2022

Exploring the Lived Experiences of Human Resources Managers Hiring Applicants With Past Criminal Convictions

Semone Martin
Walden University

Walden University

College of Management and Human Potential

This is to certify that the doctoral dissertation by

Semone Martin

has been found to be complete and satisfactory in all respects,
and that any and all revisions required by
the review committee have been made.

Review Committee
Dr. Hamid Kazeroony, Committee Chairperson, Management Faculty
Dr. Jean Gordon, Committee Member, Management Faculty
Dr. Anton Camarota, University Reviewer, Management Faculty

Chief Academic Officer and Provost
Sue Subocz, Ph.D.

Walden University
2022

Abstract

Exploring the Lived Experiences of Human Resources Managers Hiring Applicants With

Past Criminal Convictions

by

Semone Martin

MS, Long Island University, 2004

BA, York College, 2001

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Management

Walden University

May 2022

Abstract

Felony convictions leave ex-offenders searching for employment but are regularly denied jobs due to their status as past felons. Inability to obtain employment has been shown to increase recidivism. The research problem was that the hiring managers' perception of the applicants with past criminal convictions could distort their hiring decisions. This qualitative descriptive phenomenological study aimed to explore the lived experiences of seven human resources managers within New York City through random sampling. This study's conceptual framework was grounded in Durkheim's labeling and Goffman's social stigma theories. The research question asked what the lived experiences of hiring managers were when making decisions about applicants with a prior criminal background. Data were collected using semistructured web-based interviews. Transcripts of the interviews were coded and analyzed for themes. Three themes emerged that included managers' perception and hiring decisions and the severity of applicants' crimes. The results indicated that hiring managers' perceptions of specific crimes are obstacles for ex-offenders seeking employment. The study's findings may have positive social implications for developing public policies, reducing recidivism, and resetting the parameters for aligning the severity of crimes with organizational policy to improve the chances of previously incarcerated individuals obtaining employment and supporting their integration into society.

Exploring the Lived Experiences of Human Resources Managers Hiring Applicants With

Past Criminal Convictions

by

Semone Martin

MS, Long Island University, 2004

BS, York College, 2001

Dissertation Submitted in Partial Fulfillment

of the Requirements for the Degree of

Doctor of Philosophy

Management

Walden University

May 2022

Dedication

I want to dedicate this study to my family: Tyler Martin, my son, for always believing in me. This one is for you: Juliana Hector, my mother, for her support and encouragement throughout this journey. Sarah M. Hines, my baby sister, for being my rock, often my shoulder to lean on, and my motivation to not give up. Mya Semone Hines, my niece, for being the light that helped me get to the end of this tunnel. Mya, you too can achieve all your heart's desires and never give up. Mr. B for sending me to the library and constantly encouraging me not to give up. To my work family for listening to me talk about this topic for the last 3 years, never getting tired of my complaints, and showing me the support I need.

To anyone struggling to find a job with a criminal record, don't give up. There is a light at the end of the tunnel. Stay strong and persistent.

Acknowledgments

Dr. Hamid Kazeroony, my chair, thank you for not giving up on me, even when I was ready to give up on myself and this journey. Your wisdom and guidance throughout this process were amazing. Dr. Jean Gordan and Dr. Anton Camarota, thank you for all your support and feedback, which assisted in helping me see and reach the finish line. The entire Walden library staff, research center, and academic resources assisted in getting me to the finish line.

Table of Contents

List of Tables

List of Figures

Chapter 1: Introduction to the Study

When an employer realizes an applicant has a criminal record, the likelihood of the applicant securing the job decreases (Adams, Chen, & Chapman, 2017). This research examines employment discrimination involving ex-offenders with the purpose of contributing to changes in the hiring practices of ex-offenders. The implication of this study also suggests that despite legislations to increase reintegration, ex-offenders continue to face challenges when seeking employment. Although legislations such as the Fair Chance Act exist to help ex-offenders reintegrate into society, they only delay the inevitable employer rejection (Jackson & Zhao, 2017). The potential social implication of this research might lead to an increased hiring of ex-offenders and lowering recidivism. This chapter contains the study's background, the problem statement, purpose, the conceptual framework, nature of the study, the significance, assumptions, limitations and scope, and summary.

Background of the Study

Criminal convictions are typically categorized into infractions, misdemeanors, and felonies. Each infraction category has parameters that outline how illegal activities are defined and categorized (Heinonen et al., 2017). Within those three categories, the severity of the crime impacts how the offense is viewed, so infractions carry a minor punishment, whereas a felony carries the most severe (Jackson, 2020). A felony is a criminal act carrying more than a year in prison, and some felonies are rape, murder, suicide, and theft (Shannon et al., 2017). Felonies can also have a subcategory of violent and nonviolent offenses. A violent offense is considered a serious offense because it

caused harm, including murder, involuntary manslaughter, rape, or kidnapping. A nonviolent offense does not involve harm and can vary (Patterson, 2020). An infraction and misdemeanors carry the least punishment. Misdemeanor offenses are not as serious as a felony, and examples include resisting arrest, prostitution, and possession of drugs, to name a few (Stevenson & Mayson, 2021). Since infractions and misdemeanor offenses carry a minor punishment, examining felony offenses could yield information to assist ex-offenders in increasing employment outcomes.

Felony and misdemeanor criminal offenders face similar challenges because of their past offenses. The past offense revealed during the criminal background process exposes information that reinforces the beliefs shared by some that anyone with a criminal conviction can face a variety of punishments and possible discrimination (Shannon et al., 2017). Felony offenses carry the server sentence of longer-term incarceration; the effects on the ex-offender can have a lifelong impact. Agan and Starr (2017) found that once an individual is convicted of a felony, it reduces their access to job opportunities. Felony convictions leave ex-offenders searching for employment opportunities and prevent them from obtaining the type of employment they seek (Augustine, 2019). Stangl et al.'s (2021) analysis of how ex-offenders with criminal convictions face stigma related to their criminal convictions concluded the struggles the ex-offenders face due to felony convictions cause them distress and increase the likelihood of recidivism.

Numerous researchers have addressed how a criminal conviction becomes an employment barrier (Curcio & Pattavia 2018; Denver, 2017; Dewitt & Denver, 2020;

Pleggenkuhle, 2018). A criminal conviction can become a barrier to gaining employment, especially within a healthcare setting (Garretson, 2016; Winn & Govern, 2018). As more organizations use criminal background checks in hiring decisions, it becomes difficult for ex-offenders to reenter the workforce (Baur et al., 2018; Doleac & Hensen, 2016). Felony convictions are even harder to overcome once an employer learns about the past infraction. Agan & Starr (2017) found that employers were less likely to call back an applicant once a felony conviction was revealed. The usage of background checks as a hiring tool has caused a need to push for change to protect the employment outcomes of ex-offenders. The social implication of unemployment can force the ex-offender into continued life of crime (Ha & Anderson, 2017; Lee, 2018; Nordin & Almen, 2017). The consequences of the inability to obtain employment impact recidivism.

A crucial component in reducing recidivism is employment. However, obtaining employment can be difficult after incarceration. The effects of recidivism continue to intrigue researchers (Anderson, 2020; Gallagher et al., 2020; Milos et al., 2019; Yukhnenko et al., 2020). Researchers have continued to investigate the recidivism rates and have found the rates of recidivism can differ based on gender and race (Berry et al., 2020; Duke, 2018;; Mardirossian & Esmail, 2017; Monahan et al., 2017). Younger black males and more likely to recidivate than their white counterparts and younger black females (Yang, 2017). Race became an essential theme in the recidivism discussion in the United States after the civil rights era, which critiques the racial injustice in the United States, pushing the policymaking agenda (Munger & Seron, 2017). However, racial disparities still exist, affecting recidivism and impacting minorities in higher numbers

than their white counterparts (Shannon et al., 2018). African Americans are disproportionately more likely to recidivate because of a lack of support post-release and are more likely to return to criminal behaviors (Castro, 2018; Skinner-Osei & Stepteah-Watson, 2018). In addition, men are more likely to recidivate than women (Goulette, 2020; Hamilton, 2019; Ropes Berry et al., 2020). So, for an African American male, their chances of recidivism increase without employment.

