

# Unlocking Hidden Talent: A Handbook for Employers



By Scott E. Peyton  
December 2023

**Right** on  
**CRIME**  
★

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# Unlocking Hidden Talent: A Handbook for Employers

By Scott E. Peyton

## Introduction

Right on Crime published this handbook with the fundamental intent to assist employers in making informed decisions when considering individuals with criminal records for employment in their companies. Estimates show between 600,000 to 800,000 ex-offenders are released from both state and federal prisons each year, ultimately arriving “on the doorsteps of our nation’s communities” ([DOJ, n.d., para. 1](#); [Sawyer, 2022](#); [Butler & Taylor, 2022](#)). Their ability to obtain full employment is key to their transitioning from being tax burdens to taxpayers. According to a Bureau of Justice Statistics study of prison releases, “About 6 in 10 (62%) prisoners released across 34 states in 2012 were arrested within 3 years, and 7 in 10 (71%) were arrested within 5 years” ([Durose & Antenangeli, 2021, p. 1](#)). This cycle of arrest and return to prison is referred to as recidivism. Unemployment is a major predictor of recidivism ([Nally et al., 2012](#); [Vallas & Dietrich, 2014, p. 9](#)). One of the most effective ways for a person to successfully return to society from prison is to obtain gainful employment soon after release.

Many large corporations, including American Airlines, Georgia-Pacific, JPMorgan Chase, Koch Industries, Starbucks, Target, and Wal-Mart, have made efforts to hire certain individuals with a criminal history ([Jails to Jobs, n.d.](#)). Yet, based on a variety of circumstances, it might be difficult for employers to hire those with a criminal background, and understandably so.

Right on Crime’s “how to” will equip employers with information to help them understand the research and best practices around second chance hiring. There are many benefits in hiring those with criminal records, not only for individuals and employers, but for public safety and economic prosperity.

## The Issue

Why should businesses hire individuals who have a criminal history, or even those just released from prison? For many businesses it’s an easy solution to their workforce shortages. A leading economist and the author of *Untapped Talent*, Jeff Korzenik (2021), writes, “Employers who hire second chance workers have access to a labor pool overlooked by competitors,” while inaction by employers “means that staffing challenges will only get worse” (p. 29).

We know that nearly 95% of individuals incarcerated in the United States will be released ([James, 2015](#)). In fact, over 10,000 individuals are released back into our communities each week ([DOJ, n.d., para. 1](#)). These formerly incarcerated individuals “are unemployed at a rate of over 27 percent—higher than the total U.S. unemployment rate during any historical period, including the Great Depression” ([Couloute & Kopf, 2018, para 2](#)). The National Inventory of Collateral Consequences of Conviction has cataloged as many as 40,000 legal provisions of law from across the nation that are associated with a criminal conviction ([CCRC Staff, 2019, “National Inventory of Collateral Consequences \(NICCC\)” section](#)). When not associated with a specific public safety risk, these collateral consequences often pose a barrier to the successful return of formerly incarcerated individuals to the community. Many of these barriers pertain to employment, and this handbook outlines the associated benefits that overcoming these barriers presents to employers, communities, the economy, and public safety.

## Key Points

- Unemployment is a major predictor of recidivism in the United States.
- Employers oftentimes overlook the population of individuals with criminal backgrounds when developing their workforce.
- Research and studies point out that individuals with criminal backgrounds have proven to be loyal and dedicated employees.
- In 2014, the population of individuals unemployed due to a criminal background accounted for a \$78–87 billion loss in GDP.
- Employing individuals with criminal records is key.

## An Introduction to Second Chance Employees

**Figure 1** shows that the population of Americans with arrest records is nearly the same as the population with a bachelor's degree.

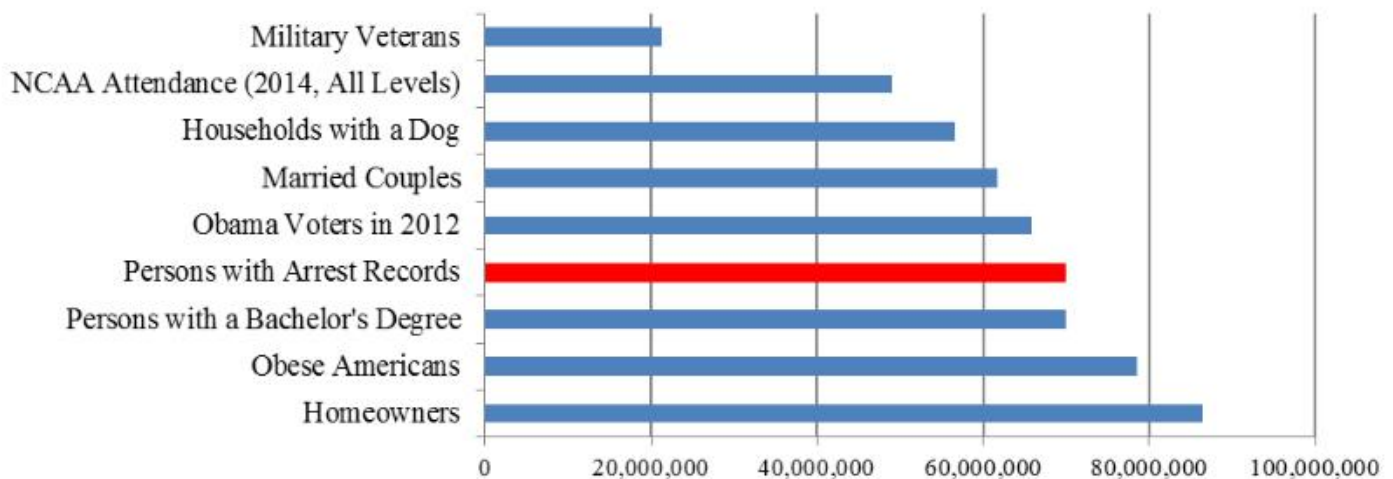
Over 100 million (1 in 3) adults living in the United States have a criminal record, which includes those who were arrested but not convicted ([Bureau of Justice Statistics, 2014](#); [Vallas & Dietrich, 2014](#)). In addition to spending time in prison or being sentenced to probation, there are additional consequences that may be associated with a criminal conviction ([Hernández, 2021](#)). These consequences, often referred to as collateral consequences, may apply to both those who were arrested without being convicted and those who were convicted of a crime. These “collateral consequences are known to adversely affect adoptions, housing, welfare, immigration, employment, professional licensure, property rights, mobility, and other opportunities—the collective effect of which increases recidivism and undermines meaningful reentry of the convicted for a lifetime” ([American Bar Association, 2018, p. 4](#)).

