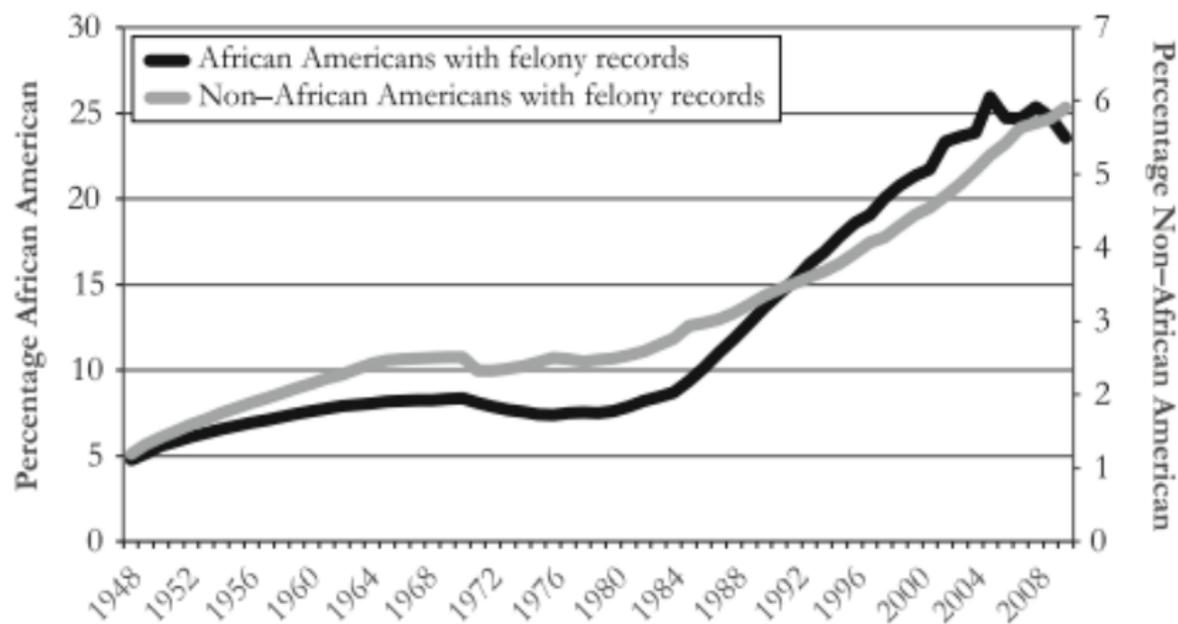


Criminal Records as a Barrier to Employment

Amanda Agan
Rutgers University

May 11, 2018

Scope of the Issue

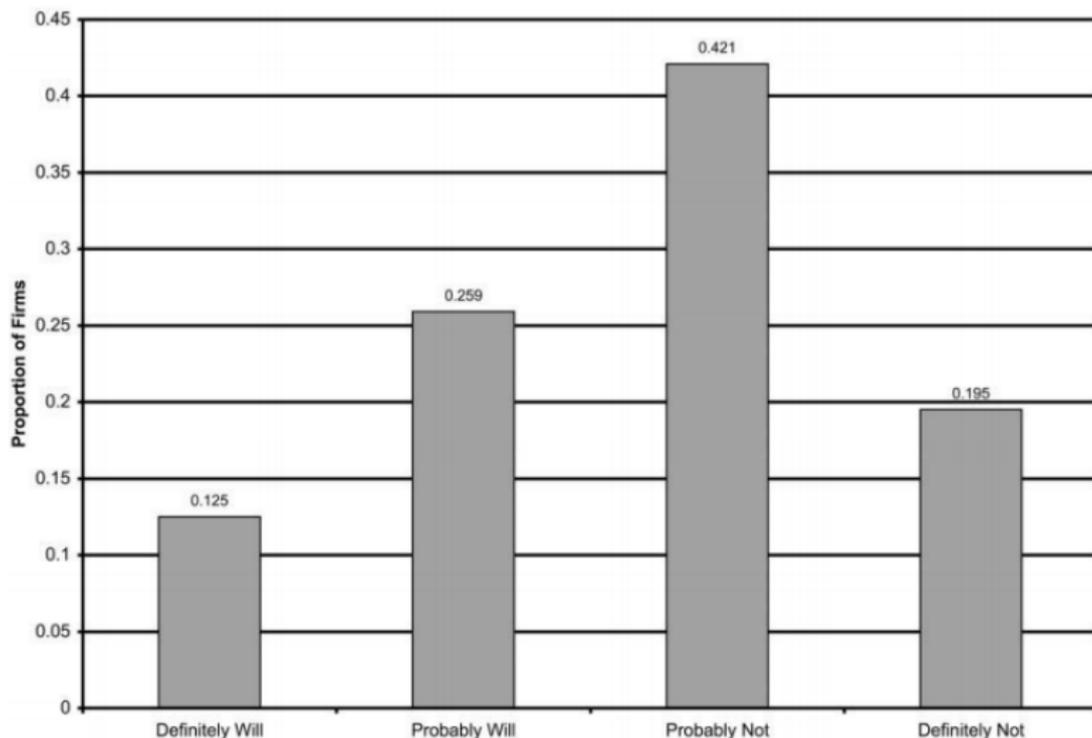


Percentage of U.S. adult population with prison and felony records by race, 1948–2010

Source: Shannon et al. 2017 *Demography*

