

“I See You Have Been Convicted of a Felony; Can You Tell Me About That?” Workforce Development Challenges for Restorative Citizens Seeking Employment

TERRANCE HINTON
Alvis Incorporated, USA

Abstract: *Incarceration has been an issue nationwide in the United States for decades due to policies from the 1970s, 1980s, and 1990s that lead to mass increases in incarceration. In the past decade, several states have overhauled their criminal sentencing and prison structure to lower prison populations. This has resulted in the release of thousands of restorative citizens and has expanded the need for reentry services. Released individuals who have been incarcerated face a number of social, political, and economic barriers that prevent them from re-entering society successfully. The inability to obtain employment is often cited as one of the most important factors that contributes to recidivism, which also has negative implications for the general public. This paper examines the barriers that restorative citizens and the social workers who assist them face in helping them find suitable and sustainable employment. The author also highlights workforce instructional methods utilized in the H.I.R.E. program that have been effective in assisting restored citizens in landing job interviews and securing employment. Finally, the author also explores solutions for collaboration across criminal justice and non-profit agencies for the purposes of increasing employment opportunities for restored citizens returning back to the community.*

Introduction

One of the main objectives of individuals reintegrating back into society after finishing their period of incarceration is finding employment. However, prior research has shown the impact that incarceration or a felony conviction can have on a person's employment prospects, which can include the attrition of basic job skills, accessibility to education, and legal barriers that prevent them from entering many licensed professions (Bucknor & Barber, 2016). The transition from prison to the community is very challenging particularly when it comes to obtaining employment. The theoretical link between unemployment, as a central risk factor, and crime is well documented, yet there are significant barriers that remain for restorative citizens upon release from prison (Andrews & Bonta, 2010; Wooditch, Tang, & Taxman, 2014). With so many obstacles facing individuals who are trying to successfully reintegrate back into society, questions remain as to whether or not these existing barriers maintain external prison structures of their own.

There are a number of non-profit organizations, reentry centers, and community centers that are dedicated to assisting individuals who are coming back into the community after serving time in prison. Alvis Incorporated in Columbus, Ohio provides a number of evidence-based human service programs, including workforce development training, to individuals who have been involved in the criminal justice system. Alvis is a nonprofit human services agency with over 50 years of experience in providing highly effective treatment programs in multiple cities throughout the state of Ohio. Alvis has the mission to deliver evidence-based human service programs that empower those we serve to build successful, productive lives, reduce recidivism, and make communities safer (alvis180.org). As prisoner reentry continues to expand, workforce development has become, more than ever, a critical



component for restorative citizens' successful reintegration back into society. The workforce development specialists who work with these individuals daily are familiar with the barriers that they face upon successful reentry. Here we discuss the obstacles faced by both staff and clients in teaching workforce development within the reentry spectrum.

H.I.R.E. Program

Individuals face a number of challenges upon leaving prison, with obtaining employment being one of the most difficult. The inability to secure employment is often cited as one of the most important factors that contribute to recidivism (Schnepel, 2016; Lockwood, Nally, & Ho, 2014). A study in Illinois found that formerly incarcerated people who are employed a year after their release can have a recidivism rate as low as 16% compared to the 48% of all formerly incarcerated people who return to prison within three years (Fetsch, 2016). With employment being a major component of successful reentry, Alvis dedicates a number of resources within the workforce development department to provide clients with the necessary tools for obtaining employment.

One of our programs, H.I.R.E. (Help in Reentry Employment Education) is a workforce development training curriculum that was designed to address barriers created by an individual's criminal justice involvement. The H.I.R.E. education class takes place in two locations, at the Reeb Avenue Center located on the Southside of Columbus, Ohio and at the Alvis Community Reentry Center. The class is run by four workforce development instructors on a weekly basis, and a range of topics are covered including interviewing skills, resume writing, applications, job retention, and case management. The majority of our clients have served time in a state or federal correctional facility prior to coming to class with incarceration time served ranging anywhere from 9 months to 47 years. Our program has been very successful in providing clients with the necessary tools and skills to seek employment and obtain job related credentials. For example, out of 801 clients served through the H.I.R.E. program in 2018, 70% either obtained employment or a credential (GED Prep/Testing, Occupational Safety and Health Administration (OSHA) 10/30, Serve Safe, and CompTIA Certification) within 90 days. Many of these individuals have gone on to become successful leaders and entrepreneurs within their profession due to having a second opportunity. Some of our clients have either secured jobs or been promoted to supervisory roles within industries such as maintenance, carpentry, construction, warehouse, human resources, customer service, and automotive services. Through our Career Pathways Program, several of our clients have even obtained CDL's and secured employment as truck drivers. The program's success is largely due to its ability to enable people to turn their lives around through employment.

