

Returning Citizens and Workforce Development Review

With Special Focus on Detroit

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### **Abstract**

This review synthesizes research regarding the resources for persons returning to the workforce from prison. The focus of the review is workforce development opportunities for returning citizens in the city of Detroit, both during incarceration and after release. It also includes information regarding the U.S. Equal Employment Opportunity Commission and the Ban the Box campaign. The campaign advocates for changing unfair hiring practices and removing questions about prior convictions from job applications. It resulted in the City Council enacting a Ban the Box ordinance in Detroit in 2010. In addition this research team explored how the stigma that accompanies returning citizen status can create additional barriers to finding and maintaining employment. Finally the review supports how important ancillary services are for returning citizens in order for them to sustain employment, one of the main goals of workforce development efforts.

## **Introduction**

For individuals recently released from the criminal justice system, the environment they return to can influence their ability to seek and maintain employment. Many returning citizens face multiple barriers to employment, including: substance abuse, unstable work history prior to being incarcerated, lack of training or education, and lack of housing. A comprehensive supportive services system is needed to help this population address these issues. Supportive, also known as ancillary, services include, but are not limited to: mental health treatment, substance abuse treatment, and resource coordination for basic necessities like clothing and food. The time spent in prison for these individuals has a negative impact on their network of contacts, work experience, and education. These are three critical components of the job search. Many returning citizens, even after they have addressed these needs, still have a felony on their record, which can greatly limit job opportunities.

Community and ancillary services are a vital part of a successful transition from prison back into the workforce. Prisoner reentry programs are an important aspect of this transition because they help support returning citizens as they readjust to society and look for employment. More than 97percent of individuals who are incarcerated in state prisons across the nation will be released. The release rate nationwide is about 600,000 individuals per year (Michigan Council on Crime and Delinquency, 2013). At the end of 2013, according to the federal Bureau of Justice Statistics, 4,751,400 adults in the United States, or 1 in 51, were under community supervision, either parole or probation. In Michigan alone, 195,200 adults were under community supervision (Bonczar and Herberman, 2014).

An important component of a successful re-entry program is workforce development. Returning citizens would be able to obtain employment to support their families and themselves.

### **What is happening in Detroit**

Approximately 3,000 to 5,000 returning citizens are released back into the Detroit community in one year. The Michigan Department of Corrections provides GED certification, post-secondary education and technical training for incarcerated individuals in order to help them once they are released. Detroit also passed an ordinance, Ban the Box, to reduce unfair hiring practices and remove the prior convictions question from job applications. In order to help them contribute to the communities that make up Detroit support will be necessary.

### **Employment and educational opportunities**

**Demand-based training during incarceration**

Incarcerated individuals have an opportunity to develop skills that can be translated to work once they are released. The Michigan Department of Corrections' education programs are "committed to providing academic, technical, and workplace skills training for prisoners designed to enhance their ability to acquire and maintain a job upon release" (Education, 2014). The programs range from preparing individuals to test for their GED to career and technical training (Education, 2014). By taking advantage of their time during incarceration and mandatory educational or training programs offered by the Department of Corrections, individuals can leave prison better prepared to reenter society. Along with these education and job readiness programs, the Department of Corrections offers State Correctional Opportunities for Rehabilitation and Education (SCORE), formerly Prison Build. The SCORE program collaborates with numerous nonprofit organizations to allow "prisoners to gain valuable work experience producing various items" for the organizations (Education, 2014).

Within the Department of Corrections, the Office of Employment Readiness has a division called Michigan State Industries, which provides "academic, career, and technical education, and workplace skills training programs in order to" help the individuals acquire and maintain a job upon release (Michigan State Industries, 2014). Through this program the individuals learn how to manufacture goods that are then sent to nonprofits and government agencies. Not only does this program help the individual learn the specific skills necessary to manufacture the items, but it also reinforces soft skills (e.g., being on time to work, communication, and professionalism in the workplace) and provides the individual with work history for his or her resume. One barrier for many individuals is a long gap in work history while they are incarcerated.

**Equal Employment Opportunity Commission**

The U.S. Equal Employment Opportunity Commission was created in order to enforce laws against workplace discrimination. These laws prohibit discrimination based on characteristics such as sex, race, age, and in some cases criminal history. Based on Title VII of the Civil Rights Act of 1964 an employer cannot treat individuals with similar criminal backgrounds differently because of their race, age or other protected characteristic (Pre-Employment Inquiries, 2014). It also prohibits an employer from using screening practices that eliminate individuals based on criminal background if this practice significantly disadvantages a protected characteristic or doesn't help the employer decide if the individual would be a safe employee (Pre-Employment Inquiries, 2014).

**Ban the Box.**

The Ban the Box campaign was started in order to change in unfair hiring practices, specifically seeking the removal of questions about prior convictions from job applications. While four cities and two counties throughout Michigan have adopted Ban the Box ordinances there is no statewide policy. In 2010, Detroit passed a Ban the Box ordinance that included a provision that background checks could only be done on otherwise qualified applicants. The ordinance also noted that these policies apply to contractors and vendors doing work with the city (Ban the Box, 2014). One problem that still exists is that some employers do not realize their policies are in violation of the Ban the Box ordinance. Any employer that uses a blanket “no felony” policy is at risk of violating this ordinance and could face a discrimination lawsuit. Employers must decide on a case-by-case basis whether or not to hire an individual with a criminal record.

