in increasing the employment opportunities of African Americans. Employers who are reluctant to hire workers with criminal histories may statistically discriminate against African Americans because they are from a group with a disproportionately high rate of incarceration. The authors utilized a survey that included over 3,000 businesses in the Atlanta, Detroit, Boston, and Los Angeles areas between 1992 and 1994 that measured the race of the employer's last hire for a position without a college degree, whether the employer was averse to hiring applicants with criminal histories, and whether the employer used a background check. The authors concluded that employers who conduct background checks are more likely to hire African American men and women, even after controlling for geographic proximity to African American neighborhoods.

20. Jacobs, A. (2000). Give 'em a Fighting Chance: The Challenges for Women Offenders Trying to Succeed in the Community. In *Responding to Women Offenders in the Community*. Washington D.C: National Institute of Corrections. Retrieved from www.wpaonline.org/pdf/WPA_FightingChance.pdf

The author argues that individuals wanting to help formerly incarcerated women must understand the various public assistance systems upon which such women rely, e.g., welfare, childcare systems, housing assistance, health care, and substance abuse treatment programs. Jacobs also offers a number of recommendations for helping existing programs work more effectively, including making public assistance and medical care readily available, helping women reunite with and care for their children, and making public housing available to women with drug convictions.

21. Kachnowski, V. (2005). *Returning Home Illinois Policy Brief, Employment and Prisoner Reentry*. Urban Institute Justice Policy Center. Retrieved from www.urban.org/UploadedPDF/311215_employment.pdf

This author presents the results of a longitudinal study of 400 prisoners attempting to reenter the workforce after being incarcerated in Illinois. Researchers interviewed prisoners pre- and post-release, as well as their families, peers, and members of their community. The report details prisoners' expectations about post-prison employment, their job search after release, post-release employment outcomes, job satisfaction, and characteristics of successful job seekers. Prior to incarceration, the most common employment positions held by those who were legitimately employed were within food services, construction, or maintenance. By two months after their release, only twenty percent had worked longer than a week. Of those who were employed, most said their current employers knew about their incarceration.

22. Kling, J.R. (2006). Incarceration Length, Employment and Earnings. *American Economic Review*, 96(3), 863-876.

In this article, Kling uses multiple research methods to conduct the first test of whether the length of incarceration has an effect on employment prospects and earnings for individuals after their release from prison. Kling tests various hypotheses regarding whether longer prison sentences might either decrease employment prospects and earnings (through lost experience, human capital depreciation, or stigmatization) or increase employment prospects and earnings (through decreased probability of recidivism, prison program participation, post-release supervision, or decreased social connections). Using data from the Florida state prison system and the federal judicial system in California, Kling finds that in the first year or two after release, longer periods of incarceration are associated with higher employment and earnings; however, this effect dissipates afterwards. The research appears to show no negative employment consequences of longer prison terms relative to shorter terms. Kling comments that prison programs such as work release combined with personal characteristics may be responsible for increased employment prospects in the short-term.

23. Koons, B.A., Burrow, J.D., Morash, M. & Bynum, T. (1997). Expert and Offender Perceptions of Program Elements Linked to Successful Outcomes for Incarcerated Women. *Crime and Delinquency*, 43, 512-532.

This article appraises rehabilitation programs offered to formerly incarcerated women nationwide. Whereas vocational programs available to women focused on “busywork” or gendered training, such as domestic service, clerical work, or cosmetology, current training programs focus on a wide variety of skills and needs. The authors found that a sizable number of promising program models use a comprehensive and holistic strategy to meet the needs of formerly incarcerated women. The authors found that the most successful programs offer a very supportive familial environment, address issues of victimization and self-esteem, and provide mechanisms for empowerment.

24. Kuhlmann, A. (2005). The View from the Other Side of the Fence: Incarcerated Women Talk about Themselves. *Justice Policy Journal*, 2, 1-13.