Addressing the Felony Question

Depending on the individual, preparing for a job interview can bring anxiety and stress. One of the biggest challenges facing our clients today when they first come to our class is how to answer the interview question about their background history. Therefore, providing clients with the necessary tools to obtain suitable employment is critical upon completing our program, and how to answer background questions is a central discussion topic during our class. Because the background question disqualifies so many of our clients, we address this topic the first day of class. The question we ask them is, "I see you have been convicted of a felony; can you tell me about that?" As instructors, we then approach answering the question utilizing what we call a three-step process, which involves understanding the question being asked, answering the question in a non-damaging way, and selling your skills.

Although the three-step process has proven to be an effective tool, teaching our clients how to answer background questions is a daily challenge for our workforce development team. Many of our clients can easily answer the question pertaining to the charge that led to

their incarceration, but when it comes to showcasing their own skills and what they bring to the table as a potential employee many of them struggle. The key to preparing our clients is having them understand that they do have employable skills that can be utilized in a positive way to make a stable living. Although workforce development has been challenging to teach, a number of our clients who have come through the H.I.R.E. program and utilized the three-step process have reported having great interviews and eventually obtaining stable employment.

Challenges from Employers

While our clients face obstacles in seeking employment due to their background history, workforce development instructors face similar challenges when gauging employer interest within the community. On a monthly basis, our team of workforce instructors meet with employers within the community who are seeking potential employees for their companies. One of the first questions we ask employers is if they would consider hiring individuals who have a felony in their background history. Many employers will extend second opportunities to our clients but provide low wages, while others with decent income levels tell us that company policy disqualifies any individual with a felony conviction. Others will tell us that it will ultimately depend on the charge and how comfortable they would be with hiring someone who has served prison time. Several studies have shown that disqualifying people with a criminal background has social and economic implications. One study estimated reductions in employment resulting from employment barriers for ex-prisoners cost the United States economy about \$80 billion in annual Gross Domestic Product (Bucknor & Barber, 2016; Hopkins, 2018). In addition to the negative effects on the economy, restorative citizens have less economic mobility and earn less than people with no criminal background, resulting in lower income tax revenue. Consequently, as a result of low employment levels, the government may actually spend additional tax dollars on public assistance for ex-prisoners and their families since many documents receiving public assistance (Hopkins, 2018). Despite the evidence, however, employers are still reluctant to hire individuals with a criminal background history due to a number of common issues.

Employers generally have a number of concerns that influence whether or not they choose to hire anyone with a criminal history. These issues are quite common to our clients and can be seen throughout most industries in most states. Using data obtained from in-depth interviews with employers who have considered hiring people with a felony on their record in the Baltimore Metropolitan area, one phenomenological study yielded findings that perception, trust, lack of work readiness skills, negative past interactions, and media reporting played significant roles in employers' hiring decisions (Obatusin & Ritter-Williams, 2019). The study further revealed that employers recognize restorative citizens need assistance with basic workplace skills, but the risk of backlash from customer perceptions was a major concern. These findings are common barriers that still exist today for both clients and the workforce development instructors who assist them. However, we do our best to not only educate employers about our clients and their marketable skill sets, but we also note the economic benefits of hiring individuals who have a past criminal background history.