Understanding the importance of employment is necessary to decrease recidivism rates, especially for African American males, since their chances of recidivism are higher; they make up most of the prison population. Studies suggest that three-quarters of the individuals released from jail will recidivate within five years of release (Lockwood et al., 2016). Long prison sentences impact job qualifications and skills because the skills become outdated due to the inability to keep the skills current (Lockwood et al., 2016). Once released, the ex-offenders' skills are antiquated and obsolete and cannot fulfill the current employment requirements. Young et al. (2019) believed that employable skills become outdated during incarceration and hinder one's ability to secure employment.

Further, strengthen the need for training programs in the penal system to assist post-incarceration job training. Reducing recidivism relieves some of the financial responsibilities placed on society when the ex-offender cannot find a job to support themselves. The financial responsibility then falls on the community to care for the ex-offender. Once corrected, the money and resources can go into other programs to improve the quality of life.

Women are now one of the fastest-growing populations in the United States prison system (Swavola et al., 2016). Women recidivate at lower rates than men but still struggle with the same issues regarding obtaining employment. African American women tend to experience recidivism faster than their white counterparts (Britt et al., 2019). Women have experienced various issues relating to childcare while incarcerated, sexual and physical abuse, health and mental health issues, addiction, and several other factors that impact a woman's ability not to recidivate (Morash et al., 2017). Society characterizes women as having a warm, gentle disposition, and once they engage in criminal activities, characterization becomes dangerous and dishonest, leading perceptions to change (Young & Anazodo, 2020). The change in perceptions by society also changes the ex-offender's ability to obtain employment and not recidivate. If employment is not obtained and maintained, the likelihood is that they will return to past criminal acts and recidivate.

Understanding what contributes to recidivism places a burden on lawmakers to develop laws and policies to prevent recidivism and increase successful reentry. Reducing recidivism has positive effects on individuals and society. It contributes to lower crime rates and positively influences community (Gill & Wilson, 2017). Reducing recidivism has societal benefits, such as a reduction in crime. Paterson-Young et al. (2019) found that lowering crime minimizes the need for criminal justice. The financial allocation of money to increase policing can now go to areas and programs to further reduce recidivism.

In 2015, New York City adopted the Fair Chance Act, which prohibited employers from inquiring about a criminal record before making a job offer (Saba, 2019). Then, in 2017, an amendment to the Fair Chance Act was created called ban the box, which prohibited employers from inquiring about past convictions on the job application. Also, it prohibited employers from conducting a background check until well into the hiring process (Doleac and Hansen, 2016). The current legislation allows for delaying notification of a criminal conviction (Hopkins, 2018; Rose, 2020; Saba, 2019) but does not guarantee ex-offenders' employment. Examining the hiring managers' perceptions may better understand how their lived experiences influence their hiring decisions. Such a study's social implication focuses on hiring managers' perceptions that could lead to legislation to assist ex-offenders in reentry into the workforce.

According to the New York State Division of Justice Services, the New York criminal justice system in 2019 had roughly 92,000 inmates. One obstacle these individuals may face is the inability to obtain employment, especially within a healthcare setting. The Patient Protection and Affordable Care Act of 2010 compels nursing homes and home care agencies to perform background checks on nonlicensed employees, impacting ex-offenders' employability (Siwach, 2017). These laws impose specific restrictions on healthcare facilities and their hiring of ex-offenders. For example, particular types of criminal offenses like murder would disqualify a person from employment in healthcare. Obatusin and Ritter-Williams, (2019) recognized employers' perception of ex-offenders influences their hiring decisions; they conducted a study focusing on the decision-makers rather than the ex-offender. Obatusin and Ritter-

Williams, (2019) concluded that hiring managers play a substantial role in hiring decisions.

Ex-offenders do not have protection to safeguard them against the stigmas associated with being labeled an ex-offender. Baur et al., (2018) focused on the effects of stigmatized labeling and how it often leads to adverse outcomes, including stereotyping and discrimination. Since organizations use criminal background checks to collect data regarding prior convictions, employment is denied because some employers are unwilling to take the chance. Baur et al., (2018) address the ban-the-box legislation, focusing on ex-offenders' stigmas. This legislation does not require employers to hire ex-offenders; it only delays the employer's ability to inquire into an applicant's past criminal history. Suggesting that once the employer gains insight into the applicant's work ethic, the employer would give the applicant a chance despite having a criminal record.

In a field experiment that focused on Ban-the-Box legislation, Agan and Starr, (2017) found employers were 60% likely to call back applicants with no criminal history. They found that employers are less likely to call back an applicant with a criminal record, no matter how minor. They believe that once an employer is aware of a criminal conviction, it reduces the likelihood that employers will call back an applicant. The type of offense committed by an ex-offender also contributes to the potential employer's hiring decision (Cerda et al., 2015). Some states have adopted policies restricting ex-offenders from specific positions; however, these policies have no merit on job performance (Hickox, 2016). The restrictions are sometimes at odds with the potential employer's ability to hire and cause a disparate impact on these applicants. These restrictions include not hiring

convicted felons into government jobs such as the police department, and an ex-felon would be unable to enlist in any military branch. In other instances, the policies cause the ex-offenders' inability to obtain licensures, disallowing them access to better-paying jobs (Chin, 2018). Other studies suggest Americans with a criminal conviction are prohibited from working because of the employer's reluctance to hire ex-offenders (Ahmed & Lang, 2017; Adams et al., 2017; and Denver, 2017). The suggestions made are some state restrictions conflict with the Civil Rights Act Title VII. They are in direct conflict with the idea that ex-offenders are rehabilitated and emphasize evaluating an individual based on performing job functionality and completing the task.

The background information suggests ex-offenders are impacted by a criminal background check, the length of the infraction, the severity of the crime, and how the hiring manager perceives the crime. Jobs within a healthcare setting become more elusive because of the screening process. Those positions include but are not limited to housekeeping, maintenance, facilities, dietary, and any healthcare position that does not require licensure. These are the elusive positions that can create a hiring problem for ex-offenders. Employers can choose the best-qualified applicant when the employment screening process focuses on job-related standards and distinct characteristics.

Problem Statement

A criminal conviction can hinder an individual from obtaining employment (Denver, 2017). Criminal background requests and checks fill in as a significant obstruction to Americans with criminal records seeking employment (Denver, 2017). Even if an ex-offender can secure employment, employers are more likely to terminate

based on those findings once the background check is conducted and the record is

revealed. The perceptions associated with a criminal conviction can hinder and even

become an obstacle to securing employment (Cherney & Fitzgerald, 2016). A federal

judge ruled in favor of erasing some misdemeanor criminal offenses once the ex-offender

has attended, participated, and shown change after completing the necessary

rehabilitation programs focused on successfully reentry into society (Neumeister, 2016).

The 2nd U.S. Circuit Court of Appeals overturned the judge's decision of a healthcare

worker who repeatedly lost her job because of her past convictions, strengthening the

support for changes within the hiring process of using criminal backgrounds as one of the

determining factors for employment (Neumeister, 2016). With a better understanding of

the barriers ex-offenders face, change could increase employment outcomes. The general

management problem is that employers' requirements for criminal background checks

make it difficult for applicants with a criminal record to secure employment (Agan &

Starr, 2017; Leasure & Andersen, 2017). The specific management problem is that the

hiring managers' perception of the applicants with past criminal convictions distorts their

hiring decisions (Blazier, 2021; Obatusin & Ritter-Williams, 2019).