Employers Reluctant to Hire People with Records

Self-Reported Employer Willingness to Hire People with Records



Employers Reluctant to Hire People with Records

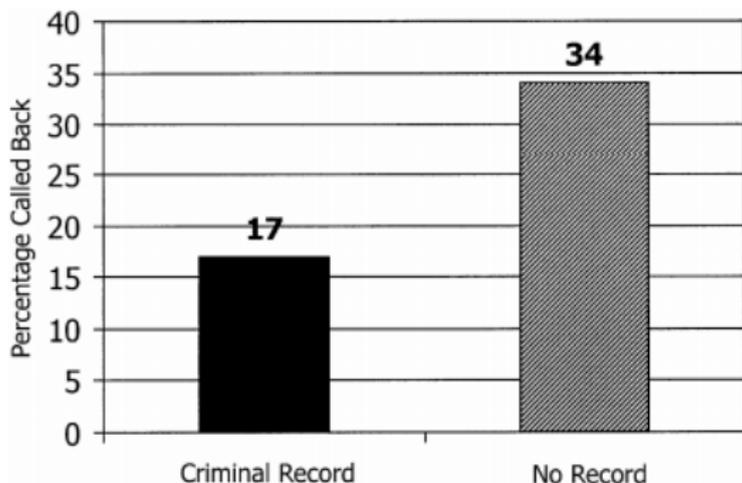


FIG. 5.—The effect of a criminal record on employment opportunities for whites. The effect of a criminal record is statistically significant ($P < .01$).