In this paper, qualitative data methods are used to describe the experiences of incarcerated women in Wisconsin prisons. The author finds that most of the offenses the women were charged with were closely related to the women’s socio-structural environment. This includes reactions to family histories of physical and sexual abuse or the need to support children with limited resources, or being swept up when house members are arrested for illegal activities such as manufacturing drugs. Many women worry about their health and the health of their families while they are incarcerated. The author claims it is of extreme importance to listen to women who are incarcerated in order to implement a model of prevention and wellness, rather than one of retribution.

25. Kurshan, N. (1999). Women and Imprisonment in the U.S: History and Current Reality. Retrieved from www.prisonactivist.org/women/women-and-imprisonment.html

This article provides a history of the female prison system. The author argues that prisons are instruments of social control. The author notes that custodial prisons for women, which are similar to the penal

servitude model used for male prisons, emerged as slavery ended. Reformatories emerged at the beginning of the 20th century. These institutions existed for women only, and were designed to reform women after moral offenses, particularly for white women. The author argues that racial disparities may also be a form of social control, and notes that conditions have been worse at institutions that house larger numbers of African Americans.

26. Lalonde, R. & Cho, R. (2008). The Impact of Incarceration in State Prison on the Employment Prospects of Women. *Journal of Quantitative Criminology*, 24(3), 243-265.

The authors present evidence that time in prison is not associated with decreased employment rates for economically disadvantaged women after release from prison. The authors examine a sample of nearly 7,000 women, predominately first-time inmates who entered the Illinois state prison system between 1995 and 2000, and who received state-provided social or child services between 1990 and 2001. They found that employment rates in the mainstream workforce rose somewhat in the months after being released from prison, with rates of roughly 25 percent beforehand and rates of 30 percent afterwards. This positive trend dissipates over time, however. Unique subgroups are also discussed. For example, higher employment rates were more sustained for women with fewer children.

27. Lam, H. & Harcourt, M. (2003). The Use of Criminal Record in Employment Decisions: The Rights of Ex-Offenders, Employers and the Public. *Journal of Business Ethics*, 47(3), 237-252.

In this article, the authors examine the need for increased legal protections in Australia for people with criminal records based upon the interplay of the rights and interests of employers, employees, the public, and formerly incarcerated people. Employers' rights are equated with property rights, i.e., the right to use their property as they wish, and the right to protect this property from damage. Employees' and customers' rights consist of the rights to a safe workplace, and safe products and services. Moreover, the employer is obligated to safeguard the rights of employees and customers. Arguments for protecting the rights of formerly incarcerated people include the right to the same opportunities afforded to people without criminal records, the negative societal impact of unemployment, the unreliable nature of using criminal records as predictors of job performance, and the unfairness of the legal system. Australia has addressed some of these issues by enacting legislation that protects, with certain exceptions, applicants from discrimination based on old criminal records. The time required for criminal records to expire varies by jurisdiction, with periods of 10 years for adults in the Northern Territory and New South Wales, and five and three years, respectively, for juveniles in those territories. The authors believe these legal measures should be strengthened by "broadening coverage, strengthening enforcement mechanisms, and increasing penalties."

28. Little Hoover Commission. (2003). *Back to the Community: Safe and Sound Parole Policies*. Retrieved from www.lhc.ca.gov/lhcdir/172/report172.pdf

This report finds that California inefficiently spends a large percentage of its \$5 billion annual prison expenditures. The report identifies four fundamental problems with the current parole system: (1) the lack of adequate preparation before release; (2) the minimal use of community resources for parolees; (3) the recidivism resulting from parole violation; and (4) the emphasis on parole revocation instead of prosecution of new, serious crimes. The report also includes five key findings with corresponding recommendations. First, the correctional system's sole focus on punishment does not adequately protect