Purpose of the Study

The purpose of this qualitative descriptive phenomenological study was to explore

the lived experiences of human resources managers when hiring applicants with past

criminal convictions. This study explored the lived experiences of human resource hiring

managers, and the type of hiring biases used when determining the employment

outcomes of ex-offenders. This study examined how hiring managers within New York

City assess employment outcomes for ex-offenders after making them aware of past criminal convictions. Use of Durkheim's labeling (1964) and Goffman's stigma (1963) theories helped me identify emergent themes, which provided a better understanding of how managers' perceptions of a criminal record impacted their hiring decisions. The objective was to add to the current knowledge on reentry through employment by describing the constraints of an ex-offender seeking employment and conducting a criminal background check.

Research Questions

What are the lived experiences of hiring managers when making decisions about applicants with a prior criminal background?

Conceptual Framework

This study's conceptual framework was based on Durkheim's labeling (1964) and Goffman's, (1963) social stigma, providing an appropriate lens for data collection and analysis. Durkheim, (1964) explained how deviant labels impact individuals' ability to function within society's norms. Labels may create and reinforce specific patterns in behaviors (Bernburg, 2019). Stigma has qualities that are "tainted, discounted, and deeply discredited" (Goffman, 1963, p. 3), and employers may see these qualities as harmful to their organization (Ali et al., 2017). Stigmas are challenging to overcome, and for an ex-offender, it becomes a mark of untrustworthiness (Chernery & Fitzgerald, 2016).

Deviant behavior may derive from various facts; however, once an individual is labeled, other problems may arise based on the label, especially by the judicial system. One problem is stereotypes; these stereotypes derive from incarceration and having ex-

offender labels (Bernburg, 2019). Durkheim, (1964) argued that labeling leads to underlying social stigma (Denver et al., 2017). The conceptual framework of labeling and stigma theories allows for a postmodernist perspective on employer perceptions. Postmodernism centers around the individual's thoughts and does not conform to statements that all labels and stigmas apply in the same way to the situation and circumstance. Each individual and action are analyzed based on specific events (D'Arrigo-Patrick et al., 2017).

Labeling theory explains that while deviant behavior can develop from various sources, once individuals are identified or labeled deviant, they will encounter new problem*s* associated with the label (Bernburg, 2019). Bernberg, (2019) supports his theory that deviance will occur if the criminal justice system gives an individual the deviant label. Those deviant reactions may also include negative stigmas associated with negative behavior. The label of stigmatized individuals impacts how a person feels about themselves, affecting how they believe others see them (Moore et al., 2016). The researchers also found that criminal offenders are the most stigmatized group, and the stigmas and labels associated with an ex-offender have psychological effects. The two theories assist me in better understanding how the hiring manager's perceptions of the labels and stigmas associated with an ex-offender influence their hiring decisions.

Nature of the Study

This qualitative descriptive phenomenological study allows for examining personal holistic lived experiences, reflecting both researcher and participants' lived experiences better to understand the phenomenon (Van Manen, 2014). This approach is

appropriate because it allowed an in-depth understanding of perceptions influencing hiring decisions. This approach allowed for a comprehensive analysis of the various themes (Moustakas, 1990). Incorporating multiple scholars' works, utilizing a semistructured interview process for hiring managers, and incorporating Giorgi's, (2020) methodology on descriptive phenomenology allowed for a more appropriate lens for viewing, proper analysis, synthesis, and data organization. Giorgi's, (2020) method enables studying individuals within their natural world, providing greater insight into the individual's thoughts and beliefs; this allows the researcher to minimize assumptions and expectations regarding the participant.

Human resources hiring managers for this study were defined as the decision makers when hiring applicants. Seven human resource hiring managers within New York City were interviewed through random sampling. Hiring managers' perceptions of the information gained during the background check process and their ability to apply the information when making a hiring decision are crucial to understanding why some applicants with a criminal background are chosen.

The data collection process for this study entailed in-person, telephone, and video interviews. The 7 human resource hiring managers' responses were analyzed using coding to develop themes and categories. Those professions that are legally mandated were excluded from this study. Distinguishing between the various job sectors and their ability to employ ex-offenders clarified which sectors were excluded from the study because of strict guidelines and hiring policies. Job sectors such as healthcare, social

services, education, and financial services were excluded; however, industries such as

retail, hospitality, manufacturing, and real estate were included.

Assumptions

The hiring managers participating in the study may have had preconceived

notions regarding hiring ex-offenders. The second assumption is that all participants

would respond to the interviews truthfully. Also, participants may not respond as truthful,

fearing self-incrimination, leading to discipline or termination from their current

employer or possible judgment from me. The third assumption is that some organizations

are inflexible when hiring ex-offenders.

Scope and Delimitations

The scope of this research study was composed of 7 semistructured interviews

with human resources professionals, excluding the highly regulated healthcare industry. It

focused on hiring managers and their perception of ex-offenders. No other employment

factors were incorporated into the interviews. For example, preemployment testing or

writing samples were not incorporated into the recruitment or interview scoped. All

employment outcomes were based solely on traditional interview methods of face to face

interviews. This study examined how society's stigma and labels influence perceptions

and impact hiring managers' willingness to hire ex-offenders. The finding of this study

may address how perceptions influence decision making, more specifically, how the use

of the information gained during the background check process is applied when making

hiring decisions. This study was not designed to address recidivism but rather to

understand better how individuals' perceptions influence their decisions. This study did

not examine healthcare facilities because healthcare facilities already have guidelines for hiring ex-offenders.

Limitations

Limitations arose from the inability to access information relating to hiring practices, impacting the study's ability to determine whether the hiring manager's past experiences influenced the current outcome. Another limitation and possible barrier may include difficulties recruiting participants for interviews and participants' reluctance to be honest when responding to the questions. Biases were another limitation, and Fosbender and Wong, (2017) explain how biases in hiring decisions eliminate specific groups of people, even though current laws are supposed to protect specific groups. Therefore determining the effects of biases is not examined within this study. Finally, the findings may not be generalized geographically.

Significance of the Study

An analysis of public attitudes towards convicted felons found that the public's attitude towards convicted felons could hinder them from acceptance into their communities and workforce, which can lead to the ex-offenders' inability to obtain housing, education, employment, health, and voting rights ((Rade et al. , 2016). The study is significant because it provides greater insight into hiring managers' perceptions and how those perceptions are influenced by the information obtained during the background check portion of the hiring process. The study examined the relevance of background checks as a factor in the hiring process. By expanding the theoretical

contributions, the study allows for better hiring practices, and creating an effective

transition of the incarcerated individual into society could provide positive social change.

Significance to Practice

Understanding the hiring managers' criteria when considering an ex-offender for

employment is vital to successful reintegration (Goodstein & Petrich, 2019). If hiring

managers cannot understand the contributions and benefits of hiring ex-offenders, they

may be less likely to hire that individual, which may increase the ex-offender's likelihood

of returning to prison. Focusing on the hiring manager's perceptions of ex-offenders may

allow policies to assist in reintegration.

Significance to Theory

An estimated 65 million adults in the United States have criminal histories

(Paternoster et al., 2015), and exploring how hiring managers perceive these individuals

may contribute to reintegrating back into society and the workplace. Knepper, (2016) and

McWilliams and Hunter, (2021) examined the stigma of having a criminal record and

revealed it could hinder an individual from obtaining employment. Sheppard and

Ricciardelli, (2020) explored how ex-offenders stigmas impact the quality of work

available to ex-offenders and found that individuals with criminal records are often

subjected to low-skilled jobs. These low skilled jobs allowed for ex-offenders'

exploitation because the jobs were often low paying and nongratifying (Sheppard &

Ricciardelli, 2020). The evidence, which emerged from this qualitative descriptive

phenomenological study, may support policy changes in hiring practices of ex-offenders

in New York City.

Significance to Social Change

This study may significantly contribute to social change by addressing hiring managers' perceptions, impacting ex-offenders from gaining employment. By examining the current policies guiding the hiring practices within New York City, organizations' strategies could increase ex-offenders ' chances of gaining employment. Ex-offenders are faced with many obstacles upon release from incarceration. By improving the employment rate of ex-offenders, recidivism is reduced (Bhuller et al., 2020). Bhuller et al., (2020) also attribute lower crime to lower recidivism rates. The significance of social change is the positive impact reducing crime will have on society. The increase in employment can also increase self-esteem and a better outlook on life (Evans et al., 2018).