Source: Pager 2003 *American Journal of Sociology*

Ban the Box

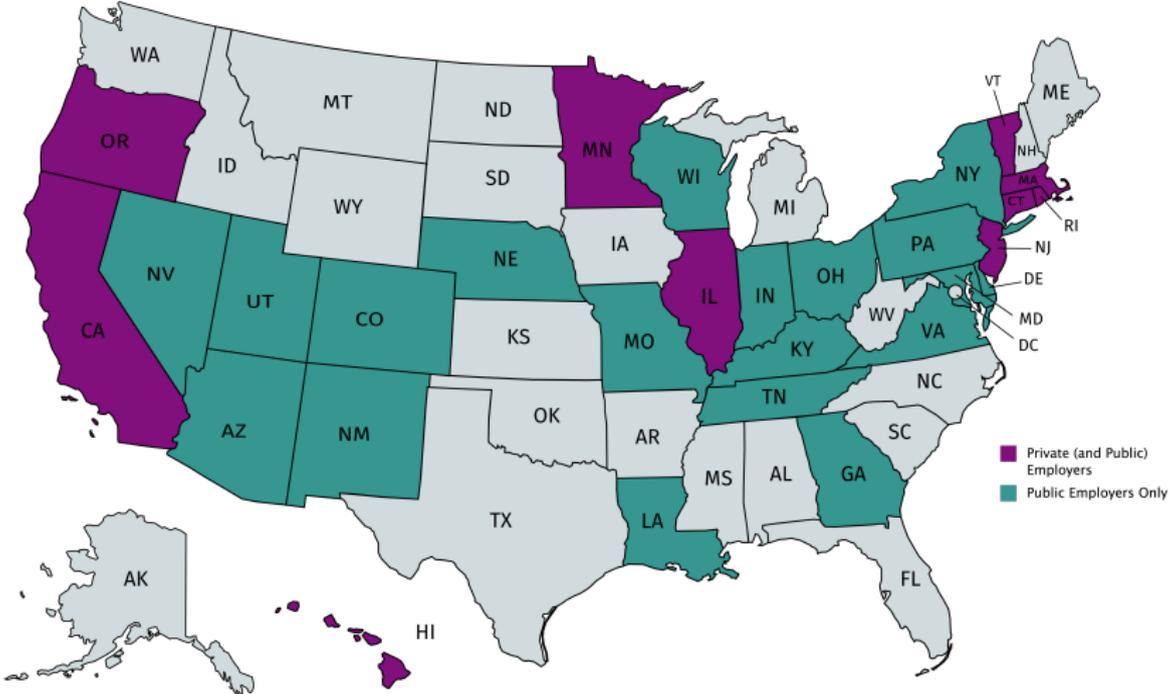


*Have you
ever been
convicted?*

**Support the Ban the Box campaign to give
people with past convictions a fair chance**

**Become an ally in the struggle to win back our
civil rights**

Ban the Box Policies Throughout the U.S.



Source: Author created via mapchart.net using using dates from "Ban the Box: U.S. Cities, Counties, and States Adopt Fair Hiring Policies" NELP February 2018

BTB Motivation

- Help people with records to get “foot in door”
- Also put forward as a strategy to increase employment for minorities