According to the Bureau of Justice Statistics, the U.S. prison population in 2021 was over 1.2 million ([Carson, 2022, p. 1](#)). In addition to those serving time in prison, as of 2019 there were nearly 3.5 million individuals under community supervision who were sentenced to probation in lieu of serving a prison

sentence ([Oudekerk & Kaebler, 2021, p. 2](#)). Probation is an alternative to incarceration that allows an individual to serve their sentence in the community under the supervision of a probation officer. Approximately 90% of probationers were being supervised for a non-violent offense. Most states require, as a condition of probation, that probationers obtain and maintain employment.

Then there are those who are returning to their communities from prison or jail. There were nearly 1.2 million people incarcerated across the United States in either prison or jail in 2021, with 38% serving time for non-violent or drug-related offenses ([Carson, 2022, p. 31](#)). Males made up the overwhelming majority at 93% and females represented 7% ([Carson, 2022, p. 6](#)). According to a report by the Bureau of Justice Statistics, the average age of those incarcerated in state facilities in 2016 was 39 ([Beatty & Snell, 2021](#)). The study also found that those in state prison averaged 10.5 years of education prior to admission and more than half (62%) had not completed high school. A 2017 Bureau of Labor Statistics article points out that “increased education is associated with both higher wages and lower unemployment” and that one-third of the 2016 labor force in the U.S. had completed no more than high school ([Brundage, 2017, pp. 1, 3](#)). In preparing individuals for release from prison, education has become a major focus inside the prison walls, including not only opportunities for obtaining a high school equivalency diploma but higher education degree pathways as well ([Wood, 2023](#)).

**Figure 1**  
*Large Groups of People in America*



Note. From “Just facts: As many Americans have criminal records as college diplomas,” by M. Friedman, 2015, November 17, Brennan Center for Justice (<https://www.brennancenter.org/our-work/analysis-opinion/just-facts-many-americans-have-criminal-records-college-diplomas>). Copyright 2023 by Brennan Center for Justice at NYU Law.

Many of those released from prison will serve time on parole supervision. Parole allows an individual the opportunity to serve the remainder of their prison sentence in the community under the supervision of a parole officer. There are over 878,000 individuals across the U.S. on parole supervision (Oudekerk & Kaebler, 2021, p. 2). Just like probation, parole carries with it certain conditions these individuals have to follow as a requirement of their release. Obtaining and maintaining employment is often one of the conditions of parole. These conditions are set in statute (standard conditions) and the court or parole board may order additional conditions unique to an individual's needs (special conditions).

Obtaining a high school equivalency diploma is often a special condition of probation or parole supervision, and many probation and parole officers work with community partners to provide parolees an opportunity to further their education.

## The Benefits of Hiring Second Chance Employees

### Employing Individuals With Criminal Records Is Important to the Economy

Aside from its devastating effects on individual lives, unemployment for those with criminal records has an adverse effect on the economy as well. One report suggests that the population of individuals unemployed due to a criminal background accounted for a \$78-87 billion decrease in the 2014 U.S. Gross Domestic Product (GDP; Bucknor & Barber, 2016).

### Employing Individuals With Criminal Records Provides Economic Stability for Families



Nearly half (47%) of those serving time in state prisons are parents of minor children, with the end result of 1.2 million minor children with a parent in state prison (Wang, 2022). In fact,

about 1 in 5 (19%) of those children is age 4 or younger (Wang, 2022). Furthermore, approximately half of all children with incarcerated parents in the U.S. are under the age of 10 (Schirmer et al., 2009). It is no surprise that children of the incarcerated are more likely to experience economic strain and family instability (Phillips et al., 2006; Poehlmann-Tynan & Turney, 2020). For example, a 2006 study by the University of Illinois of 11 rural counties in North Carolina found that only 15.1% of children with parents who had no criminal justice involvement were below the federal poverty level compared to 38% for children with parents involved in the criminal justice system (p. 685). Other studies have also pointed out that children with incarcerated parents have an increased risk of becoming involved in the criminal justice system (Kamptner et al., 2017).