Californians. The correctional system must therefore better prepare inmates for release, supervise and assist parolees, and intervene when parolees fail. Second, California has been unsuccessful in preparing inmates for release from prison, and has thereby jeopardized public safety. Therefore, government agencies, with the aid of community organizations, should create preparation programs that offer incentives for completion. Third, the structure of the parole system undermines the reentry process. Suggestions for improving this system include giving the community greater responsibility in the reintegration process, increasing funding, researching outcomes, and adopting best practices and creative models for reintegration programs. Fourth, the responses to parole violations are not cost-effective. Guidelines for responding to parole violations should be transparent guidelines. Sanctions other than re-incarceration should be considered for parole violations. If re-incarcerated for a parole violation, the violator should be housed apart from the general prison population, and should receive vocational training. Lastly, if a parole violator is suspected of committing a new crime, rather than re-incarcerating the individual for a parole violation, the violator should be prosecuted for the new crime.

29. Mauer, M. (2005). *Thinking about Prison and its Impact in the Twenty-first Century. Ohio State Journal of Criminal Law, 2, 607-618.*

The author provides an overview of what he calls five “collateral consequences” of increasing incarceration in the United States. Mauer briefly discusses the increased barriers to finding a job upon reentry, the increased burdens to families of social stigma, and the increased imprisonment of children. Mauer questions the relationship between increased imprisonment and public safety given the rising imprisonment of less dangerous criminals, the endless supply of new sellers to replace incarcerated drug dealers, and the increased community instability and loss of confidence in the justice system that mass incarceration causes. Mauer notes the increasingly undemocratic consequences of disenfranchisement within the African American community as a result of legal restrictions on voting, and the loss of political influence these disenfranchised voting blocs hold. Lastly, the economic impact of increased imprisonment is noted as the government spends more money on prisoners, and diverts resources away from the communities they once inhabited.

30. Mauer, M., Potler, C., & Wolf, R. (1999). *Gender and Justice: Women, Drugs, and Sentencing Policy. The Sentencing Project. Retrieved from www.sentencingproject.org/Admin/Documents/publications/dp_genderand_justice.pdf*

This policy review addresses strategies to enhance the lives of individuals and families who have faced incarceration and its impact. The study analyzes the impact of “tough on drugs” sentencing policies on women’s incarceration for the past 20 to 30 years, examining trends on a national basis, and also in New York, California, and Minnesota. Using data from 1986 through 1995, they found many trends were similar at the national and statewide level, with women, and particularly women of color, being incarcerated at increasingly higher levels. These increased rates are largely due to the “war on drugs.” In New York, which has strict mandatory minimums, 91% of the increase in the number of women sentenced is attributable to drug offenses, but drug offenses only account for 26% of the increase in Minnesota, which has less strict rules.

31. McDonald, T.G., Gaynes, E., Jones, R.D., Martin, E.G., Peers, R., Potter, B. & Tarlow, S.M. (2006). *Report and Recommendations to New York State on Enhancing Employment Opportunities for Formerly Incarcerated People*. The Independent Committee on Reentry and Employment. Retrieved from www.doe.org/criminalJustice/committeeReport.pdf

This research report, by a committee of experts in employment and reentry, describes the results of a review of barriers to reentry. The committee reviewed and analyzed laws that specifically affect incarcerated people and conducted four focus groups with business owners in a variety of industries. Key findings include that employers have mixed feelings about hiring people with a criminal record. Some participants revealed that they rarely conduct criminal background checks unless they feel it necessary to do so, or when they suspect a person has possibly lied on an application or during an interview. The authors make a number of recommendations, including amending certain public policies and legislative statutes related to the employment of formerly incarcerated people in order to clarify the legislative intent and to enhance the effectiveness of current legislation. They note that gaining meaningful employment will save money by lessening reliance on the welfare system, increasing the payment of child support by linking formerly incarcerated people, and lowering recidivism.