Hawaii was the first state to pass Ban the Box legislation in 1998. Recently a study was done to determine how effective the law was at bringing down the reoffending rate in Honolulu County. The study found that the Hawaii law was very successful. After it was passed, an individual being prosecuted for a felony was 57 percent less likely, than before it was passed, to have been previously convicted (D’Alessio, Flexon, and Stolzenberg, 2014). Hawaii was able to lessen the stigma attached to having a criminal record while looking for a job, thus helping returning citizens find employment and make them less likely to reoffend.

**Recidivism**

Statistics show that many individuals with a criminal record return to the criminal justice system after being released. The National Institute of Justice defines recidivism as “a person's relapse into criminal behavior, often after the person receives sanctions or undergoes intervention for a previous crime” (2014). The federal Bureau of Justice Statistics has reported that “about two-thirds (67.8 percent) of released prisoners were arrested for a new crime within three years, and three-quarters (76.6 percent) were arrested within five years” (Durose, 2014). Recidivism is an issue because it shows returning citizens may not be getting or utilizing a support system, which may lead to them committing additional illegal acts. Previous research has shown that “‘unemployed’ offenders were more likely to be re-incarcerated after release from prison” (Nally et al., 2012). These findings suggest that one of the ways to reduce recidivism is through workforce development and employment resources for returning citizens.

**Stigma**

When an individual is released from being incarcerated there may be a stigma attached to their status as a citizen. According to the book *After Crime and Punishment: Pathways to Offender Reintegration*, “the stigma of a felony conviction impose additional barriers to establishing or maintaining successful adult roles” (Uggen et al., 2004). For many returning citizens, the stigma affects not only how other people see them but how they see themselves. Some employers are reluctant to hire returning citizens, and in a survey of recently released returning citizens, many spoke about the “dominance of the felon label when seeking employment” (Uggen et al., 2004). If an individual who has been recently released from prison is apprehensive about the job search, and then is faced with reluctance by the employers, it may reinforce the individual’s idea that he or she is not capable of gaining employment. This vicious cycle could make it harder for returning citizens to escape the stigma they feel is attached to their felony status and prevent them from being successful in finding and maintaining employment.

### **Barrier removal and ancillary services**

Mental illness and substance abuse are major barriers of returning citizens attempting to find gainful employment. Prisoners are two to four times more likely to have a serious mental illness than the general population, and three-quarters of returning citizens have a history of substance abuse (MCCD, 2013). Only 7-17 percent of prisoners who meet the Diagnostic and Statistical Manual of Mental Disorders (DSM) criteria for alcohol or drug dependence or abuse receive any kind of treatment in jail or prison (MCCD, 2013). This lack of treatment during incarceration means that organizations that provide services for returning citizens may have to treat or refer these individuals for substance abuse and mental health disorders as well as provide other services for them.

### **Link between addiction and unemployment**

Studies have shown that substance abuse and unemployment are linked, not just for returning citizens but for the general population. Substance abuse “increases the likelihood of unemployment and decreases the chance of finding and holding down a job” and conversely “unemployment is a significant risk factor for substance use and the subsequent development of substance use disorders” (Henkel, 2011) In order to help returning citizens gain and sustain employment, it is important to first address factors, such as substance abuse, that may affect their employment sustainability

### **Second Chance Act.**

The federal Second Chance Act was signed into law on April 9, 2008. The Act’s intent is to help agencies provide supportive services needed by returning citizens.

It was created to “improve outcomes for people returning to communities after incarceration,” and authorized federal grants to government and nonprofit organizations to support “strategies and services designed to reduce recidivism” (Second Chance Act, 2014). Under the Second Chance Act, multiple grant programs give federal funds to organizations providing mentoring, reentry and technology services to returning citizens. Two of the grant programs are focused on providing treatment for mental health and addiction. One program provides funding to state and local government organizations to support “family-based residential substance abuse treatment programs in correctional facilities.” The other program funds treatment programs for those with co-occurring substance abuse and mental health disorders (Second Chance Act, 2014).

The other grant programs in the Second Chance Act support mentoring, technology career training, recidivism reduction and smart probation (Second Chance Act, 2014).

### **Final remarks**

Our review has shown that the city of Detroit has made efforts in the past few years to support returning citizens as they reenter society. The education, training, and work experience provided through the Michigan Department of Corrections can help returning citizens tremendously in their search for employment. The Ban the Box ordinance passed by the city of Detroit in 2010 has prevented many employers from using unfair hiring practices. Supportive services, particularly those that treat substance abuse and mental health disorders, can aid in the successful reentry of returning citizens.

### **Future directions**

The next steps for this team include further research into the opportunities that are available for returning citizens in the city of Detroit as well as possible ways to add capacity to the systems in place. Our team has been reaching out to other cities in order to gain knowledge of best practices being utilized in other areas. We plan to identify the resources available for returning citizens, in order to understand if there is a need to create additional partnerships among current organizations. By further researching all of the links necessary for an individual to successfully reenter society, we hope to build capacity within the various organizations involved in order to: 1) help give returning citizens the multi-level support they may need in order to sustain employment and thrive within their communities, 2) provide additional support and capacity to organizations currently engaged in efforts to aid this population, and 3) grow additional partnerships among the organizations.

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