When employers participate in second chance hiring, they do more than provide a job; they mitigate the consequences associated with the cycle of poverty and crime that can last generations. Economic stability makes it less likely that individuals with criminal records return to criminal activity and allows them to model a positive work ethic for their children. Additionally, they can gain self-respect, improve their mental health, and have the opportunity to develop strong positive relationships through their work (Duran et al., 2013).

### Employing Individuals With Criminal Records Is Key for Successful Community Supervision

Individuals leaving prison have stressed the importance of having a job to successfully reenter society. Employers are in a special position to support these individuals and help them become contributing members of their families and communities (Duran et al., 2013, p. 59). Those employed shortly after incarceration and making a wage of at least \$10 an hour were half as likely to return to prison within the first year as those making less than \$7 an hour (Visher et al., 2008, p. 8).

Obtaining employment is an important step in reintegration into the community. Employment is a strong contributor to recidivism-reduction efforts, as it helps returning individuals focus their time and efforts on prosocial activities and helps remove them from negative environments (Duran et al., 2013). A 2023 study of 1,607 released individuals in Ohio showed that "stable post-prison employment reduces recidivism even for those with extensive criminal histories" and those who were marginally employed, or unemployed experienced poor recidivism outcomes (Kolbeck et al., 2023, p. 19). A recidivism study conducted in three states (Illinois, Ohio, and Texas) indicated that, of the 740 former prisoners interviewed eight months after release, only 65% had been employed at some point post-release (Visher et al., 2008). Less than half were actually employed at the time of the interview. The study also noted

that “while the majority reported that their criminal history made the job hunt more difficult, 80 percent of employed respondents said their employer knew about their criminal history” (p. 4). The reasons given for not readily obtaining employment ranged from lack of training, to lack of knowledge regarding where to look for work, to lack of persistence in applying for jobs.

## Barrier to Employment—Background Checks & Employer Liability

Individuals with criminal records face many barriers that often serve little to no interest to public safety. One of the hardest obstacles to overcome is the reluctance of employers to hire someone after there has been a hit on the prospective employee’s criminal background check (Pager & Western, 2009). An understandable concern of employers who use background checks is the liability that they fear is attached to hiring an individual with a criminal record.

According to studies from the National Institute of Justice (NIJ), “a criminal record reduces the likelihood of a job callback or offer by approximately 50 percent” (28% for applicants without a criminal record versus 15% of applicants with; Couloute & Kopf, 2018, para 8; Solomon, 2012, p. 43; Pager & Western, 2009, p. 4). With the widespread use of criminal background checks (more than 80% of U.S. employers perform checks on prospective employees), individuals with criminal records are often deemed unemployable before they ever get a face-to-face interview (Maurer, 2019).

### What Employers Should Consider

Criminal background checks are sometimes necessary for employers hiring employees for sensitive positions or to work with vulnerable populations such as children or the elderly. However, background checks are often utilized to disqualify an applicant despite the check having little direct relevance to the employment opportunity at hand. There has been little guidance for employers about interpreting what a background check actually indicates or when it would be considered “safe” to overlook past criminal records when considering someone for a particular job.

A recent report titled *‘Redemption’ in an Era of Widespread Background Checks* studies the point at which criminal history should no longer be a determining factor in employment. It found that employers historically relied on an arbitrary number of years after which the relevance of a criminal record should expire, usually five, seven, or ten years (Blumstein & Nakamura, 2009, p. 11). However, the same report, which was

funded by the NIJ, uses actuarial estimates to create a model for providing empirical evidence on when someone with a criminal record has been “clean” long enough (sufficient length of time from any criminal activity) to be considered employable. The report indicates that depending on the nature of the crime, the probability of new arrests for those with previous criminal activity at age 18 declines to that of the general population after several years (3.8 for burglary, 4.3 for aggravated assault, and 7.7 for robbery; p. 12).

An often-cited study on recidivism of individuals with criminal records by Dr. Miles Harer notes that the longer an individual remains out of prison, the lower the incidence of recidivism (Harer, 1994, p. 9). Harer notes that the rate of reoffense dropped from 29 per 1,000 people released in the first month after release to 2 per 1,000 in the 36th month (p. 10). Harer also cites the efficacy of educational attainment as a deterrent to recidivating. Except for a small increase in the recidivism rate between those with no more than an 8th-grade education and those with some high school, the recidivism rate sharply decreased from 54.6% for those with some high school to 5.4% for those with a college degree (p. 13).

If a mark on a background check disqualifies an applicant by default, employers risk missing out on hiring a good employee based on a potentially inaccurate analysis of what that history means in terms of reoffending or risk to their company.

### Employer Liability—Protecting Employers From Employee Wrongdoing

To ease employers’ concerns over the perceived risk of negligent hiring liability, several states have enacted legislation to limit an employer’s liability. These laws vary in the scope of protection they provide. As of 2021, the states that have enacted laws to protect employers are Colorado, Connecticut, the District of Columbia, Georgia, Indiana, Illinois, Louisiana, Michigan, Minnesota, New York, North Carolina, Ohio, Tennessee, Texas, Vermont, and Washington (The Council of State Governments Justice Center, 2023).