Summary and Transition

Prior research suggests employers are not likely to hire individuals with a criminal conviction. In identifying perception through labels and stigmas, the study's purpose was to understand how hiring manager perceptions influence hiring decisions. This research could serve as a change agent in opening more employment outcomes possibilities for individuals with a criminal conviction. This research can also assist in policy changes, opening more doors for ex-offenders. Chapter 1 included the background and conceptual framework which guides the study. The research question, which is the foundation, provides a picture of what is next. Chapter 2 will contain the literature review.

Chapter 2: Literature Review

The specific management problem is that the hiring managers' perception of the applicants' background distorts their hiring decisions (Blazier, 2021; Obatusin & Ritter-Williams, 2019). The purpose of this qualitative descriptive phenomenological study was to explore the lived experiences of human resources managers when hiring applicants with past criminal convictions. Perceptions impact decision-making ability. Blazier, (2021) and Obatusin & Ritter-Williams, (2019) recognized how perceptions influence hiring decisions and found that managers shape hiring decisions during the hiring process. If the perception is favorable, then a good outcome is likely, and if the perception is negative, then a less favorable outcome is expected to happen.

This chapter explores various background checks and how the stigmas and labels associated with a criminal conviction impact an individual's ability to reintegrate. Ex-offenders must overcome the labels and stigmas associated with their prior convictions. Denver et al., (2017) and Emsellem and Rodriguez, (2015) address some of the current legislation that should assist but sometimes falls short and impacts the ex-offender's ability to reintegrate successfully. These labels and stigmas are guided by how the individual is perceived. This chapter also explains the framework which guides the research and expands on concepts through theory and the literature review as a focal point of the hiring manager's perceptions.

Literature Search Strategy

The literature review entailed searching EBSCOHost, ProQuest, PsycINFO, Google Scholar, Social INDEX, government reports, and multidisciplinary databases.

Other databases searched included websites for the New York State Department of

Corrections and New York City Department of Corrections, New York City and State

Departments of Health and Labor, and New York City Justice Department. The search

engines used were LexisNexis and Google Scholar. The search terms used to support the

conceptual framework and literature review included *perceptions of ex-offenders*, *the*

stigma of labeling ex-offender, *hiring-ex offenders*, *ban the box hiring*, *Fair Chance Act*,

social stigmas of incarceration, *employers' attitudes towards offenders*, *employment*

opportunities for ex-offenders, background checks, background checks and employment,

reintegration, social stigmas, *hiring labels*, and *labels associated with convictions*.

However, other search terms were used to locate information relating to the topic and to

assist in filling in the gaps in the literature; those terms included but were not limited to

recidivism, criminal background and school, firearm background checks, housing

background checks, stigmatization of ex-offender, *postmodernism, postmodernism and*

human resources, human resources and ex-offenders, and finally *hiring trends and ex-*

offenders. This search strategy helped review the pertinent, seminal, and current

literature, and it also provided information relating to the gaps in the literature. The

search terms helped to guide me in expanding on the framework needed to explore the

topic.

Conceptual Framework

A framework emerges to better understand ex-offenders' potential obstacles

through label and stigma theories. Highlighting a postmodernist perspective helps readers

understand how labels and stigmas are formed and their impact on ex-offenders seeking

employment. Research has already explored the stigmas and labels associated with criminality and the adverse effect on individuals seeking employment (Martin et al., 2020). An exploration of how criminals deal with stigma found that criminals engage in self-stigma to identify the negative label (Moore et al., 2018). Postmodernists have explored crime through a postmodern lens because they believe crime cannot be analyzed singularly and have concluded crime is a complicated matter that needs reviewing based on circumstances because it can be unintentional (Najafi-Abrandabadi & Goldouzian, 2018). The postmodernist perspective on crime requires a reflective view. Refuting the prospect of truth and justice personally leads to divergence in the reflective viewpoint. They allowed postmodernism to emerge as absent from the moral intentions needed to explain enforceable laws. Through this definition, a postmodernist lens provides greater insight into ex-offenders' perceptions, labels, stigmas, and employment issues through background checks. These theories together create the framework which drove this research study.

Labeling Theory

Tannenbaum's labeling theory originated in the 1960s (Barmaki, 2019). However, various theorist has contributed and expanded on the concept. One notable contributor, Emil Durkheim, highlighted how labels are focused on behaviors and societal norms that arise from the reaction to specific actions (Hass, 2017). Berk, (2015) suggested that considering how and why individuals are labeled and defined as deviant or criminal is essential and recognizes that specific groups are more likely to attract the label and stigma over others. Berk, (2015) surmised that the rationale behind labeling and stigma

has to do with power, and labels become a beneficial factor to individuals in power. Using Durkheim's contributions to labeling theory and exploring how power contributes to the labels, a more significant analysis of labels' impact is needed to understand how labels and power function in a social setting.

There is a redeeming focus on labeling and the impact of labels. The stigma associated with individuals who commit deviant acts and the societal and financial implications to opportunities based on these labels is these labels' core effects (Denver, Picket, & Bushway, 2017). Sociological studies of labels have increased our awareness of the power of words, positive words have a positive impact, and therefore the opposite can be expected with negative comments. Positive words assist in strengthening confidence, and confidence is linked to promoting change (Moreland-Capuia, 2019). Literature suggests persons labeled deviant tend to have risk factors connecting them to offending (Chavez & Rocheleau, 2020). The deviant label has tenets that contribute to the negative impact on an individual's identity and reinforce the negative social stigmas associated with the deviant label (Chavez & Rocheleau, 2020). Labels impact individuals in various ways, and some labels are associated with stigmas that reinforce unsupported treatment of individuals with a specific label.

Stigma Theory

Like other theories, Stigma has a sociological origin. Its creator Erving Goffman identified social stigma as an attribute or quality in one's behavior that is different and not excepted by society. The reaction causes organizations to identify the individual as unwanted (Howarth & Santos, 2017); this stigma also leaves them stained (Goffman,

2009). Stigma is a phenomenon that happens universally. This phenomenon can occur when an individual's behavior does not comply, fit in, or is found distasteful or deviant. Because stigmas can arise from behaviors, this can cause any behavior to be labeled as deviant. Nevertheless, the deviant label's impact depends on the "sociocultural" environment that creates the stigma. Therefore, stigmas can differ across cultures (Monterrubio & Valencia, 2019).

Stigmas are created from a collection of social thinking (Solanke, 2016). According to Link and Phelan, as quoted in Solanke, 2016, "Stigma is entirely dependent on social, economic, and political power- it takes power to stigmatize. In some instances, the role of power is obvious. However, the role of power in stigma is frequently overlooked because power differences are taken for granted (p. 34)." Individuals in power are influenced, causing the less powerful to feel rejection based on these assertion stigmas. After a conviction, the offender's first stigmatized label is criminal offender (Moore, Stuwig, and Tangney, 2016). According to Baur et al., (2018), the stigmatized label is a phenomenon with various qualities that need further exploration. However, Moore, Stuwig, & Tangney, (2016) indicate that an individual may possess a specific label; however, there are no negative connotations if the quality is not associated with a particular label in society. Social stigmas can lead to discrimination, according to Eidelson, (2018), and those discriminations can facilitate a range of issues, including hiring discrimination. The hiring manager uses these discriminations associated with the labels and stigmas when deciding to involve ex-offenders.

Literature Review

A review of the current literature helped provide the lens that created the foundation and framework which drove the research process. An exploration of various viewpoints allowed the researcher the opportunity to not only explore the phenomena of interest. It also allowed the researcher to extrapolate multiple perspectives relating to the phenomenon of interest. These diverse perspectives permitted the researcher to build and develop on the researcher's process. The researcher began by exploring what decision making is and then expanded on the concepts and other terminologies to explain hiring managers' perceptions of ex-offenders when hiring decisions.

