



Second Chances Through Successful Reentry



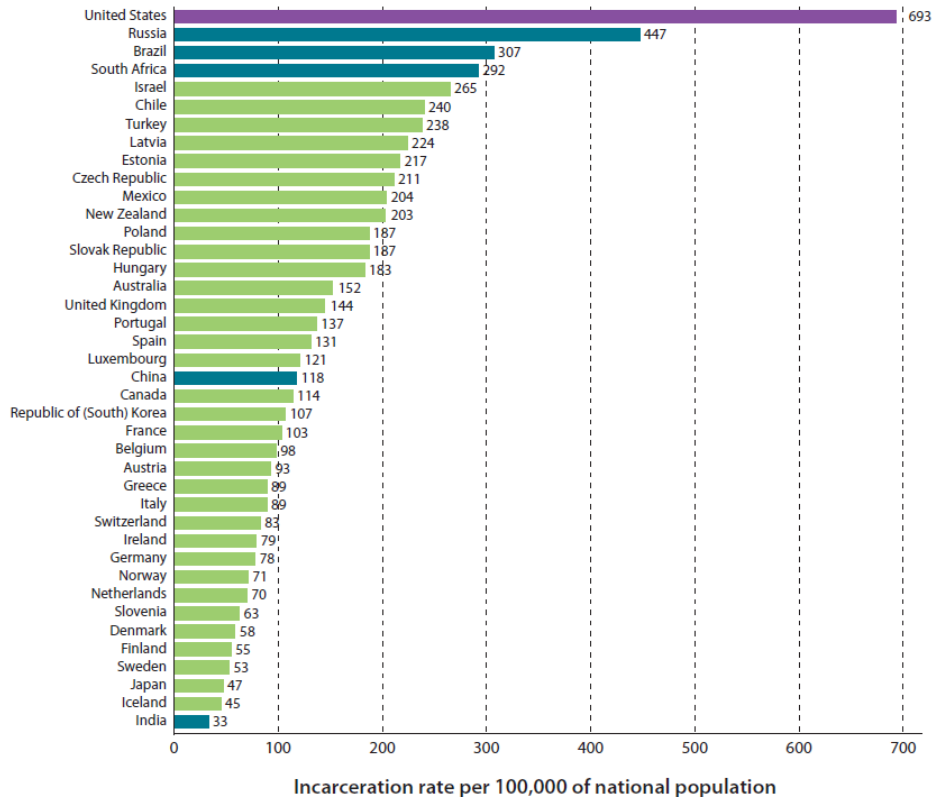
Policy Options to Reduce Recidivism and Aid Reentry