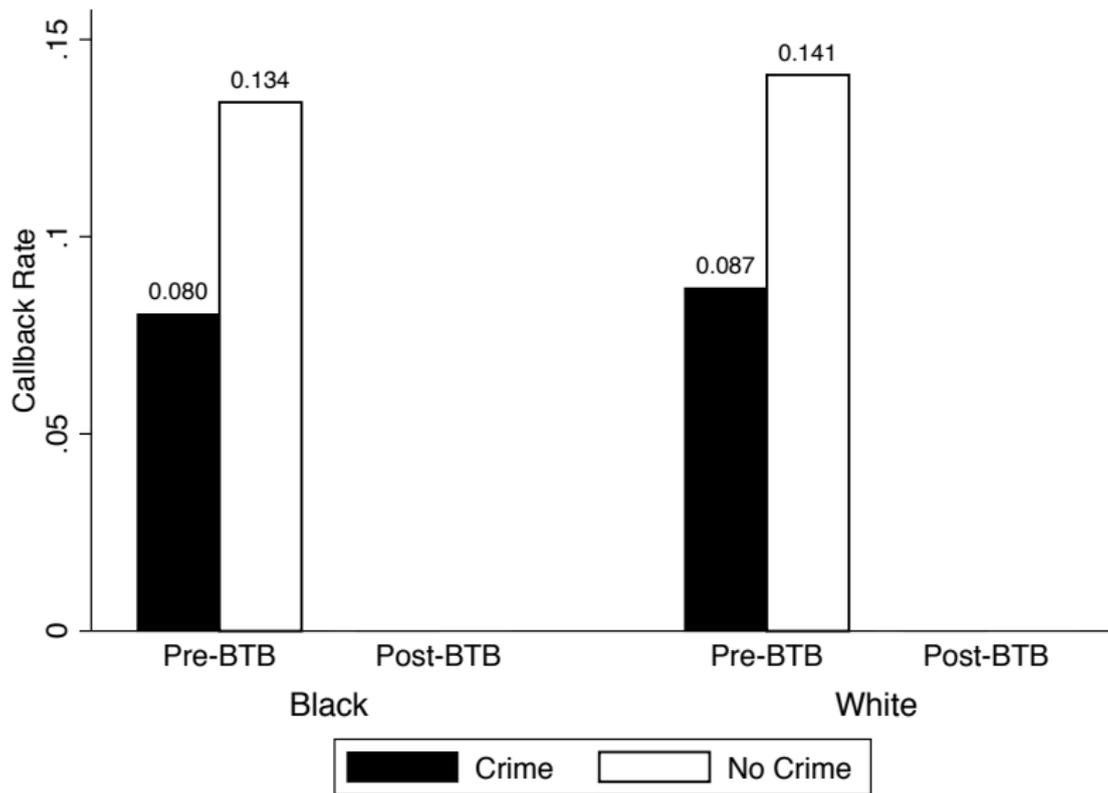
BTB Motivation

- Help people with records to get “foot in door”
- Also put forward as a strategy to increase employment for minorities
- May have unintended consequences
 - ▶ Employers may make assumptions based on observable characteristics
 - ▶ A policy meant to alleviate one barrier to employment (criminal records) could interact with another (discrimination) to reduce employment opportunities for minority men *without* records

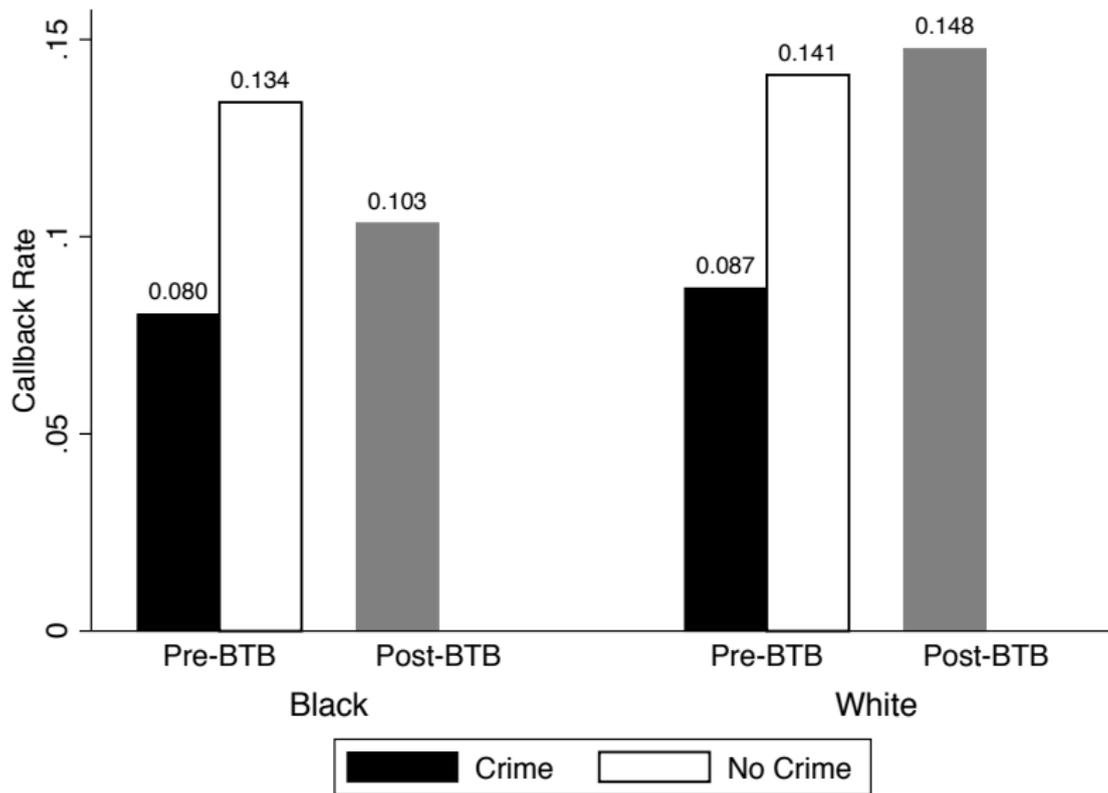
Agan and Starr (2018) Field Experiment

- Sent thousands of online applications on behalf of fictitious applicants to entry-level jobs, *both* before and after the law went into effect in two jurisdictions:
 - ▶ New Jersey (BTB effective March 1, 2015)
 - ▶ New York City (BTB effective October 27, 2015)
- Applications randomly vary race and criminal record status