What Is Decision Making

Understanding what decision-making is, is vital to understanding why people make choices. The simplest definition of decision-making is choosing between two actions or courses (Strough & Bruine de Bruin, 2020). Bruch and Feinberg, (2017) summarized decision making from a social science perspective as "having full knowledge of the relevant aspects of their environment, a stable set of preferences for evaluating choice alternatives, and ultimate skills in computation. Actors are assumed to have a complete inventory of possible alternatives of action" (p. 210). Based on Brunch and Feinberg's, (2017) definition of decision making, one can summarize that decision making, according to their analysis, is a choice made after weighing your options. Brunch and Feinberg, (2017) also focus on some decision making challenges and highlight two significant obstacles. Each option in the decision-making process has various characteristics, and no substitute is ideal. Secondly, any small amount of evidence can

overthrow the reasoning of the decision-making process. Nikolic, (2018) believes a proper decision has to fulfill two qualities "effectiveness and efficacy." Effective choices lead to a specific fulfillment of the aim, while efficient decisions incorporate minimum resources in shaping actions towards the purpose (Nikolic, 2018). According to Bruch and Feinberg, (2017), emotions influence decision-making, and anger, fear, and effects shape decisions. As people continue to evolve and rely on various factors to contribute to the decision-making process, a new form of decision making is emerging algorithmic decision making.

Algorithmic decision making is an emerging decision-making technique that has gained momentum over the past years. An algorithm is a detailed process for resolving an issue or a mathematical problem-solving procedure that involves a specific number of operations that consist of repeating the process repeatedly (Corbett-Davies et al., 2017). Algorithmic decision making consists of the mining or compiling of information/data regarding past actions, including credit scores, websites visited, insurance information, and any data/information related to an individual's specific activities (Žliobaitė, 2017). Algorithmic decision-making removes the human aspect and allows a computer to make decisions based on mining data (Žliobaitė, 2017). Skitka et al., (1999) maintain that computer automation reduces human error in achieving a clear goal. The decision-making process is now simplified, and based on this simplification, decisions are derived from the information collected about the individuals' actions.

With this new technological process of algorithmic decision-making comes concerns. Mined information can lead to discrimination of specific groups of individuals.

Žliobaitė, (2017) addressed discrimination relating to data mining and believes that even if the computer process to obtain the information is correct, this can still lead and attribute to bias and adversely affect individuals, which falls into specific categories ex-offenders. Žliobaitė, (2017) and Dattner et al., (2019) suggest creating a formula that translates into non-discriminatory predictors, allowing for a fair decision-making process to develop an accurate algorithm considering the information, however not applying the knowledge to all individuals with similar characteristics. Dattner et al., (2019) and Raub, (2019) address how discrimination can arise from artificial intelligence, setting parameters that can lead to decisions- not hiring qualified ex-offenders. These parameters can entail an algorithm that puts fields to exclude specific races, genders, and even criminal convictions. The development goal is to use fairness to everyone in the decision-making process. Not applying fairness in the decision-making process can cause distortion or biases.

Understanding what factors contribute to the distortion of decision-making can outline what is required to reduce biases in the decision-making process. Deviations in the process and presentation of information can cause biases, according to Nikolic, (2018). Nikolic, (2018) suggests an understanding of the limitations within an individual's ability to process information and emphasizes these limitations can lead to mistakes and errors in judgment causing biases. Social and psychological influences also contribute to biases in the decision-making process (Nikolic, 2018). Preferences can also impact the decision making process leading to specific emotions through behaviors (Engelmann & Hare, 2018). Engelmann and Hare, (2018) found that "emotions promote

specific behaviors in an organism and that incidental emotions or affective cues will bias choices towards actions consistent with those behavioral goals" (p. 1). The idea of emotions guiding choices based on the feeling that can contribute to biases provides greater insight into how preferences are created. These biases can attribute to the social stigma and labels for ex-offenders.

Social Stigmas and Labels for Ex-Offenders

Stigma is a harmful societal phenomenon that refers to labels placed on a specific group of people society deems undesirable. These diminished people possess behaviors and qualities that society labeled "deeply discrediting" (Goffman, 2009). The stigmatized groups are often more deprived of specific life opportunities when compared to the non-stigmatized group (Batastini et al., 2017). Stigmas attribute to the negative outcome of shared social, economic, and other qualities affecting groups or individuals with shared qualities (Bastastini et al., 2017). Discrediting can negatively affect the individual's ability to function within society and impact their ability to obtain basic needs such as employment. Social stigmas can hurt ex-offenders employment outcomes, but they can also affect their outlook on life. A criminal conviction comes with its stigmas, and individuals with a criminal record will face challenges because of the labels associated with that stigma. According to Anazodo, Ricciardelli, and Chan, (2019), ex-offenders are aware of their past convictions' stigmatization and face other dilemmas when seeking employment. One dilemma faced is the disclosure of their criminal past, which can impact their hiring possibilities. This dilemma may cause the ex-offender to resort to off-the-book jobs to avoid other jobs' stringent background requirements (Augustine, 2019).

The stigma associated with the criminal conviction disclosure serves as a form of suppression. Some employers are unwilling to hire individuals who are ex-offenders because of their criminal convictions. The inability to obtain employment becomes a stigma-related exclusion to prevent future workplace crime (Augustine, 2019). Anazodo et al., (2019) also mention how ex-offenders' deviant label causes society to perceive the individual as having characteristics representing the offender label—inferring having the label of ex-offender causes individuals to perceive you as a criminal. According to Ricciardelli and Mooney, (2018), the stigma associated with the ex-offender label allows individuals to make hiring decisions to apply power over the ex-offender seeking employment. The application of power now causes the ex-offenders to feel powerless and not control their circumstances. Moore, Stuewig, & Tangney, (2016) believed the stigmatization effects lead to self-stigma, which is how stigma affects oneself. The stigma associated with a criminal conviction can remain with individuals throughout their lifetime and affect their ability to obtain the resources needed for life (Berger et al., 2016). Social stigmas have an impact on ex-offenders' reintegration. The labels used to identify the ex-offenders have a similar outcome to their associated stigmas.

Labeling theory helps understand the impacts labels have on an individual. Labeling theory is not used throughout this research. However, a brief explanation of labeling theory is needed to understand the implications of labels fully. Labeling theory assumes that behaviors can arise from various interactions. However, once an individual is labeled deviant, the tendency to engage in stereotypical abnormal behaviors increases (Bernburg, 2019). The labeling theory is needed to support labels and stigmas since ex-

offenders have to deal with the ex-offender labels. Having the label of a criminal record can impede one's ability to gain access to services. At a time when background checks are increasingly used, the label of criminal can hinder an individual's ability to attend school, access financial aid programs, government programs, housing, gun ownership, and even vote (Braga & Cook 2016; Leasure & Martin 2017; Miller & Agnich, 2016; Ott & McTier 2019). Labels impact how individuals view themselves and how they are viewed by society (Crank, 2016). Researchers have concluded that labels affect adolescents and suggest formal and informal deviant labels impact future criminal behavior (Augustyn, Ward, Krohn, & Dong, 2019; Deakin, Fox & Matos, 2020; Wakefield & Apel, 2016). They suggested that once adolescents are labeled deviant and carry that label throughout their teenage and adult years, the likelihood of engaging in criminal activities increases because of the childhood deviant label. Lee et al., (2017) used labeling theory to examine the relationship between individuals labeled from childhood to adulthood and found labels transcended through adulthood and reinforced criminal behaviors. Research has also suggested that deviant labels can follow an individual into adulthood and impact future criminal activities.

The Social Stigma of Incarceration

The United States has the largest prison population in the world (Sue, 2017). More than 2.16 million individuals are incarcerated in the United States correctional facility (Kaeble & Cowhig, 2018). The United States has one-fifth of the world's prison population and the United States holds the highest incarceration rate, with 716 out of 100,000 people in either jail or prison (Kaeble, 2018). In 2016 4.5 million people were on

probation or parole supervision, and 6.61 million people were under some supervision, including probation, parole, jail, or prison (Kaeble & Cowhig, 2018). Over the last ten years, incarcerated individuals have decreased by roughly 1.2% annually (Kaeble, 2016).