32. Mumola, C.J. (2000). *Incarcerated Parents and Their Children*. Bureau of Justice Statistics Special Report.

This report provides a comprehensive description of the characteristics of parents and their children who are involved in the prison system. The report utilized a 1997 survey of inmates, which broke out statistics by gender and by jurisdiction of imprisonment, i.e., state versus federal. As reported by inmates, more than half of both State and Federal prisoners had a child under the age of 18. More than 1.5 million children had a parent in prison. Nearly half of those parents were African American, while a quarter were white. When a father was incarcerated, the child's mother was most likely to be the caregiver. If the child's mother was incarcerated, grandparents or other relatives were the most likely caregivers. Sixty percent of mothers in State prison had at least weekly contact with their children while incarcerated.

33. National Employment Law Project. (2006). *Letter to the Deputy Assistant Attorney General*. Retrieved from www.nelp.org/page/-/SCLP/AGCambell.pdf

This is a letter written by the National Employment Law Project to the U. S. Attorney General commenting on the potential authorization of expanded use of FBI criminal background checks at the request of the employers. NELP urges against the expansion citing (1) the inability for untrained personnel to properly read the reports; (2) the unedited nature of the reports; (3) the circumvention of state laws restricting the use of certain arrests not leading to convictions or sealed or expunged records; (4) and the loss of privacy for applicants.

34. Obas, S. (2005). "NY: Women Who Were Incarcerated Faced with Hardship, Cold Society." *Amsterdam News, NY*, Nov. 30, 2005. Retrieved from www.realcostofprisons.org/blog/archives/2005/12/ny_women_who_we.html

This blog post presents stories that illustrate difficulties encountered by women in New York upon release from prison. In contrast to men, most women face the risk of losing their children to the state while incarcerated because most of them are single mothers. Women can lose parental rights pursuant to the

Adoption and Safe Families Act (AFSA) passed in 1997, which allows states to terminate parental rights if the child is held in foster care for 15 months or longer. In most cases, women charged with drug offenses receive sentences up to 19 months, and thus are at risk of losing their children. In addition, due to a 1993 law, previously incarcerated women are banned from qualifying for Pell grants that would help them fund their education once they are released.

35. O'Brien, P. (2002). *Reducing Barriers to Employment for Women Ex-Offenders: Mapping the Road to Reintegration*. Safer Foundation. Retrieved from www.saferfoundation.org/docs/womenspolicypaper.pdf

This policy paper discusses barriers women face upon reentering society from prison and how these barriers can be overcome as a means of fighting recidivism. O'Brien offers numerous policy-oriented solutions to the problems women face when they seek to reconnect with family and children, find adequate housing, escape and recover from abusive relationships, overcome stigma and substance abuse, and gain employment. O'Brien makes the following recommendations: (1) Modify laws and policies, including loosening restrictions on access to Temporary Assistance to Needy Families (TANF) to help women regain custody of their children upon release; (2) Offer subsidized housing, and make admission or eviction decisions on a case-by-case basis that takes into consideration the best interest of the child; (3) Widen the scope of rehabilitation services within prison; (4) Help women maintain supportive relationships with individuals outside of prison; (5) Allow supportive relationships with other formerly incarcerated women upon release from prison as a means of overcoming past abusive relationships; (6) Offer pre-release classes and reentry programs that teach women how to communicate in job interviews about their incarceration; (7) Encourage women to support each other in managing stigma issues; (8) Provide more drug treatment options inside and outside of prison; (9) Make welfare and education benefits available to individuals convicted of a drug felony; (10) Provide state-financed alternatives to women convicted of a drug offense; (11) Provide vocational training inside of prison; (12) Provide assistance in securing benefits upon release; (13) Educate employers about the legality and benefits of hiring formerly incarcerated individuals.

36. Owen, B. & Bloom, B. (1995). *Profiling Women Prisoners: Findings from National Surveys and a California Sample*. (Special Issue: Women in Prisons and Jails.) *Prison Journal*, 75(2), 165-185.