Incentives to Hire Restorative Citizens

In an attempt to incentivize employers to hire individuals with a criminal background, the Federal Bonding Program and Work Opportunity Tax Credit was created. The Federal Bonding Program is, in essence, insurance at zero cost to any employer who hires a job seeker that has a felony on their record. This program was formulated to alleviate concerns from employers who were reluctant to hire clients for fear of theft or damage. Bonds are issued from the federal government in \$5,000 increments and up to possibly \$25,000. Em-

employers must reapply for the bond every 6 months (National Hire Network, 2017). The Work Opportunity Tax Credit (WOTC) is a federal income tax credit that provides incentives to private, for profit businesses to hire targeted groups of job seekers with significant barriers to employment including public assistance recipients, veterans, youth, and persons with felony records. Under the WOTC program, an employer that hires someone with a felony on their record, may claim a tax credit equal to 25% of the eligible new-hire's first year wages if the individual works at least 120 hours, up to the maximum amount of \$1500.77. If the individual works at least 400 hours, the employer may claim a tax credit equal to 40% of the employee's first year's wages, up to the maximum amount of \$2400 (Hillyer, 2016). To be eligible for the WOTC program, the newly hired employee must have been convicted of a felony and have a hiring date that is less than one year from the last date of conviction or release from prison. The process for employers to claim the federal tax credit is relatively straightforward and involves filling out and submitting Internal Revenue Service forms within twenty-eight days of the eligible employee's start date (Hillyer, 2016). When speaking on these hiring incentives, we find that many employers are unaware of these programs. Therefore, as workforce development instructors, we always share this information with our clients and potential employers with the goal of persuading more companies to offer employment opportunities for our clients.

Conclusion

It is critical that employers continue to provide opportunities for individuals with a background history. A number of our clients possess the proper credentials and skills that lessen the burden on employers having to spend additional dollars in training.

While the decision is left to employers, it is also the collective responsibility of policymakers, reintegration teams, correctional administrators, reentry program managers, and job-readiness programs to provide and prepare individuals for life on the outside. There have been a number of discussions and strategies regarding employment within the world of reentry that have been implemented in some states. In their study of workforce opportunities for restorative citizens, Hunt et. al. (2018) said that combining job placement programs such as transitional employment, with certificates of rehabilitation or guaranteed replacement worker programs, expanding post-conviction certification programs, particularly those that verify work history, would bring additional employees to the workforce. The creation of the Certificate of Qualification for Employment (CQE) in Ohio is a credential that allows people with a previous felony or misdemeanor conviction to apply to the court to lift the collateral sanction barring them from being considered for employment in a particular field. This is another alternative that could be utilized for restorative citizens in other states if implemented correctly (Taliaferro & Pham, 2018).

Participation in the legitimate workforce has the potential to not only improve reentry outcomes, but also facilitate desistance from crime through the development of prosocial bonds and social capital (Gill & Wilson, 2017). Many of our clients can no longer work in their career fields due to the nature of their crime, which placed restrictions on obtaining the proper credentials. This not only places a financial hardship on the client, but also the family that they are now trying to support. Lifting or easing some of these restrictions through the CQE could not only provide these individuals the opportunity to obtain employment in their skill set with a livable wage, but could also provide them the opportunity to care for their family and contribute to the tax base.

In working with clients through the H.I.R.E. program, the process of obtaining employment, minimum wage jobs, low paying jobs, or jobs with no chance of advancement are also inadequate. Stable employment and jobs with a higher occupational level should be made more available to high-risk individuals, which could help reduce crime rates (Ramak-

ers, Nieuwbeerta, Wilsem, & Dirkwager, 2017).

The last reentry strategy that should be adopted in correctional facilities is that reintegration should begin from the moment an individual is incarcerated, instead of upon release from prison. In my experience, some correctional facilities have reintegration centers where there are an abundance of resources for clients to take advantage of, while in others there is little to no training availability due to prison status, budget constraints, and inadequate staffing levels. Additional funds and programming should be allocated and available to all correctional facilities so that inmates are provided with the necessary reentry tools earlier in their sentences.