Putting Time Limits on the Punitiveness of the Criminal Justice System

Anne Morrison Piehl

Figure 1. Comparison of United States Incarceration Rate



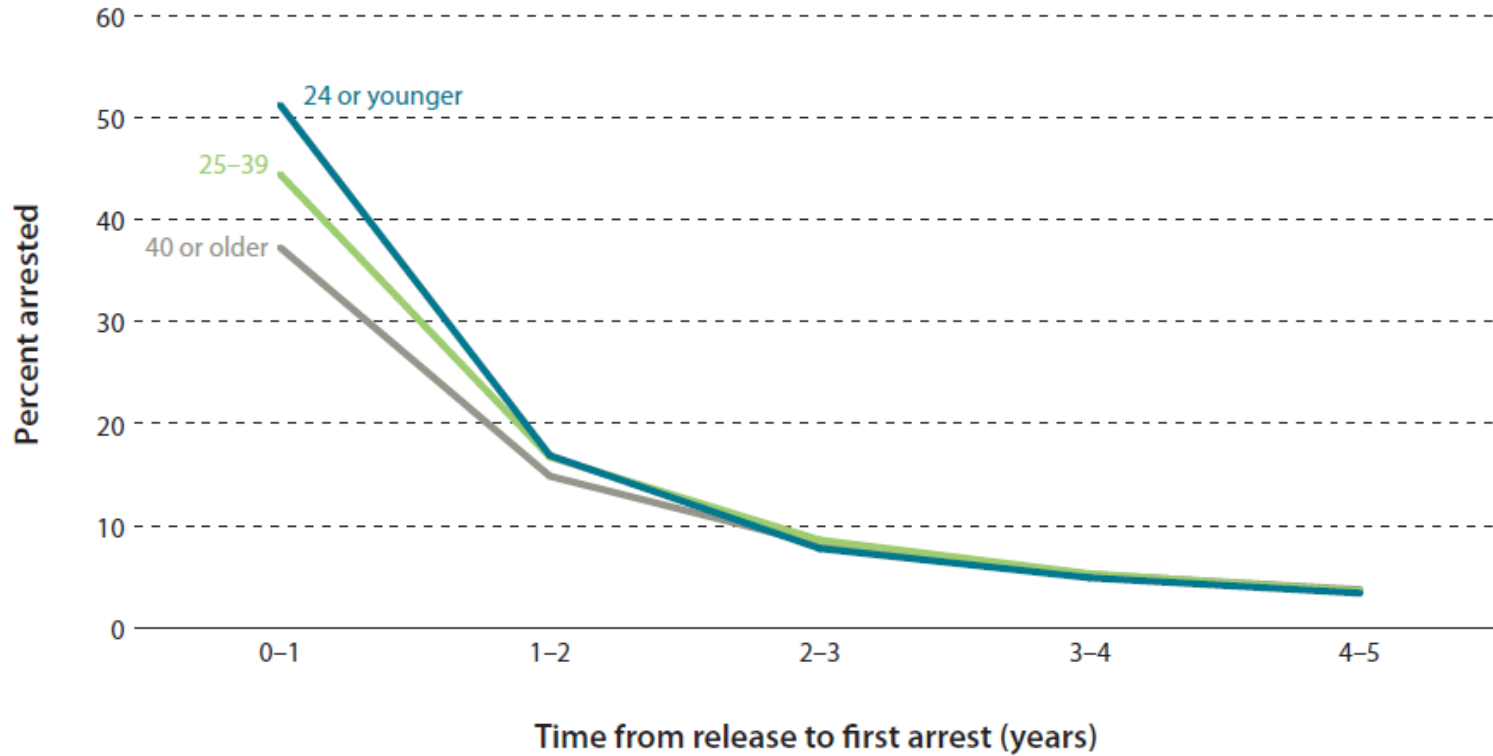
■ BRICS ■ OECD ■ United States

Context

- Nearly 1% of adult population under supervision by criminal justice system at any given time;
- Estimated that 10% of the U.S. population has criminal conviction;
- Collateral consequences of these convictions range from occupational licensing prohibitions to housing exclusions, to ineligibility for SNAP benefits;
- Exclusions could be tailored but in practice are broadly applied;
- Exclusions inhibit reentry of those with criminal records into legitimate activities. In addition, they make the job of those aiding reentry more complex and more expensive.
- National crime rates are at their lowest levels in several decades.

#Reentry

Figure 2. Share of Releasees Rearrested in a Given Year



Principles

- **Principle 1:** Consequences of prior criminal convictions should be targeted to enhance public safety.
- **Principle 2:** All jurisdictions sentencing criminal behavior should establish processes for time-limiting information about the convictions. These limits should vary depending on criminal conduct and the purpose of the inquiry.
- **Principle 3:** Jurisdictions should routinely consider retroactive application of decreases in the severity of criminal punishment. These actions should be automatic where appropriate.



Policy Options to Reduce Recidivism and Aid Reentry



Removing Barriers and Building Opportunities for People with Criminal Records

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Graduated Reintegration:
Smoothing the Transition from Prison to Community

Angela Hawken & Mark Kleiman

The Reintegration Challenge

- Reentry is easy. *Reintegration* is hard
- The transition is too stark
 - Anxiety
 - Unstable housing
 - Limited skills and employment prospects
 - Cognitive overload

Collaborative Problem Solving

- Reimagining prison
- Hearing all voices
 - What are the stressors?
 - What are the needs?
 - What is politically feasible?

The Proposal: Graduated Reintegration

- Better preparation pre-release (Earned Freedom)
- Reenter *prior* to earned release date & resources follow
- Stable housing (scattered site)
- Employment preparation (time for matching v mad dash)
- Financial literacy
- Close monitoring
- Positive reinforcers & increased liberty for compliance and achievement
- Non-custody sanctions (increased restrictions) for non-compliance
- No return-to-custody except for new crimes or absconding
- Demonstrate good habits pay & a chance to practice them
- The economics of reintegration

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Increasing Employment for Individuals with Criminal Records

Jennifer Doleac

A criminal record makes it difficult to find a job

- Employment is a crucial step toward successful reentry to civilian life, but it is difficult for people with criminal records to find jobs
- Challenges:
 - On average, this group has low levels of education and work experience
 - Even when all observable information is held constant, employers are reluctant to hire people with criminal records

People with criminal records face statistical discrimination

- Most employers simply want to hire reliable, productive employees
- Work readiness typically isn't observable during the application process, and so employers must use other information to infer who will make a good employee
- Screening applicants based on information that is correlated with work readiness is a form of “statistical discrimination”
- For instance, they often use educational attainment as a signal of an applicant's skill level
- Similarly, many employers consider a criminal record a useful signal of work-readiness

Hiding information can hurt disadvantaged groups more than it helps

- Conditioning employment on having a clean criminal record will disproportionately hurt groups that contain more people with criminal records
- What happens when we remove information that employers consider a signal of work readiness?
 - Statistically discriminate against groups that are more likely to have traits they want to avoid
 - Broadens discrimination from some members of that group to the entire group
 - This can hurt disadvantaged groups more than it helps them
- Research evidence that this happens:
 - Drug testing
 - Credit check bans
 - Increased access to criminal records