As these formally incarcerated individuals are released into society, they will face social stigmas associated with incarceration. After incarceration, managing the social stigma associated with imprisonment requires a good support structure to reduce recidivism, according to Cherney and Fitzgerald, (2016). However, according to Hanna, (2016), the effects of the stigma are perpetuated by mass media, helping maintain the negative stereotypes. The ex-offenders have to deal with the negative stereotypes and the adverse effects of incarceration on their health and families. Incarceration can severely impact an individual's mental and physical well-being (Sue, 2021). Incarceration has damaging health effects, disproportionately affecting blacks in America since they represent most of the prison population (Kuper & Turanovic, 2021). Huebner, Kras and Pleggenkule, (2018) argue that an individual's location can also intensify the social stigmas attributed to individuals in similar areas. Individuals who resided in rural areas were more likely to experience stress-induced hiding their criminal conviction in fear of being rejected by the community. It is easier to fit in in urban areas where populations are high. Tyler and Brockmann, (2017) found incarceration is popular within specific demographic neighborhoods within New York City. Their study found that 75% of the prison population of New York City came from seven (7) particular areas within New York. They were reinforcing the belief of the importance of a strong support structure. Without a strong support structure, stresses can develop, impacting the ex-offenders'

ability to maintain a positive outlook. Sue, (2017) believes social stigmas can cause individuals to isolate themselves from others, making the stigma harder to overcome. In isolation, the social stigmas go unaddressed because the interactions with the outside world become less.

To decrease the adverse self-stigmatization effects, which manifest in low self-esteem associated with incarceration Evans, Pelletier, and Szkola, (2018) found education while incarcerated helps. Education provides the ex-offender with self-confidence and a sense of empowerment. These attributes are beneficial to reducing recidivism and giving ex-offenders a better outlook on themselves. Ex-offenders' exuberant confidence provides them with what they need to help overcome the perceptions they will face from others. The title of ex-offender affects how others perceive individuals.

Influences of Perceptions

Understanding what influences perception is necessary to comprehend how individuals are perceived. Perception is how something is processed for understanding; a psychological imprint (Chataway et al., 2017). This definition provides a foundation for understanding the role of perception in decision-making. Qiong, (2017) expands on Oxford's definition and summarizes perceptions as acquiring awareness and comprehending sensory information in a social science context. Qiong, (2017) describes the three stages of the perception process as "selection, organization, and interpretation" (p.18). Various activities contribute to how information is processed and understood within each step.

The selection allows us to transform our surroundings into stimuli, and organizing will enable us to put the information together in a pattern, organize information, and allow for better categorization and interpretation is, giving value or meaning to the information or stimuli (Qiong, 2017). The perception process is formed and better understood by combining these three stages. Emotions also can influence individual perception and contribute to how information is perceived (Hur et al., 2017; Calbi et al., 2017: Izen et al., 2020). The emotional contributions adding to an individual's perceptions provide greater clarity in understanding why individuals respond the way they do to other individuals. Knowing how perceptions are formed offers a clearer understanding of why individuals may feel specific about a specific group of individuals. As humans, we construct predictive models of ourselves and our environment, enabling humans to swiftly and firmly analyze information (de Lange et al., 2018). During the analysis, decisions are created based on the information gathered during the analysis process.

Perceptions contribute to and influence the hiring process. If someone's emotions contribute to how an individual is perceived, those perceptions can determine hiring outcomes. Perceptions are influenced by external factors such as culture (Chiu et al., 2009; Kaihlanen et al., 2019; Schinkel et al., 2019). Various factors contribute to our perception, and those perceptions are used to make decisions daily. One can conclude that individuals' perceptions of hiring decisions are influenced by factors, not necessarily job qualifications and skills. Hiring decisions are generally based on job qualifications and skills (Decker, 2019; Lee, 2017). Our perceptions influence hiring decisions

(Obatusin and Ritter-Williams, 2019; Batastini et al., 2017; Wolfer, 2019). A belief that outside factors that influence our perception help to determine employability. Those factors have influenced us to believe ex-offenders are wrong, which affects their employability. The perception of the title ex-offender affects the individual who holds the title.

Perception of Ex-Offenders

Our perceptions help to guide and create a better understanding of our environment. Favorable perceptions can equal favorable outcomes within society. An individual's perceptions of a criminal conviction create stereotypes and barriers that impede their employability (Hipes, 2019). Perceptions guide labels and social stigma, contributing to ex-offenders' discriminatory hiring practices (Hipes, 2019). He also highlights the impact of stereotypes on ex-offender employment and finds that negative stereotypes impact ex-offenders employability. Brown et al., (2019) found that black males between 18-and 60 were more likely to face discrimination and disenfranchisement and suggested that disenfranchisement laws tend to hamper black rights men in the United States. Blacks are less likely to receive a favorable employment outcome once disclosed; they have past criminal activities (Brown et al., 2019).

When the race is combined with a criminal record, the individuals' chances of obtaining employment decrease significantly. Race and ethnicity also impact ex-offenders' employability (Decker et al., 2015). For Blacks and Hispanics, securing employment after incarceration is difficult because the ex-offender is plagued with the stigma of their past and subjected to biases and prejudices based on their race and

ethnicity (Decker et al., 2015). According to the federal bureau of prisons, as of March 2021, there are 6.7% female prisoners and 93.3% male inmates. There are 30.1% Hispanic, 69.9% Non-Hispanic inmates, 38.6% of those inmates are black, 57.5 are white, 1.5% are Asian, and 2.4% Native American (Alpher & Markman, 2018). With many such individuals going through the prison system, employers' attitudes towards ex-offenders impact recruitment efforts. Hiring managers are concerned with the possibility of the ex-offender reoffending, which produced themes indicating negative attitudes towards ex-offenders because of the type of offense they committed (Zakaria, Jaafar, & Lazim, 2018). The negative attitudes clarify the need for hiring managers to remove personal biases during the hiring process (Dar, 2018). Hiring managers' opinions and beliefs impacted ex-offenders hiring decisions and outcomes (Decker, Ortiz, Shpohn, Hedberg 2015; Obatusin & Ritter-Williams, 2019). Hiring managers are aware of ex-offenders' needs for employment and are concerned about customer beliefs about an establishment that hires ex-offenders.

Public attitudes towards the employment of ex-offenders contribute to how they are viewed and perceived. Once the ex-offenders disclose their past incarceration, they must overcome negative perceptions based on their disclosure (Rovira, 2019). Ex-offenders have to navigate how they are perceived, which can become difficult after making their disclosure. Ex-offenders are expected to rebuild trust and prove commitment to expunge negative perceptions of their past incarceration (Baffour et al., 2020). Yet, some negative perceptions are difficult to overcome, and the ex-offender may spend some time trying to obtain the impossible. As the public and organizations realize

the plight of the ex-offender situation, organizations enact measures for the ex-offender,

contributing to their ability to change how they are perceived successfully.

Background Checks and Employment

The use of background checks has been on the rise, and now employers

incorporate background checks as a part of the hiring process. A criminal background

check helps employers minimize negligent hiring (Four, 2016; Zeitler & Luisis, 2016). A

recent survey of human resources professionals found that 80 percent of companies

conduct background check variations when hiring (Sarode & Deore, 2017). Only a tiny

percentage of companies are not using background checks. According to Denver, Picket,

and Bushway, (2017), as mentioned in Denver, (2020), more than 31 million Americans

revealed employers inquired into their past regarding criminal records when applying for

jobs. Companies incorporate background checks in their hiring process (Denver, Siwach,

& Bushway, 2017; Duane, Reimal, & Lynch, 2017; Sarode & Deore, 2017) ex-offenders

may find it hard to secure employment. More employers are now relying on the

information from the background check for employment outcomes. Denver, Siwach, and

Bushway, (2017) argued that incorporating background checks into the hiring process

and the increased use of background checks because of technological advancements have

caused the need for the proper evaluation of the policies and perceptions governing hiring

ex-offenders. Employers must show a willingness to engage these applicants, allowing

the ex-offender to prove their readiness to abstain from criminal activities (Heydon &

Naylor, 2018). Some ex-offenders have difficulties obtaining employment because of

criminal background checks. However, the belief exists among some employers, schools,

licensing commissions, and some government agencies that background checks are needed.