The authors examine the characteristics of women prisoners in California, and find they are similar to nationwide trends. They find that most women prisoners are marginalized women, with little educational or work experience and a history of drug abuse and physical abuse. They find little evidence that criminality is increasing. They find that substance abuse and poverty are related to female incarceration. The authors support alternatives to incarceration that help women, particularly single heads of households, to support themselves and their children.

37. Pager, D. (2003). *The Mark of a Criminal Record*. *The American Journal of Sociology*, 108(5), 937-975.

This paper reports the results of an employment audit examining the relationship between a prior incarceration, race, and employment for white and African American job seekers. The author used two audit teams. One team was comprised of two 23-year old white men, the other team of two 23-year old

African American men. All were appealing and engaging, and presented nearly identical education and work experience. Each team member took turns playing the applicant with a criminal record. The results suggest that race and criminal history had an independent negative effect, and when combined, the negative effect was additive. Call backs were received by 34 percent of white applicants without criminal records and 17 percent of white applicants with criminal records. Just 14 percent of black applicants without criminal records and five percent of black applicants with criminal records were given call-backs.

38. Petersilia, J. (2001). Prisoner Reentry: Public Safety and Reintegration Challenges. *The Prison Journal*, 81(3), 360-375.

This essay summarizes literature describing difficulties for reintegration after incarceration. When youth are incarcerated at a young age, the likelihood of returning to prison during their adult years is very high. The article notes that the difficulty in acquiring a job can be attributed to high illiteracy rates, lack of job readiness skills, and the stigma associated with incarceration. After the “get-tough” movement of the 1980s, different states enacted laws restricting access of formerly incarcerated people to licensed or professional occupations. In California, this includes the fields of law, real estate, medicine, nursing, physical therapy, and education. The author finds that difficulties resulting from employment discrimination may be hidden, as incarcerated individuals are not considered part of the formal workforce when working in jobs commonly held by formerly incarcerated people such as those in landscaping, construction, and restaurants. If they were included in traditional statistics, the author finds that the unemployment rate would rise by two percent for this group.

39. Rasbury, A. “Out of Jail, Mothers Struggle to Reclaim Children.” *WeNews*, Sept. 17, 2006. Retrieved from www.womensenews.org/article.cfm/dyn/aid/2890/context/archive

This article highlights the difficulties mothers encounter when attempting to reclaim their children upon release from prison. Lack of housing, a driver’s licenses, housing, and/or employment can be barriers. In addition, halfway houses do not accept children. The author highlights programs that have been successful in improving the ability of women to keep their children by providing services and creating safe spaces for parent and child.

40. Reisig, M.D., Holtfreter, K. & Morash, M. (2002). Social Capital among Women Offenders: Examining the Distribution of Social Networks and Resources. *Journal of Contemporary Criminal Justice*, 18(2), 167-187.

Social networks can help formerly incarcerated women gain training, education, and employment, as well as provide emotional support, which studies suggest lead to lower rates of recidivism. Among the ways social networks accomplish this is through “social capital,” i.e., social structural resources like jobs and schools that help individuals acquire skills and knowledge. Existing research indicates that African Americans, women, and those living in poor neighborhoods have social networks with limited social capital. The authors investigated the social networks of 402 formerly incarcerated women. The authors find that well-educated and high-income formerly incarcerated women have large social networks with many resources. Formerly incarcerated women who are young or low income or poorly educated may have social networks as large as their better-educated and higher-income counterparts, but their social capital tends to be smaller. The authors conclude that further research is needed to examine whether “state

capital,” i.e., social capital provided by government, can substitute for social capital, and have similarly positive effects in reducing recidivism among formerly incarcerated women.

41. Richie, B.E. (2001). Challenges Incarcerated Women Face as They Return to Their Communities: Findings from Life History Interviews. *Crime and Delinquency*, 47(3), 368-389.