### What Employers Should Consider When Reviewing Criminal Convictions

Employer liability laws serve as a guide for determining the proper fit for a position based on the individual’s background. Other factors employers might consider when contemplating hiring someone with a criminal background, as provided by the Michigan Department of Corrections, are:

- What is the relevance of the offense to the job being applied for?
- How long ago did the offense(s) occur? (For some of-

fenses, after seven years of law-abiding behavior the individual has the same level of risk as someone who does not have a criminal record.)

- What is the seriousness of the offense and was it work-related?
- What has the person accomplished since being convicted of an offense (e.g., job skills, life skills, drug treatment, further education)? ([Michigan Department of Civil Rights, n.d.](#))

## Benefits To Employers Who Hire Individuals With Criminal Records

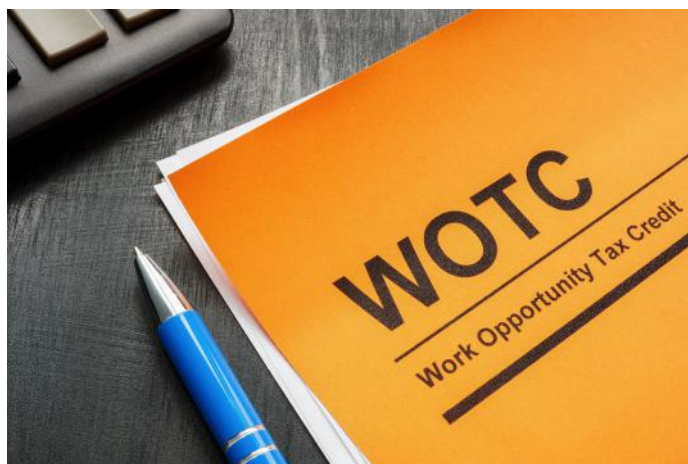
### Nonprofit Organizations



This role of nonprofit organizations is unique, as they may be positioned as both an employer and service provider. They can provide services that will help those with criminal backgrounds to rebuild their lives, which in turn strengthens communities. This role is inherently a part of the mission of many nonprofits.

The nonprofit sector helps individuals with criminal backgrounds in a variety of ways, such as combating poverty, employment preparation/training, transportation, mental health, and substance abuse. Many state correctional agencies work closely with nonprofit organizations to help with reentry efforts, especially through employer engagement.

Many nonprofit organizations work directly with private sector businesses to help them hire individuals with criminal backgrounds by offering on-the-job training, financial incentives, and job skill training, as well as connecting them to government agencies to explore tax benefits like the Work Opportunity Tax Credit (WOTC) and Federal Bonding Program (FBP).



### Work Opportunity Tax Credits

The WOTC is a federal program available to employers who hire individuals with a criminal record. This credit incentivizes employers to extend gainful employment and on-the-job experience ([IRS, 2023](#)).

When an employer hires an individual with a criminal record, the tax credit is based on qualified wages paid to the employee during the first year of employment. Qualified wages are capped at \$6,000. The credit is 25% (up to \$1,500) of qualified first-year wages for those employed at least 120 hours but fewer than 400 hours, and 40% (up to \$2,400) for those employed 400 hours or more.

Before being able to receive tax credits through the WOTC program, employers need to be certified by their state workforce agency (SWA). In 2020, SWAs issued 1.6 million certifications to employers seeking a WOTC ([Employment and Training Administration, n.d.-a](#)). For more information regarding certification, consult your SWA. The Department of Labor provides a helpful list of SWAs around the country, which can be accessed by scanning the QR code below ([Employment and Training Administration, n.d.-b](#)).



The WOTC joins other tax credits and workforce training, education, and development programs that help American workers with barriers to employment prepare for good jobs, ease their transition from job to job, benefit from the creation of effective regional economic development strategies, and create high-performance workplaces.

### Federal Bonding Program

For employers weighing the risk of incorporating second chance hiring into their business model, safeguards exist that can mitigate certain liabilities. The U.S. Department of Labor created the Federal Bonding Program (FBP) in 1966 to provide, at no charge to employers, fidelity bonds to employers as a job placement tool to assist formerly incarcerated individuals ([The Federal Bonding Program, n.d.-a](#)). The FBP bond, designed to reimburse the employer for any loss due to employee theft of money or property, helps secure access to job seekers and open doors of opportunity to gainful employment. The benefits of the FBP extend beyond the hiring of an individual with a criminal background to include their families, and ultimately our entire communities, by reducing the vicious cycle of recidivism.

Employers can obtain the bonds—which start at \$5,000 face value—free of charge, and coverage extends to the first six months of employment.

Bonds can be applied to:

- ANY job,
- ANY state,
- ANY employee dishonesty committed on or away from the work site, and
- ANY full- or part-time employee paid wages (with federal taxes automatically deducted from pay), including individuals hired by temporary agencies. Self-employed people cannot be covered by fidelity bonds.

According to the U.S. Department of Labor, “Thousands of employers across the country have integrated the Federal Bonding Program into their hiring practices—industries that support our country’s economy—hospitality, retail, construction, transportation, auto repair, manufacturing, healthcare, non-profits, banking, tourism and more” ([The Federal Bonding Program, n.d.-a, para. 2](#)). The FBP has facilitated “over 56,500 job placements made for at-risk job seekers who were automatically made bondable,” with 1,691 bonds issued to 1,068 individuals in 2022 ([The Federal Bonding Program, n.d.-a, para. 2](#)).