Agan and Starr (2018) Field Experiment Main Results



Agan and Starr (2018) Field Experiment Main Results

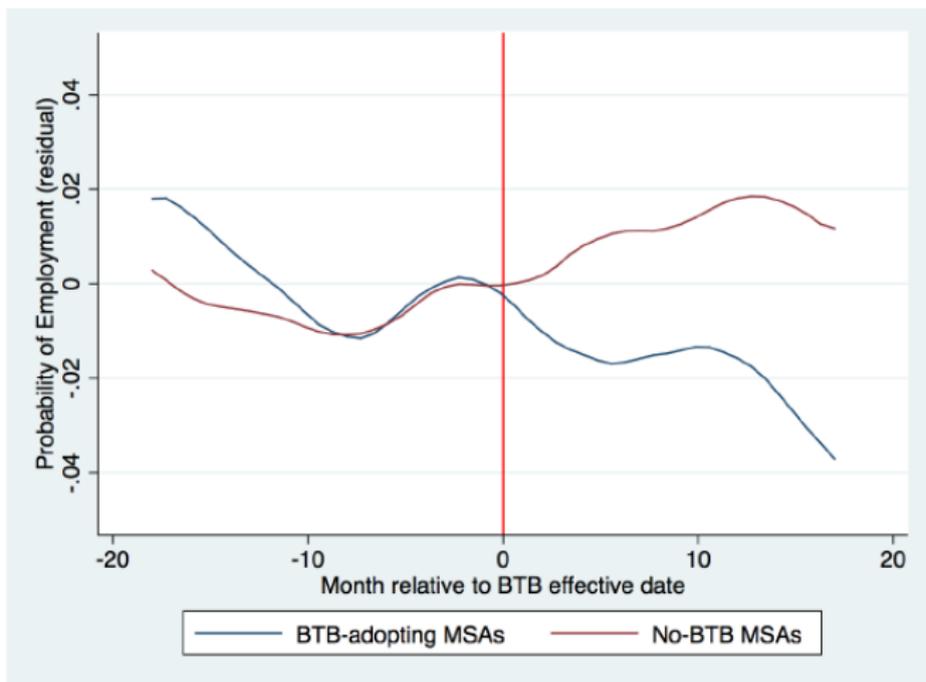


Employment?

- But what about eventual employment?

Employment for Young Black Men Falls in BTB Locales

Effect of BTB on Prob of Employment: Black Men 25-34, No College Degree



Source: Doleac and Hansen 2017 Working Paper available at:
http://jenniferdoleac.com/wp-content/uploads/2015/03/Doleac_Hansen_BanTheBox.pdf

Do Private BTB Laws Increase Employment for People with Records?

- Linked criminal history with Unemployment Insurance records in two jurisdictions:
- **Massachusetts** (Osborne and Zhao 2017):
 - ▶ Slight *reduction* in employment for people with records
- **Seattle** (Rose 2017):
 - ▶ No change in employment for people with records

Key Takeaways from Ban the Box Research

- Decreases employment opportunities for young men of color without records
- Discouraging initial results on employment of people with records
- Tradeoffs are necessary with many policies and important to document

What Else Can be Done?

- Why don't employers want to hire people with records?
 - ▶ Negligent hiring lawsuits?
 - ▶ Safety issues? Trustworthiness?

What Else Can be Done?

- Why don't employers want to hire people with records?
 - ▶ Negligent hiring lawsuits?
 - ▶ Safety issues? Trustworthiness?

- Other potential policies:
 - ▶ Criminal record expungement/sealing?
 - ▶ Certificates of rehabilitation?
 - ▶ Wrap-around services (mental health, drug counseling, family counseling/reunification....)?
 - ▶ Job training/education?
 - ▶ Reduce occupational licensing barriers for people with records?

- More research needed on alternative policies