This article discusses the findings of 42 in-depth interviews with women who have been incarcerated, and released from prison at least three times, and reports the common characteristics of their reentry experience. After outlining the demographics of incarcerated women, the author identifies seven major barriers to the women’s successful reentry: (1) lack of treatment for substance abuse; (2) lack of health care for serious medical problems; (3) lack of treatment for serious mental health issues; (4) lack of protection from abusive environments, and treatment for past, violent trauma; (5) lack of educational and employment services; (6) lack of safe and affordable housing; and (7) lack of services to address family reunification needs. The author discusses three broad social and institutional contexts within which to frame the reentry barriers. They include the impact of the competing demands resulting from barriers to reentry, the ill-equipped and deteriorating communities that women return to, and additional gender, racial, and economic challenges specific to women of color. To help women overcome these barriers, the author suggests the implementation of comprehensive programs for formerly incarcerated people, including community development initiatives, empowerment approaches, and consistent mentoring after release from prison.

42. Rolison, G.L., Bates, K.A., Poole, M.J., & Jacob, M. (2002). Prisoners of War: Black Female Incarceration at the End of the 1980s. *Social Justice*, 29(1-2), 131-143.

This article examines the role of race in the incarceration of African American women during the 1980s. The authors suggest that popular discourse surrounding crack cocaine and the War on Drugs created an environment in which race, rather than criminality, caused disproportionate incarceration of African American females. They test their hypothesis by analyzing data from a 1991 National Institute of Justice study for alternative indicators of criminality. The authors find that among white women, there was no distinction between those incarcerated for drug crimes compared to those incarcerated for violent crimes. However, African American women incarcerated for drug offenses had histories that were less associated with a criminal subculture than those incarcerated for violent crimes. African American women incarcerated for drug crimes were more likely to have been dependent on crack cocaine. This suggests that African American women were more likely to have been criminalized by the crackdown on crack cocaine during the 1980s.

43. Sabol, W.J., Minton, T.D., & Harrison, P.M. (2007). *Prison and Jail Inmates at Midyear 2006*. Washington, DC: Bureau of Justice Statistics. Retrieved from www.ojp.usdoj.gov/bjs/pub/pdf/pjim06.pdf.

This Bureau of Justice Statistics Bulletin reports that during the 12 months ending June 30, 2006, there were 2,245,189 inmates in U.S. jails and prisons, a 2.8% increase over the previous 12-month period. Prison admissions outpaced releases. The number of female prisoners grew at nearly twice the rate of male prisoners. African American women were incarcerated or jailed at nearly four times the rate of white women, and more than twice the rate of Latinas. The Federal Bureau of Prisons, California, Texas, and Florida accounted for 52 percent of the increase in the jurisdiction population.

44. Schram, P.J., Koons-Witt, B.A., Williams, F.P., & McShane, M.D. (2006). *Supervision Strategies and Approaches for Female Parolees: Examining the Link between Unmet Needs and Parolee Outcome*. *Crime & Delinquency*, 52(3), 450-471.

This study examines the link between the unmet needs of female parolees and recidivism within the first year of release. The authors provide a brief overview of traditional barriers to reentry before investigating their link to recidivism. They find that among 546 women released from parole in 1997 or 1998, those who had stable living conditions, were employed, and received intervention for drug or alcohol needs were less likely to be re-incarcerated. Unstable housing and employment, prior arrests, and unmet drug and alcohol needs were the largest impediments to success. The study also reveals that upon release from prison there is an underassessment of women's needs, and a lack of intervention on their behalf.

45. Travis, J., Solomon, A.L., & Waul, M. (2001). *From Prison to Home: The Dimensions and Consequences of Prisoner Reentry*. Urban Institute Justice Policy Center. Retrieved from www.urban.org/UploadedPDF/from_prison_to_home.pdf

This report consolidates the findings from a "Reentry Roundtable," which included 32 individuals and their respective organizations held in October 2000. The report broadly outlines the challenges and consequences of the reentry process, and suggests policy and research opportunities for lawmakers and academics. The authors suggest increased substance abuse treatment, and medical, job, and housing services as policy solutions. The authors also suggest further research into the effects of supervision and parole on recidivism, deterrence, and rehabilitation.