For additional information, locate your state’s FBP coordinator by scanning the following QR code ([The Federal Bonding Program, n.d.-b](#)).



### Hiring Individuals With Criminal Records Puts Employers in Good Company

Large and small companies alike include second chance hiring into their business practice. Below is a sample of national and local companies that actively engage in second chance hiring and their explanation for doing so.



#### Koch Industries

Koch Industries is committed to creating products and providing services that improve people’s lives. They believe businesses should do the same for their employees and communities. Koch decided to “ban the box” by removing the questions about a criminal record from their job applications. This is aligned with Koch’s desire to find the best employees regardless of past mistakes and to more easily comply with the patchwork of state and municipal “ban the box” laws in the states where Koch has a presence. Employers are engaged in a global competition for talent and need the best employees—not just the best employees without a criminal record.

To date, Koch Industries has hired hundreds of people with criminal records. Leadership at Koch Industries is committed to a culture of opportunity for all qualified individuals and to creating value for employees and society. Koch’s philosophy is that all businesses have a stake and a role to play in providing meaningful employment for those seeking a second chance and that considering qualities beyond a criminal record is a smart business practice.



#### Manda Fine Meats, Inc.

“We started employing individuals from various work-release programs in our local area and found that some of these individuals wanted to remain with us after they were released.



We gave them this opportunity, and we have found that these individuals are some of our most loyal and reliable employees. We do not differentiate between people with criminal records and other individuals within our organization. Participating in these work-release programs has enabled us to create a workforce that is both helpful and reliable.”

~Ronny Webb, Plant Manager, Manda Fine Meats, Inc.  
([Ellerbe & Glod, 2018, p. 11](#)).



### Turner Industries

“At Turner we have had good experiences with those who have criminal records. The training these folks receive is the same curriculum used in our high schools, technical colleges, and apprentice training centers. With this training, the fit for our industry is perfect. These folks have the need and desire to perform the task at hand to improve their lives and the life of their families.”

~Wayne Tyson, Turner Industries  
Workforce Development Manager ([p. 11](#))

### Why Individuals With Criminal Records Make Outstanding Employees

Bonnie Mrozcek, the chief talent officer for Butterball Farms, testifies to the benefits her business has experienced by hiring second chance employees: “We’ve found that just by us giving that opportunity, a lot of people so appreciate it that what we get back as a company in return is much greater than what we ever gave in the beginning” ([Spanne, 2016](#)).

Beyond the positive effects flowing from the societal realities of greater employment and economic stability, employers hiring individuals with criminal records may actually experience lower employee turnover, saving their company thousands of dollars each year ([Kwok, 2017](#)). Over 25 years ago, Butterball Farms began employing these individuals to fill empty positions and expand the pool of applicants. Soon after, “The company discovered ex-offenders were great workers with lower turnover rates on average than other employees” ([Spanne, 2016](#)).

These testimonials should come as no surprise. Those on probation or parole have an added level of accountability that can serve as a safety net for the employer. Individuals with a criminal record often must report for drug testing, and they typically must keep a job to stay out of jail or prison. Many state correctional agencies partner with employers, nonprofit organizations, and other government agencies to assist in

second chance hiring. Locate your state’s correctional agency by scanning the QR code below ([USAGov, n.d.](#)).



Most correctional agencies provide training and resources to those in custody, including:

**Soft Skills Training**—Most prisons provide life skills programming that includes modules in job readiness, money management, parenting/family relationships, communication, victim awareness, and substance abuse prevention.

**Job Skills Training**—Job skills training and employment readiness are major components of successful reentry for a person with a criminal record. A significant percentage of individuals who enter prison were not employed at the time the crime was committed. The utilization of vocational-technical programs by inmates will greatly improve their marketable skills.

A model program has been established through the specialized reentry courts at Louisiana State Penitentiary, also known as Angola, where highly skilled mentors teach automotive and construction classes to assist trainees in attaining an industry-based certification (IBC) in their chosen field of training ([Smith, 2016](#)). Certifications through the National Center for Construction Education and Research (NCCER) and the National Institute for Automotive Service Excellence (ASE) are also provided to those who complete the training program to assist them in attaining employment after release.

Some correctional agencies offer vocational training representing a variety of trades, including auto mechanics, auto detailing, barbering, building maintenance, carpentry, construction, electrical trades, painting, plumbing, food service/culinary arts, horticulture, custodial maintenance, upholstery, masonry, commercial truck driving, welding, and heating, ventilation, and air conditioning. The type of vocational training available in a prison will often depend upon the availability of teaching staff and funding ([Office of Justice Programs, 2014](#)).

Additionally, in some states, those leaving prison may have obtained an occupational license or completed the necessary

training to qualify for licensure upon release. Right on Crime advocates for legislation to require state licensing boards to review an applicant's criminal history on a case-by-case basis to determine whether the criminal conviction is directly related to the occupation in which they are applying for licensure. Some correctional agencies work directly with employers, industry specific associations, and other government agencies to ensure that programming inside the prison meets the workforce needs of their states.

