Improving Employment Outcomes for People with Criminal Histories

In Wisconsin, 8,900 people were released from state prisons in 2016, an average of 740 per month. Considering the tight labor market, engaging more people with criminal histories in the workforce presents an opportunity to address Wisconsin’s low unemployment rate and high demand for workers. This brief summarizes ways to help people with criminal histories find and keep employment, and to support the employers who hire them.

Improving Job Readiness and Reducing Recidivism

Employment is a key part of successful prisoner reentry and can contribute to lowering the risk of reoffending (recidivism), especially when someone has a stable job with earnings above minimum wage.

Five Benefits of Employment that Increase Successful Reentry

- **Less likely to reoffend**
- **Improved mental health**
- **Stronger positive relationships**
- **Pre-social activities**
- **Feeler risky activities**

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Rigorous research has shown that recidivism can be reduced through risk-need-responsivity (RNR) principles that:

- assess a person’s risk for criminal activity and job readiness,
- address the underlying risk factors associated with lower success in the workplace and increased recidivism, and
- match people to individualized services based on these assessment results.

Not all individuals need the same services, so implementing RNR principles can target resources and limit over-programming, which can increase recidivism.

**Milwaukee County pilot program.** The Integrated Reentry and Employment Strategies (IRES) framework combines RNR principles with best practices from the workforce development field to match people with services based on their preparedness for work and risk of recidivism. Milwaukee County, where the highest percentage of Wisconsin prisoners return, is one of two sites implementing a pilot program based on the IRES framework. The program aims to leverage collaborations between corrections and workforce development professionals to reduce the burden of multiple job and risk assessment screenings, create more comprehensive and individualized post-release plans, and improve referrals to employment services and programs. An evaluation of the three-year program is underway.

**Engaging Employers in Public/Private Partnerships**

Employer engagement is a key factor in the successful employment of people with criminal histories. Policymakers and government agencies can implement the following strategies:

- Help employers access resources and provide them with practical guidance on fair hiring practices, tax incentives, and bonding programs that protect businesses from financial liability
- Convene employer engagement events
- Establish strong partnerships between job skills training programs and employers

**Reducing Policy Barriers to Employment**

A criminal record reduces the likelihood someone receives a job offer by 50%. This is due in large part to collateral consequences—lasting legal and regulatory sanctions based on a criminal record that hinder a person’s ability to pursue not only employment, but also public benefits, housing, their right to vote, and more. Although the risk of re-arrest dissipates with time, the majority of collateral consequences are permanent and 50% are job-related. As of 2013, Wisconsin had 702 collateral consequences in statute.

Criminal records can be created at multiple points in the criminal justice process, from an arrest with charges dropped, to being charged and incarcerated. With an estimated 22% of Wisconsin adults possessing a criminal record, the following strategies can greatly increase the pool of available workers in the state.

- **Certificates of rehabilitation** demonstrate a person’s progress toward rehabilitation and can provide employers with protection from negligent hiring claims.
- **Criminal record clearance policies** remove information about a person’s criminal history from easy public access through record sealing or expungement
- **Fair chance hiring** or “ban the box” initiatives outline how criminal records can be used in hiring decisions, such as providing space for people to explain criminal histories, limiting inquiries to job-related offenses, or prohibiting certain information from consideration.

Stable employment allows people with criminal histories to provide income for their families, engage in prosocial behaviors, strengthen their relationships, and improve their mental health. All of these translate into reductions in recidivism. Implementing evidence-based strategies that focus the right resources on the right people at the right time can improve employment outcomes for people with criminal histories and strengthen Wisconsin’s families and workforce.

Marc Pelka was one of three speakers at the 36th Wisconsin Family Impact Seminar, “Opportunities for Strengthening Wisconsin’s Workforce.” He is Deputy Director of State Initiatives at the Council of State Governments (CSG) Justice Center. This issue brief, written by Kassandra Martinchek, summarizes his seminar presentation and accompanying briefing report chapter, which were developed in collaboration with Erica Nelson of the CSG Justice Center. The presentation, report, and other seminar resources can be downloaded from wisfamilyimpact.org/fs36.