46. Visher, C. "Sunshine for Ex-Cons Looking to Work." *Washingtonpost.com*, June 12, 2006. Retrieved from www.urban.org/url.cfm?ID=900967.

This article reports on actions being taken in Florida designed to help formerly incarcerated people overcome employment barriers and avoid recidivism. In 2005, former Florida Governor Jeb Bush signed Executive Order 05-28 to create a task force to study paths that would lead formerly incarcerated people to employment by opening job opportunities that are unrelated to their conviction. He then signed the landmark Executive Order 06-89, giving state agencies 60 days to review and justify policies that restrict or disqualify formerly incarcerated people from holding state jobs.

47. Western, B. (2002). The Impact of Incarceration on Wage Mobility and Inequality. *American Sociological Review*, 67(4), 526-546.

In this article, Western tests the effect of incarceration on wages and life-time wage mobility. Western treats incarceration as a major life event that not only affects immediate wages upon reentry, but causes a depreciated level of wage growth over the course of a life-time. Western uses the National Longitudinal Survey of Youth (NLSY) to estimate the wage trajectory of individuals who ultimately serve time in prison. He estimates that incarceration causes both wage reduction of 10 to 20 percent and also depreciates wage growth by about 30 percent (though much of this depreciation also results from low education levels). While incarceration depreciates individual wage growth quite strongly, the effects of incarceration on aggregate levels of wage inequality are relatively small. However, Western hypothesizes that aggregate levels of wage inequality may be underestimated because the NLSY underreports African American incarceration in the way it gathers data, and employers may attach the stigma of incarceration to all African Americans regardless of their criminal history. For these reasons, aggregate levels of wage inequality may be greater than the data suggest.

48. Western, B. (2006). *Punishment and Inequality in America*. New York: Russell Sage Foundation Publications.

This book provides an overview of the relationship between the justice system and inequality. In particular, chapter five provides a comprehensive analysis of the effects of incarceration on men's wages in the United States' increasingly unequal labor market. Western argues that incarceration may reduce earnings and employment by decreasing labor prospects because of a stigma associated with the incarcerated person, an erosion of the job skills, or a severance of relational ties to individuals who could help provide employment. Western uses multiple analyses to establish that incarceration causes African American, Latino, and white men to have lower hourly wages and annual income, and increased risk of unemployment than similar men who have not spent time in prison. He then shows how incarceration channels men towards the low-paying and insecure "secondary labor market" rather than the well-paying career jobs of the "primary labor market." Inclusion in the secondary labor market adds rapid job turnover and low wage growth to the effects of incarceration. Lastly, Western considers the impact of decreased wages, annual income, and job security on aggregate levels of inequality. Given the "lower level of income" people of color tend to receive prior to incarceration, the aggregate impact of incarceration effects are quite small. For white men, incarceration leads to less than one percent loss of total group earnings, while Hispanic men as a group would earn just over two percent more if no incarceration existed. For African American males, however, income would be approximately four percent higher as a group if no African American men were incarcerated. Western concludes by emphasizing the importance of including these overlooked costs in our analyses of the economic impacts of incarceration.

49. Western, B. & Pettit, B. (2000). Incarceration and Racial Inequality in Men's Employment. *Industrial and Labor Relations Review*, 54(1), 3-16.

Western and Pettit hypothesize that traditional methodology for measuring unemployment rates among less-educated, White and African American men overstated their employment rate because the traditional methodology did not account for incarceration. In their study, the authors account for incarceration by combining census data, Bureau of Justice statistics, and micro-data for the years between 1982 through 1996, to account for the penal population. They find that unemployment rates increased among lower socioeconomic status African American men even when unemployment dropped to a 30-year low in

1996. The study shows that traditional models of measuring employment inequality underestimate the disparity between young white and African American men by roughly 45 percent. The authors argue that researchers must take penal populations into account if they want to produce accurate analyses and conclusions about labor markets, and populations more generally.