‘Ban the Box’ increases statistical discrimination based on race

- Ban the Box aims to increase employment for people with criminal records by preventing employers from asking about criminal histories until late in the job application process
- It does not address employers’ concerns about hiring people with criminal records, and so employers may still want to avoid hiring applicants from this group
- Hiding criminal histories may increase statistical discrimination against groups more likely to have records—for instance, young, low-skilled black men
- Recent research suggests BTB is increasing racial disparities in employment:
 - Agan and Starr (2016)
 - Doleac and Hansen (2016)
- Not yet sure what the effects are on people with records, but the unintended negative effects on minority men without records are large

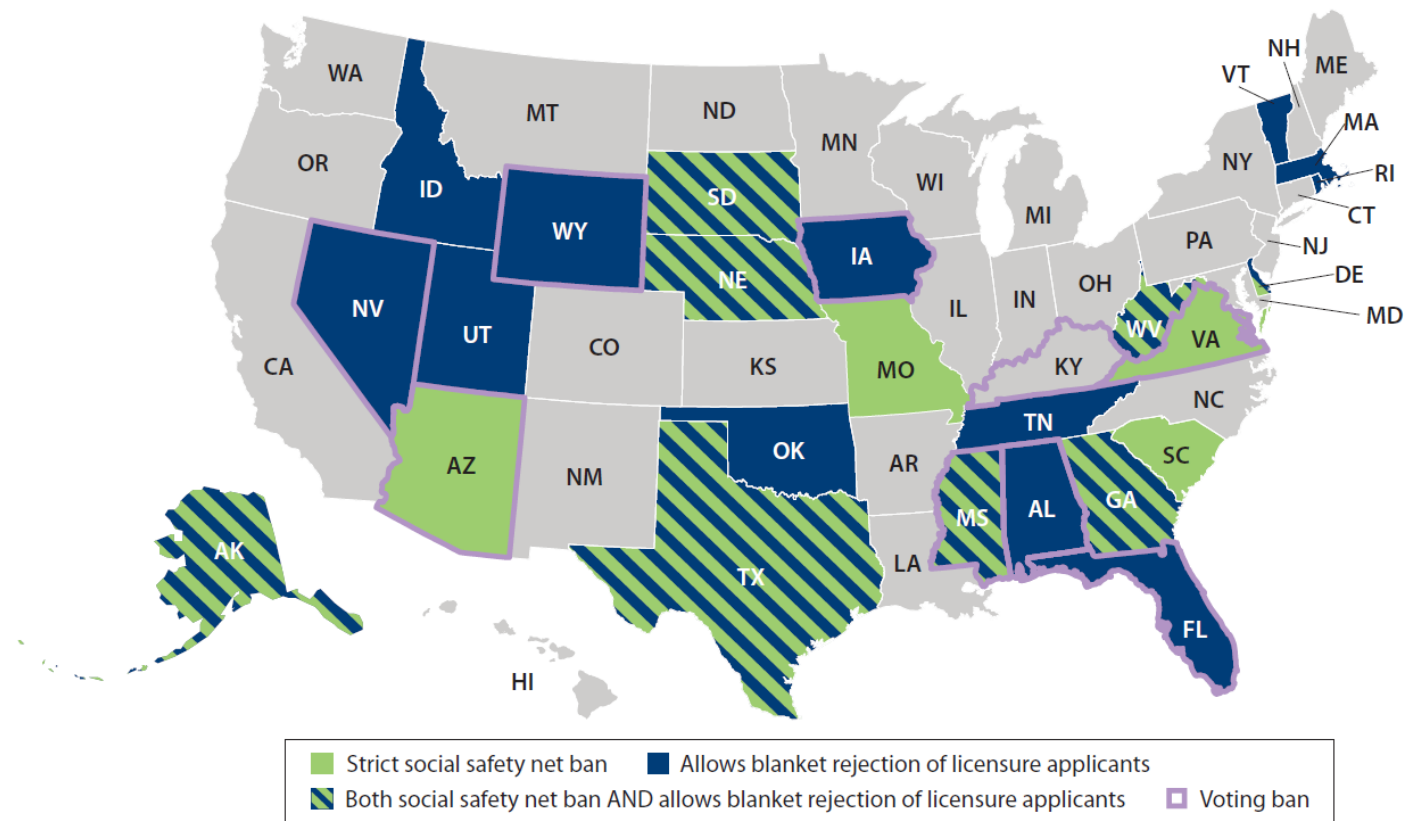
Principles for increasing employment for people with criminal records

1. Increase availability of jobs for low-skilled workers
2. Focus on building work readiness
3. Communicate work readiness to employers
4. Reduce the cost of hiring people with criminal records
5. Carefully weigh the impact of unintended consequences of employer regulations

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Fact 12. Some states ban those with felony convictions from safety net programs, voting, and licenses to work.



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