## Conclusion

Businesses need good, reliable employees to help maintain and grow their businesses. The population of individuals with criminal backgrounds is growing, and barriers beyond their control (collateral consequences) and misconceptions about criminal records are keeping many who want to work out of the workforce. Korzenik (2021) points out in his book *Untapped Talent* that the workforce argument for second chance hiring is "not based on a universal statement that every person with a criminal background is redeemable or employable" (p. 37). As a former probation and parole officer, I agree with Korzenik and with the understanding that some individuals will have to remain incarcerated in the interest of public safety. This handbook intends to equip employers with the tools they need to make informed hiring decisions and learn more about how they can help create safer communities.

There are many benefits for employers who include individuals with criminal backgrounds as part of their workforce. These benefits extend not only to the individual worker, but to their families, the communities in which they live, and the economy of their state. The resources provided in this handbook can help employers navigate the nuances of second chance hiring and make informed decisions as they develop and grow

a workforce of the future. There is a great deal of support for employers that includes correctional agencies, state workforce development agencies, local and national nonprofit organizations, and the community when it comes to second chance hiring.

There are many factors that contribute to an individual's success after a criminal conviction. Employment is a major predictor of their success. Employers hold the key to providing opportunities for those who want to succeed while helping to keep our communities safe.

Right on Crime engages in criminal justice reform to move the sphere from a zero-sum model of punitive engagement to a mutual-benefit model of restitution and rehabilitation proven to increase public safety. We also have a strong belief in the importance of preserving the family and have a desire to support it. Providing opportunities for employment to those released from prison benefits the individual, their families (especially children), and the communities in which they return to live, work, and raise children.

As part of Right on Crime's efforts to engage employers, we sponsor Employer Engagement Forums across the nation and offer training presentations at conferences across the United States. For additional information please contact us here.



## References

- American Bar Association. (2018). *Collateral consequences of criminal convictions: Judicial bench book*. <https://www.ojp.gov/pdffiles1/nij/grants/251583.pdf>
- Beatty, L. G., & Snell, T. L. (2021). *Profile of prison inmates, 2016*. Bureau of Justice Statistics, U.S. Department of Justice. <https://bjs.ojp.gov/content/pub/pdf/ppi16.pdf>
- Blumstein, A., & Nakamura, K. (2009). 'Redemption' in an era of widespread criminal background checks. *NIJ Journal*, 263, 10–17. <https://www.ojp.gov/pdffiles1/nij/226872.pdf>
- Brundage, V., Jr. (2017). *Profile of the labor force by educational attainment*. U.S. Bureau of Labor Statistics. <https://www.bls.gov/spotlight/2017/educational-attainment-of-the-labor-force/pdf/educational-attainment-of-the-labor-force.pdf>
- Bucknor, C., & Barber, A. (2016). *The price we pay: Economic costs of barriers to employment for former prisoners and people convicted of felonies*. Center for Economic and Policy Research. <https://cepr.net/images/stories/reports/employment-prisoners-felonies-2016-06.pdf>
- Bureau of Justice Statistics. (2014). *Survey of state criminal history information systems, 2012*. U.S. Department of Justice. <https://www.ncjrs.gov/pdffiles1/bjs/grants/244563.pdf>
- Butler, L., & Taylor, E. (2022, April). A second chance: The impact of unsuccessful reentry and need for reintegration resources in communities. *Dispatch*, 15(4). [https://cops.usdoj.gov/html/dispatch/04-2022/reintegration\\_resources.html](https://cops.usdoj.gov/html/dispatch/04-2022/reintegration_resources.html)
- Carson, E. A. (2022). *Prisoners in 2021 – statistical tables*. Bureau of Justice Statistics, U.S. Department of Justice. <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/p21st.pdf>
- CCRC Staff. (2019, April 12). *Searchable on-line inventories of collateral consequences: How they operate and how they are maintained*. Collateral Consequences of Criminal Conviction and Restoration of Rights. <https://ccresourcecenter.org/2019/04/12/on-line-collateral-consequences-inventories/>
- Couloute, L., & Kopf, D. (2018). *Out of prison & out of work: Unemployment among formerly incarcerated people*. Prison Policy Initiative. <https://www.prisonpolicy.org/reports/outofwork.html>
- Duran, L., Plotkin, M., Potter, P., & Rosen, H. (2013). *Integrated reentry and employment strategies: Reducing recidivism and promoting job readiness*. The Council of State Governments Justice Center. <https://bja.ojp.gov/sites/g/files/xyckuh186/files/Publications/CSG-Reentry-and-Employment.pdf>
- Durose, M. R., & Antenangeli, L. (2021). *Recidivism of prisoners released in 34 states in 2012: A 5-year follow-up period (2012–2017)*. Bureau of Justice Statistics. <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/rpr34s125yup1217.pdf>
- Ellerbe, E. & Glod, G. (2018). *A handbook for employers: From tax burdens to tax payers: Why hiring the formerly incarcerated is Right on Crime*. Texas Public Policy Foundation. <https://www.texaspolicy.com/a-handbook-for-employers/>
- Employment and Training Administration**. (n.d.-a). *Work opportunity tax credit: Quick reference guide for employers*. U.S. Department of Labor. Retrieved February 20, 2023, from [https://www.dol.gov/sites/dolgov/files/ETA/wotc/pdfs/WOTC\\_Quick\\_Reference\\_Guide\\_for\\_Employers.pdf](https://www.dol.gov/sites/dolgov/files/ETA/wotc/pdfs/WOTC_Quick_Reference_Guide_for_Employers.pdf)
- Employment and Training Administration**. (n.d.-b). *State workforce agencies: WOTC state coordinators*. U.S. Department of Labor. Retrieved February 20, 2023 from <https://www.dol.gov/agencies/eta/wotc/contact/state-workforce-agencies>
- Friedman, M. (2015, November 17). *Just facts: As many Americans have criminal records as college diplomas*. Brennan Center for Justice. <https://www.brennancenter.org/our-work/analysis-opinion/just-facts-many-americans-have-criminal-records-college-diplomas>
- Harer, M. D. (1994). *Recidivism among federal prison releasees in 1987: A preliminary report*. Federal Bureau of Prisons. <https://www.ojp.gov/pdffiles1/Digitization/149906NCJRS.pdf>
- HealthCare.gov. (n.d.). *Federal poverty level (FPL)*. U.S. Centers for Medicare & Medicaid Services. Retrieved February 20, 2023, from <https://www.healthcare.gov/glossary/federal-poverty-level-fpl/>

