

The Effect of Criminal Background and Race on Employment Decision.

Grab the TV remote control and watch news for only an hour. Crime, burglary, murders, drug dealers. The images of crime are projected on television screens throughout the United States. This super power that is the greatest help for United Nations to eradicate crime and violence in the entire world, now is struggling with the same disaster in its own society. It is a disaster that involves people from different genders, races and ages. The punishments that is considered for them starts with prison, and it ends with a punishment that will impacts their life forever; criminal background.

Every day more and more people are sent to prison for different reasons. Incarceration rates shows that the number of people who were arrested was 1970 is approximately 100 per 1,000,000. The same statistic in 2012 revealed that this rate increased tremendously to 750 per 1,000, 000. This large increase made the United States become the number one in worldwide incarceration rates (Wright 23). According to the CNN statistic, “Education vs prison cost”, Texas costs of each prisoner is \$20,000 which only one third of this amount gets spent on education. This sad reality is even worse than what we think, because “65 million people in the US have a criminal record” which is “28 percent of the adult population” (Wright 22), who live in our society.

In one sentence, life in prison is not the life that a human deserves and whoever experienced this life, regrets what they did in past and would not experience that miserable and unpleasant life again. When prisoners get released, they will face a lot of challenges. Not getting accepted by family, and children who never got the opportunity to see their parent is always an agonizing experience. So in most cases the families of prisoners are not a good network for them. But not getting accepted doesn't end in family; they are ex-convicts from society as well

because their criminal background will haunt them forever. They have been punished for what they did and they experienced the consequences, now it is time for them to start a new life and reach for their dreams and goals and obtain a higher standard in society.

Finding and applying for a job is the main issue of ex-felons, even applying for minimum wage jobs. A job application contains many difficulties, we see a lot of different questions and sometimes personal questions based on the type of the job. However there is a specific question that is almost on every application “Have you ever been convicted of a crime?” And that’s where all problems start, because studies show “applicants with a criminal record were up to 60 percent less likely to receive a positive response from employers than applicants with no previous convictions” (Cassandra 2). For some companies it is their written policy to not hire people with criminal records and “with more than 600,000 people returning to communities all over the country from prison, ... ‘a serious problem facing a lot of people’” (Cassandra 1). This can increase the incarceration rate and more prisons and less money for education that can affect every single family in our nation.

The Wisconsin Fair Employment Act was a start to solve the problem by making it “unlawful to hold a worker’s or applicant’s criminal record against him unless you’re prepared to show in court that the record is substantially related to the employment” (Olson 1). However this law did not help unemployment rate and still a big percentage of employers run a background check. That means it was absolutely no success in term of enforcing it.

One of the federal law enforcement agency, The United State Equal Employment Opportunity Commission (EEOC), which enforce federal law that prohibit discrimination in work place; reported a study in 2010 “, showing that 92 percent of large employers run background checks” (Wright 22) and background question on job application, confirm this fact.

This employers are the biggest help for “criminal background check industry” (Wright 24) because one of the reports by National Employment Law Project (NELP) shows that “civic request for FBI checks doubled, such that by 2006 the agency conducted more fingerprint reviews for civil purposes than for criminal ones” (Wright 24). Therefore federal government has an extremely long way to develop and enforce this law, in order to protect ex-felons.

I’m an assistant general manager at one of the fast food corporate company that is well known in Texas and some other states. My job is to help the general manager with his paper work and also share the new plans with all the managers. Helping managers to prepare all the products and scheduling enough employees for them to succeed their goal in each shift is my other responsibility. Reaching those goals required having enough employees in each shift which we don’t have and that’s what we suffer the most. Every day I receive many applications, but by running the background check, almost all the time we find some bad histories in applicants’ background. According to written policy of the company, no employee with criminal background(s) are allowed to be part of our team. As much as I would love to hire them but the written policy stop us from continuing the hiring process. Even though that’s illegal but it’s not hard to make it legal, “sorry we are not hiring right now, we will call you for the first hiring.”

There are different studies regarding the effect of criminal background on employment opportunities and ““Discrimination in Low Wage Labor Markets, was the largest and most comprehensive study of its kind to date,” which focuses on effect of criminal background on hiring decisions as well as discrimination between white and black ex-felons on hiring decision. They chose New York City, for this research due to its “diversity and perceived open-mindedness” and also the state has the most completed “human right law” compare to other states. Researchers, who were the “Sociologists and Princeton University professors Devah

Pager and Bruce Western” start to apply for different type of minimum wage jobs with representing “almost identical resume featuring similar skills and qualifications” to employers. They “made more than 3,500 visits” during the research. “Half of the tester told the employers they’d served 18 months for a felony” (Cassandra 1). The result of this study was an unfortunate confirmation to our prediction. Most of the employers would not “look beyond criminal conviction,” (Cassandra 1) especially when applicants were black, and even if they get the job, in most cases the position was not the position that they applied for, but that’s not the end of the world; there is another way to make money, and that’s how a person get the title of ex-offender.

Most of the employers have a bad mentality about ex-felons, and African Americans are the main victims. The result of that is the jobless rate of “above 13 percent” (Wright 24) among black Americans. The study that was made by Community Service Society of New York shows “only one in four black men under the age of 25 held a job in 2010” (Wright 24), but that does not mean the rest of them are sitting around and not worrying about making money. A Federal study shows that “half of all black New Yorkers are not in the formal workforce at all,” (Wright 24) and everyone can see this all over the news.

This mentality about black people coming from all the crimes they commit, and in other hand they have no other way to make money legally due to not able to earn employers trust to get hire in their company. So these problems are tied together and changing this is not an easy process. It takes time and effort from the government to make background checks illegal, at least for minimum wage businesses. This simple idea can helps a lot of ex-felons to reach their goals in their life, because “Steady employment is the key to keeping people from being repeat offenders” (Cassandra 2)

We believe the United States of America is the land of opportunities for everyone; and nothing can stop people from reaching their goals, but is that true for ex-offenders? James Truslow Adams, wrote a great definition of American Dream in his book, *The Epic of America*:

That dream of a land in which life should be better and richer and fuller for everyone, with opportunity for each according to ability or achievement. It is a difficult dream for the European upper classes to interpret adequately, and too many of us ourselves have grown weary and mistrustful of it. It is not a dream of motor cars and high wages merely, but a dream of social order in which each man and each woman shall be able to attain to the fullest stature of which they are innately capable, and be recognized by others for what they are, regardless of the fortuitous circumstances of birth or position. (214-215)

He wrote this in 1931. Now decades past, still American dream exist, but with a different meaning. Criminal background is stopping people from reaching their dream, even though they may have the ability or achievement. The American dream is not for everyone anymore.

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