Working in reentry presents numerous challenges to administrators, staff, and our clients. In addition to finding employment, reintegrating back into society for our clients generally entails a number of other items such as education, substance abuse programming, anger management, and cognitive behavioral therapy. These additional areas of concern are an important component of successful reentry. However, obtaining suitable employment is not only a major component of reentering society, but also provides numerous benefits to our clients, their families, our communities, economy, and public safety.

References

- Alvis Incorporated. (2018). Retrieved from <https://www.alvis180.org/about/>
- Andrews, D.A. & Bonta, J. (2010). Rehabilitating criminal justice policy and practice. American Psychological Association, *Public Policy and Law*, 16(1), 39-55. DOI: 10.1037/a0018362. Retrieved from http://www.antonioacasella.eu/nume/Andrews_Bonta_Criminal_Justice_Policy_2010.pdf
- Bucknor, C. & Barber, A. (2016). The Price We Pay: Economic Costs of Barriers to Employment for Former Prisoners and People Convicted of Felonies. *CEPR Center For Economic and Policy Research*. Retrieved from <http://cepr.net/images/stories/reports/employment-prisoners-felonies-2016-06.pdf>
- Fetsch, E. (2016). No Bars: Unlocking the Economic Power of the Formerly Incarcerated. *Ewing Marion Kauffman Foundation*. 1-19. https://www.kauffman.org/~/_media/kauffman.org/microsites/mayors2016/occupational%20licensing%20and%20the%20formerly%20incarcerated_final.pdf
- Gill, C., & Wilson, D. B. (2017). Improving the success of reentry programs: Identifying the impact of service–need fit on recidivism. *Criminal Justice and Behavior*, 44(3), 336–359. <https://doi.org/10.1177/0093854816682048>
- Hillyer, H. A. (2016). Reducing the rate of prison recidivism in Florida by providing state corporate income tax credits to businesses as an incentive for employment of ex-felons, *Barry Law Review*, 21(1) 105-122. Retrieved from <https://lawpublications.barry.edu/barrylrev/vol21/iss1/4>
- Hopkins, M. (2017). *Chapter 789: Banning the Box: The Solution to High Ex-Offender Unemployment?* 49 U. Pac. L. Rev. 513. Retrieved from <https://scholarlycommons.pacific.edu/uoplawreview/vol49/iss2/17>
- Hunt, P., Smart, R., Jonsson, L. & Tsang, FC Monica, CA: *RAND Corporation*, 2018. https://www.rand.org/pubs/research_briefs/RB10003.html
- Nally, J., Lockwood, S., Ho, T., & Knutson, K. (2014). Post-release recidivism and employment among different types of released offenders: A 5-year follow-up study in the United States. *International Journal of Criminal Justice Sciences*, 9(1).
- National Hire Network, (2017). Retrieved from <https://www.hirenetwork.org/content/feder->

[al-bonding-program](#)

- Oluwasegun, O., & Ritter-Williams, D. Georgios Antonopoulos (Reviewing editor) (2019) A phenomenological study of employer perspectives on hiring ex- offenders, *Cogent Social Sciences*, 5(1), DOI: 10.1080/23311886.2019.1571730
- Ramakers, A., Nieuwbeerta, P., Van Wilsem, J., & Dirkzwager, A. (2017). Not just any job will do: A study on employment characteristics and recidivism risks after release. *International Journal of Offender Therapy and Comparative Criminology*, 61(16), 1795–1818. <https://doi.org/10.1177/0306624X16636141>. Retrieved from <https://journals.sagepub.com/doi/pdf/10.1177/0306624X16636141>
- Schnepel, K.T. (2018). Good jobs and recidivism, *The Economic Journal*, 128(608), 447–469. <https://doi.org/10.1111/eoj.12415>
- Taliaferro, W & Pham, D. (2018). Incarceration to Reentry Education & Training Pathways in Ohio. *Reconnecting Justice in the States*. Retrieved from https://www.clasp.org/sites/default/files/publications/2018/05/2018_pathwaysinohio.pdf
- Wooditch, A., Tang, L. L., & Taxman, F. S. (2014). Which criminogenic need changes are most important in promoting desistance from crime and substance use? *International Relations*, 41(3), 33–51. <https://doi.org/10.1177/0047117802016001004>