- Hernández, K. (2021, May 25). *More states consider automatic criminal record expungement*. Stateline. <https://www.pewtrusts.org/en/research-and-analysis/blogs/stateline/2021/05/25/more-states-consider-automatic-criminal-record-expungement>
- Internal Revenue Service. (2023, August 31). *Work opportunity tax credit*. Retrieved February 20, 2023, from <https://www.irs.gov/businesses/small-businesses-self-employed/work-opportunity-tax-credit>
- Jails to Jobs. (n.d.). *Second chance employers network*. Retrieved February 20, 2023, from <https://jailstojobs.org/second-chance-employers-network/>
- James, N. (2015). *Offender reentry: Correctional statistics, reintegration into the community, and recidivism*. Congressional Research Service. <https://sgp.fas.org/crs/misc/RL34287.pdf>
- Kamptner, N. L., Teyber, F. H., Rockwood, N. J., & Drzewiecki, D. (2017). Evaluating the efficacy of an attachment-informed psychotherapeutic parenting program for incarcerated parents. *Journal of Prison Education & Reentry*, 4(2), <https://doi.org/10.15845/jper.v4i2.1058>
- Kolbeck, S., Lopez, S., & Bellair, P. (2023). Does stable employment after prison reduce recidivism irrespective of prior employment and offending? *Justice Quarterly*. <https://doi.org/10.1080/07418825.2023.2201330>
- Korzenik, J. D. (2021). *Untapped talent: How second chance hiring works for your business and the community*. HarperCollins Leadership.
- Kwok, R. (2017, February 3). *Should you hire someone with a criminal record?* Kellogg Insight, Northwestern University. <https://insight.kellogg.northwestern.edu/article/should-you-hire-someone-with-a-criminal-record>
- Michigan Department of Civil Rights. (n.d.). *Hiring people with criminal records: An employer's guide to legal rights and responsibilities in Michigan* [Brochure]. Retrieved August 16, 2023, from <https://www.michigan.gov/-/media/Project/Websites/mdcr/brochures/hiring-criminal-records.pdf?rev=60ddbc5b7d094b188f40d4f6a67afab0>
- Maurer, R. (2019, April 8). *SHRM: Employers slow to pick up trend of continuous screening*. SHRM. <https://www.shrm.org/resourcesandtools/hr-topics/talent-acquisition/pages/shrm-trend-continuous-background-screening.aspx#>
- Nally, J. M., Lockwood, S., Ho, T., & Knutson, K. (2012). The post-release employment and recidivism among different types of offenders with a different level of education: A 5-year follow-up study in Indiana. *Justice Policy Journey*, 9(1). [http://www.cjcr.org/uploads/cjcr/documents/the\\_post-release.pdf](http://www.cjcr.org/uploads/cjcr/documents/the_post-release.pdf)
- Office of Justice Programs. (2014, May 14). *Practice profile: Corrections-based vocational training programs*. U.S. Department of Justice. Retrieved September 4, 2023, from <https://crimesolutions.ojp.gov/ratedpractices/24#pd>
- Oudekerk, B., & Kaeble, D. (2021). *Probation and parole in the United States, 2019*. Bureau of Justice Statistics. <https://bjs.ojp.gov/sites/g/files/xyckuh236/files/media/document/ppus19.pdf>
- Pager, D., & Western, B. (2009). *Investigating prisoner reentry: The impact of conviction status on the employment prospects of young men* [Unpublished report]. National Institute of Justice. <https://www.ojp.gov/pdffiles1/nij/grants/228584.pdf>
- Phillips, S. D., Erkanli, A., Keeler, G. P., Costello, E. J., & Angold, A. (2006). Disentangling the risks: Parent criminal justice involvement and children's exposure to family risks. *Criminology & Public Policy*, 5(4), 677–702. <https://doi.org/10.1111/j.1745-9133.2006.00404.x>
- Poehlmann-Tynan, J., & Turney, K. (2020). A developmental perspective on children with incarcerated parents. *Child Development Perspectives*, 15(1), 3–11. <https://doi.org/10.1111/cdep.12392>
- Sawyer, W. (2022, August 25). *Since you asked: How many people are released from each state's prisons and jails every year?* Prison Policy Initiative. <https://www.prisonpolicy.org/blog/2022/08/25/releasesbystate/>
- Schirmer, S., Nellis, A., & Mauer, M. *Incarcerated parents and their children: Trends 1991-2007*. The Sentencing Project. [https://www.prisonleagalnews.org/media/publications/incarcerated\\_parents\\_and\\_children\\_sentencing\\_project\\_report\\_2009.pdf](https://www.prisonleagalnews.org/media/publications/incarcerated_parents_and_children_sentencing_project_report_2009.pdf)
- Smith, C. (2016, March 2). *Angola-based prison reentry program gets thumbs-up from national advocacy group*. KEDM Public Radio. <https://www.kedm.org/louisiana-news/2016-03-02/angola-based-prison-reentry-program-gets-thumbs-up-from-national-advocacy-group>