Universities and colleges have implemented background checks in compliance with federal and state laws as a requirement in the admission process. Custer, (2016) found that students with a criminal conviction did not have access to programs to succeed in college and sites a growing push to remove such policies. Researchers have explored the necessity of background checks in higher education (Dickerson, 2017; Hughes et al., 2016; Levine, Cintron, & McCray, 2019; Rips, 2020) and have found no correlation between past criminal activate and academic failures or academic success. The universities and colleges believe the criminal record's background information will lower illegal activities on campus (Custer, 2016). However, there is no supporting data to collaborate their position from educational institutions. This raises questions about ex-offenders' ability to access higher-paying jobs, some requiring a degree and licensure.

Nevertheless, the ex-offender is barred from obtaining the licensure needed to advance because of the laws created. The current rules prohibit ex-offenders from holding an occupational license blocking them from getting a healthcare practitioner position. The background check policies still harm individuals with a criminal conviction. Researchers have indicated the importance of having financial assistance to pay for college. However, financial aid is also contingent on a background check. Once the past offense is disclosed, resources become contingent on the type of crime committed, excluding some offenders from obtaining degrees and certifications. Narayan, (2020) found that the individuals who require this aid are often turned down because of the

complex rules for acceptance—leaving the ex-offender to determine how to advance themselves without applying for the resources needed.

Barriers exist, making finding a place to live difficult, especially when the individual has the stigmatized label of an ex-offender. Government programs such as the U.S. Department of Housing and Urban Development (HUD) use criminal background checks with guidelines that impact individuals with criminal records. Walter, Viglione, and Tillyer, (2017) concluded that housing authorities use outdated admission requirements that affect offenders adversely and provide guidance to housing authorities, helping in the rehabilitation process. With the improperly enacted guidelines for public housing, which focused on a two-strike law instead of a one-strike law, ex-offenders are denied housing. Morris, (2015) also addresses these bans that exclude ex-offenders from public housing and address the disparate impact on this population. Without proper housing, Jacobs and Gottlieb, (2020) believe the probability of the ex-offender reoffending increases, which directly affects the ex-offenders ability to reintegrate— proving that the inability to locate and maintain adequate housing directly impacts recidivism. They found that individuals on parole or probation suffer from housing uncertainties and need programs to help them obtain housing to reduce recidivism.

Individuals wishing to purchase a firearm must consent to a background check. The necessity for this type of background check is to determine if an individual can own a handgun. Individuals with criminal records cannot own a firearm (Crifasi et al., 2019; Hemenway et al., 2017; Vernick, Alcom, & Horwitz, 2017). Ex-offenders are considered high-risk persons and therefore become excluded from the ability to own a legal firearm.

Even though background checks are required to purchase a gun, Miller, Hepburn, and

Azreal, (2017) found of all the handguns purchased within the last two years in the

United States, 22% of those individuals did not have a background check conducted. For

gun control, background checks are needed but not correctly utilized. Ex-offenders are

excluded because of their criminal conviction and cannot participate in gun ownership

legally. If an ex-offender is seeking employment, attending school, obtaining housing, or

securing a licensed firearm, once a background check is performed, the likelihood of the

individual receiving the services declines once a criminal history is realized. Questions

now arise regarding what other programs or services rely on background checks as a

qualifying method.

Occupational Licenses and Ex-Offenders

Occupational licensing is a credential issued by the state, which requires an

individual to hold a specific license demonstrating the individual has met the state

requirements for that career. Occupational licensing limits who can gain licensure access

to safeguard the customers (Hermansen, 2019; Blair, Kleiner & Hicks, 2019). Blair et al.,

(2019) and Blair and Chung, (2018) expressed how the varying licensing laws from state

to state impact licensure. Ex-offenders are excluded from obtaining licensure because of

their criminal convictions, limiting the type of employment they can hold. Rogers, (2017)

highlighted that the guideline had increased significantly in recent years, and now

regulations exist on occupations that were not previously viewed as needing regulation.

Licensure restriction interferes with ex-offenders ability to participate in entrepreneurship

programs geared toward ex-offenders rehabilitation and increases licensing regulations while decreasing the ex-offenders' employment opportunities (Rogers, 2017).

One ex-offender's experience with the occupational licensing board is well documented and summarized by Zhang, (2018). Zhang, (2018) recounts the experience of an ex-offender who attended vocational training while incarcerated. This individual was a model prisoner and used his time in the prison system to make the necessary changes in his life to not experience recidivism. He learned the trade of barbering in hopes that he would positively contribute to society upon release. However, upon release, the ex-offender was turned down for a barber's license because of his criminal record. This individual fought for years and worked as an unlicensed barber until his death. The state refused to issue him a license because he was an ex-offender, and they believed his criminal conviction tainted his character. According to the licensing board, he lacked the trustworthiness needed to hold the barber's license. The challenges faced by this individual only strengthen the need for added legislation to increase the employment opportunities for ex-offenders.

Legislation to Increase Ex-Offender Employment Opportunities

Current legislation aimed to increase employment opportunities for ex-offenders exists. Despite the recent legislation enacted to facilitate ex-offenders employment, barriers still exist, hindering ex-offenders' reentry into the workforce. The current exclusionary policies imply that all individuals with criminal records receive the same treatment despite the date/type of offense, leaving out individuals with little to no opportunity to engage as productive members of society (Higgins, 2017). Implementing

legislation to stop the long-lasting effects of a criminal record is needed, according to

Higgins, (2017). Nicholas and Dodds, (2017) outlined the administrative burden placed

on practitioners with the current policies in place and point out that organizations in a

multi-state organization must administer policies to comply with the specific state laws.

They advocate for one law across all states to alleviate the burden placed on practitioners.

They allow the ex-offender exposure to opportunities in states where those opportunities

were unavailable. Flake, (2019) argues, based on his examination of hiring practices, that

ban the box does work and does not contribute to hiring biases of minorities. A closer

inspection of the current legislation enacted to assist with increasing hiring practices for

ex-offenders is needed to understand better the general laws driving the increased hiring

of ex-offenders. Some of the significant laws impacting ex-offenders ' employment are

examined.

Title VII Civil Rights Act of 1964

Legislations have attempted to minimize discrimination against ex-offenders. One

key legislation is Title VII of the Civil Rights Act of 1964. Title VII of the Civil Rights

Act of 1964 made segregation illegal and prohibited employment discrimination based on

race, color, religion, and sex (Weissert, 2016). Title VII of the Civil Rights Act was

enacted to protect employees from employer biases and discrimination. Title VII's goal

was to shield individuals from "disparate individual treatment, systematic disparate

treatment, and disparate impact" (Sullivan & Zimmer 2017, p. xxviii).

According to Heidari and Krause, (2018), disparate individual treatment refers to

the unfair treatment of an individual equal to the other individuals within the protected

class. Systematic disparate treatment refers to the employer's behaviors and treatment of all individuals within a group highlighted by Title VII (Kamp, 2011). Daniels, (2019) explained that a disparate impact focuses on an employer's policies or procedures that harm a group protected under Title VII of the Civil Rights Act. As employers continue to use Title VII of the Civil Rights Act to assist in combating discrimination, other legislation emerged to reduce bias and facilitate better hiring practices.

Fair Chance Act

Another key legislation was the Fair Chance Act. The Fair Chance Act was developed to shield individuals with criminal convictions and provide more significant employment opportunities based on qualifications and skills (Emsellem & Rodriguez, 2015). The Fair Chance Act was implemented by 13 states in 2015 and made it illegal for employers to inquire about a criminal record before extending a job (Brossman, Richman, Weiss, Gold & Gartner, 2016). The legislation explains that employers cannot express any conditions concerning employment involving a person's arrest or illegal misconduct (Brossman, Richman, Weiss, Gold & Gartner, 2016).