50. Western, B. & Pettit, B. (2005). Black-White Wage Inequality, Employment Rates, and Incarceration. *American Journal of Sociology*, 111(2), 553-578.

This article extends the findings of the 2004 Western and Pettit article, focusing on the wage and labor gap between white and African American men. The authors examined data from 1980 through 1999, in which there was a reduction in wage disparities for young African American and white workers. Unlike most analyses in this area, the authors adjusted wages with unemployment and incarceration figures. The authors found that the growth of the penal system, particularly for African American men, has created a non-traditional labor force not typically accounted for when examining wages. As a result, wage inequality is regularly underestimated. Furthermore, the authors find that due to the high rates of incarceration among African Americans, the penal system has added to the increase in wage and employment disparity, specifically among youth, due to their removal from the labor market.

51. Wolf, A. (2006). *Reducing the Incarceration of Women: Community-Based Alternatives*. Special Report from the National Council on Crime and Delinquency.

In this special report, gender-responsive and community-based alternatives to incarceration are advocated. Most incarcerated women are low-level offenders or parole violators, and the author notes that public opinion polls show that Americans favor rehabilitation programs (87%) over imprisonment (11%) for these crimes. The National Council on Crime and Delinquency recommends using community-based organizations, including the building of small community centers that will offer gender-responsive, service-rich, and family-friendly community-based correctional facilities that can address unique pathways into the system while promoting public safety.

52. Women's Prison Association. (2003). *WPA Focus on Women & Justice*. Retrieved from www.wpaonline.org/pdf/Focus_October2003.pdf

This article focuses on employment, housing, health, and family barriers encountered upon release by formerly incarcerated women. One year after release, 60 percent of formerly incarcerated women were unemployed, in part because of stigma, job restrictions, and losing access to traditional safety net services. Federal prohibitions and discrimination make finding housing difficult, leading to an overreliance on the shelter system. Personal well-being and raising children are also limited by regulations, and the need to juggle multiple demands. Recommendations include creating programs for inmates while they are incarcerated, and creating and funding programs after incarceration that help formerly incarcerated women reintegrate into society.

53. Women's Prison Association. (2004). *Resource Library Bibliography*. Retrieved from www.wpaonline.org/pdf/WPA_Annotated_Bibliography.pdf

This annotated bibliography focuses on issues related to women involved in the criminal justice system. The bibliography offers a brief overview in several, different areas such as demographic profiles. A number of related articles follow. Of note, sections detail parenting concerns, reentry into the community, pre- and post-release programming, and policy issues.

54. Zaitzow H. B. (2006). *Empowerment Not Entrapment: Providing Opportunities for Incarcerated Women to Move Beyond "Doing Time."* *Justice Policy Journal*, (3)1, 1-24.

This article discusses alternatives to incarceration for women. The author notes that despite the portrayals in the media of hyper-violent women offenders, drug-related sanctions have fueled much of the increase in women's incarceration. Although women's prisons often look more appealing than men's prisons, women inmates are more restricted in their access to legal libraries, medical and dental care, vocational and educational opportunities than men. Additionally, modern facilities still utilize traditional gender norms, with women seen as wayward children; whereas men are seen as adults. Women must also endure separation from their children and loved ones. The author contends that these conditions may lead to emotional and psychological disorders which lead to self-aggression, suicide, or self-mutilation. In addition, forced dependency while in prison undermines a woman's sense of autonomy and responsibility, and may affect her success when released. The author concludes by suggesting that reform efforts emphasize treatment not only as a condition of release, but as a viable option for those who are interested in change, growth, and positive movement in their lives.

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