- Solomon, A. L. (2012). In search of a job: Criminal records as barriers to employment. *NIJ Journal*, 270, 42–51. <https://www.ojp.gov/pdffiles1/nij/238488.pdf>
- Spanne, A. (2016, February 4). *Can hiring ex-offenders make a business more profitable?* The Guardian. <https://www.theguardian.com/sustainable-business/2016/feb/04/us-prison-system-ex-offenders-employment-walmart-target-civil-rights>
- The Council of State Governments Justice Center. (2023). *Limiting employer liability: Addressing the perceived risks of hiring workers with criminal histories*. <https://csgjusticecenter.org/wp-content/uploads/2023/03/LimitingEmployerLiability-1.pdf>
- The Federal Bonding Program. (n.d.-a). *About the FBP*. US Department of Labor. Retrieved August 16, 2023, from <https://bonds4jobs.com/about-us>
- The Federal Bonding Program. (n.d.-b). *Directory of state bonding coordinators*. US Department of Labor. Retrieved August 16, 2023, from <https://bonds4jobs.com/our-services/directory>
- United States Department of Justice. (n.d.). *Prisoners and prisoner re-entry*. Retrieved February 20, 2023, from [https://www.justice.gov/archive/fbci/progmenu\\_reentry.html](https://www.justice.gov/archive/fbci/progmenu_reentry.html)
- USAGov. (n.d.). *State departments of corrections*. <https://www.usa.gov/state-corrections>
- Vallas, R., & Dietrich, S. (2014). *One strike and you're out: How we can eliminate barriers to economic security and mobility for people with criminal records*. Center for American Progress. <https://cdn.americanprogress.org/wp-content/uploads/2014/12/VallasCriminalRecordsReport.pdf>
- Visher, C., Debus, S., & Yahner, J. (2008). *Employment after prison: A longitudinal study of releasees in three states* [Research brief]. Urban Institute Justice Policy Center. <https://www.urban.org/sites/default/files/publication/32106/411778-Employment-after-Prison-A-Longitudinal-Study-of-Releasees-in-Three-States.PDF>
- Wang, L. (2022, August 11). *Both sides of the bars: How mass incarceration punishes families*. Prison Policy Initiative. [https://www.prisonpolicy.org/blog/2022/08/11/parental\\_incarceration/](https://www.prisonpolicy.org/blog/2022/08/11/parental_incarceration/)
- Wood, S. (2023, July 20). *Prison education programs: What to know*. U.S. News & World Report. <https://www.usnews.com/education/articles/prison-education-programs-what-to-know>



## ABOUT THE AUTHOR



**Scott E. Peyton** is the Louisiana and Mississippi state director for Right On Crime. He has over 12 years of work experience with the State of Louisiana: first as a child welfare specialist, then as a juvenile probation and parole officer. Prior to joining Right On Crime, he worked in adult probation and parole as a specialist supervising violent offender caseloads. Peyton has spent time as both a volunteer and reserve deputy sheriff, as well as providing as-needed support to Elayn Hunt Correctional Center working as a correctional officer. As a former instructor with Peace Officer Standards and Training certification, he taught at the Probation and Parole Police Academy. Peyton has witnessed firsthand the need for criminal justice reform, the impacts of rehabilitation and re-entry programs, and the inner workings of the Louisiana Probation and Parole system.

Peyton graduated from Louisiana State University at Shreveport with a Master's in nonprofit administration and from the University of Southwestern Louisiana with a BS in criminal justice. He is a Distinguished Fellow of the Nancy M. Marsiglia Institute of Justice. Peyton served in the Louisiana National Guard before being honorably discharged. He is an ordained deacon in the Catholic church and resides in Louisiana with his wife and six children.

## **About Right on Crime**

Right On Crime is a national campaign of the Texas Public Policy Foundation supporting conservative solutions for reducing crime, restoring victims, reforming offenders, and lowering taxpayer costs. The movement was born in Texas in 2007 and has been a leader in implementing data-driven solutions for criminal justice reform across the nation.”

## **About Texas Public Policy Foundation**

The Texas Public Policy Foundation is a nonprofit, non-partisan research institute. The Foundation promotes and defends liberty, personal responsibility, and free enterprise in Texas and the nation by educating and affecting policymakers and the Texas public policy debate with academically sound research and outreach.