However, the Fair Chance Act does not eliminate background checks; it delays employers' availability to inquire into past criminal convictions. In some cases, a delay of the inevitable rejection is based on a criminal conviction. The Fair Chance Act has helped ex-offenders delay access to criminal convictions, but researchers have suggested that more legislation can increase employment possibilities. States are trying to facilitate the growing number of ex-offenders seeking employment; however, new legislation is needed for more significant assistance with the current policies and practices.

Ban the Box

In 2015 a realization emerged that more legislation is needed to help protect the rights of ex-offenders. Then came the Fair Chance Act's enhancement, also known as "Ban the Box." According to Bergen and Bressler, (2016), banning the box provides less discrimination when applying for employment. It removes the questions of a criminal conviction from the job application, potentially allowing for excellent employment opportunities. This law intends to prevent employers from excluding candidates based on previous criminal convictions. However, it will enable the hiring manager to inquire about the applicant's job readiness and ability to perform the task.

Researchers are now questioning the effectiveness of *ban the box* and suggesting this policy does not reduce recidivism (Bollinger & Yelowitz, 2021; Doleac, 2019; Sherrard, 2020; Shoag & Veuger, 2016) and previously suggested. Andersen, (2020) indicated that the legislative purpose had good intentions but had failed in three areas; in the conduction of the investigations when an employer does not comply, the legislation enforceability, and resolving potential issues—leaving an ex-offender to pounder the positive effects of such laws. Other researchers have suggested a racial component to the ban the box legislation (Emsellem & Avery, 2016; Sugie & Lens, 2017). They suggest that when a potential employer is unsure about the criminal background, they engage in racial profiling, which causes some candidate exclusion. The employer is now forced to guess which applicant is an ex-offender driving affected young men of color disproportionately and discriminated against (English, 2018). On the contrary, Bergen and Bressler, (2016) suggested that the movement seems practical and has delivered

progress for ex-offenders by providing them employment opportunities with various

companies, including "Walmart, Target, Home Depot, and Starbucks" (p.393). While

pros and cons exist concerning the current legislation, the efforts made to change the laws

and increase employers' hiring of ex-offenders are noted.

Federal Bonding Program

Programs exist which provide employers with initiatives to increase their hiring

of ex-offenders. However, some employers are not aware of the benefits of employing

ex-offenders, according to Martin et al., (2020). The federal bonding programs provide

potential employers with a no-cost insurance policy to alleviate their concerns over theft

or property damage. The employers must reapply every six months for bonds in 45,000

increments up to $25,000 (Hilton, 2020). The program benefits by increasing American-

made goods (Selbin, McCrary & Epstein, 2018). It also positively allows ex-offenders to

contribute to their stability (Selbin, McCrary, & Epstein, 2018). The current program

assists employers with incentive hiring of ex-offenders; other programs also exist to hire

ex-offenders is the Work Opportunity Tax Credit.

Importance of Employment

Understanding the importance of obtaining employment is central to increasing

employment opportunities for ex-offenders. Considering the psychological aspects of

working also provides a clear picture of why jobs are essential to ex-offenders. The

Psychology of Work Theory (PWT) is a newly evolving theoretical process that attempts

to explain the work experiences of individuals who have experienced discrimination or

disparities related to employment and make decisions related to work because of their

context (Duffy et al., 2016). Duffy et al., (2016) conclude these individuals' contextual

factors are the mechanism pushing their ability to participate in "decent work," which is

the premise of this theory. The psychology of work expands on the notion that the

working poor is discriminated against primarily because of the work choices made due to

environmental restrictions (Duffy et al., 2016). Psychology of work models itself on

contextual factors to describe what influences career decisions. The theory is modeled

after the concept of *decent work*. According to Duffy et al., (2016), decent work is

considered adequate earnings, family and work balance, and proper working time. Decent

work provides the ex-offender with a sense of belonging when achieved.

Employment for an ex-offender contributes to lower recidivism (Agan, 2017;

Lockwood et al., 2016; Schnapel, 2018; Visher et al., 2017). In this challenging society

transforming one self-esteem and establishing a place of belonging post-incarceration

becomes a daunting task. Employment has social and personal identities, and a job helps

individuals feel worthy and valued (Flood, 2018). Flood, (2018) describes how humans

desire relevance to matter and explains the importance of that perception to others as it

increases our sense of self-worth. For ex-offenders, employment is necessary to reduce

recidivism and increase their sense of dignity. If an individual was never incarcerated, it

is difficult to understand what is lost during incarceration. Ex-offenders lose their "self-

esteem and sense of humanity" (Flood, 2018). The social adjustment needed to cope with

the pressures of post-incarceration provides the ex-offenders with choices regarding

joining the back society and assimilating back into the norms that govern our society's

social morals (Sankhala, 2019). Offenders' perception of the value of employment now is one of the driving forces for obtaining employment post incarceration.

Employment has several benefits, one of which is it provides a sense of self-worth. Lorente, Tordera, and Peiro, (2018) found that work meaningfulness and job satisfaction are related to an individual's psychological well-being. If an individual is experiencing employment satisfaction, they are also likely to experience happiness. According to Juhl, (2019), psychological well-being represents a robust structure to describe a positive psychological atmosphere. Since the goal is a favorable environment, obtaining employment could lead to a favorable psychological experience. The avoidance of pain and the achievement of pleasure are considered happiness, according to Unanue et al., (2017). Obtaining employment is essential. However, getting the right job is necessary for job satisfaction. Increased job satisfaction comes from better performance outcomes, reduced absenteeism, and high life satisfaction (Unanue et al., 2017). Ex-offenders have to navigate employment opportunities to develop these characteristics associated with a favorable psychological experience. Blustein, (2019) equated work to assisting with feeling alive in the world.

The meaningfulness of work contributes to our corporate social responsibility. Our corporate social responsibility influences us to engage and interact in ways that affect our attitudes and behaviors (Kim et al., 2018). These influences contribute to what we decide as meaningful in working. According to Carton, (2018), employers can enhance employee meaningfulness by improving the working experience through motivation and encouragement. Social responsibility and the meaningfulness of work

contribute to and lead to employees' positive outlook on their employment, employee

satisfaction, productivity, and create devoted employees (Kaur and Mittal, 2020).

Individual perceptions of the importance of work contribute to the meaningfulness of

employment outcomes. Individuals believe if they have a shared sense of commitment

and job satisfaction, they will have a purpose that positively impacts their social

responsibility (Choi et al., 2021). Not all employment obtained is joyful. There are

instances when the job can increase stress and depression and compound other factors in

an individual's life (Balik, 2018). The impact of work aggression and job dissatisfaction

can contribute to work stresses and leave an individual feeling less joy at work (Caillier,

2020). Supervisors and the organizations' work environment also impact how work is

perceived. Individuals who have harrowing experiences at the job, if they decide to leave,

can experience more problems, as employment is a contingency of parole (Levin, 2021)

even though the ex-offender may want to achieve the happiness employment offers. The

ex-offender can experience recidivism without the necessary employment opportunities.

Felony Conviction

As previously explained, a criminal offense can harm an ex-offender's ability to

obtain employment. Yet, little about how the severity of the violations impacts the ability

to obtain employment. Nationally there is limited information available regarding the

outcome of criminal cases, meaning what portion of the crime was a misdemeanor or

felony conviction (Clifford and Sullivan, 2017). Based on the definition previously

supplied, felony convictions are severe and carry a longer prison term. A belief that it is

more difficult for an ex-offender with a felony to obtain employment is a fair assessment

because of the crimes committed. Westrope, (2021) describes a convicted felon's struggles to re-enter society. He explains how a man sentenced to thirty-eight months in prison for manslaughter struggled to obtain decent employment upon release. Despite changing his life around and going to college, he struggled to gain employment because of his felony conviction. Agan and Starr, (2017) also found that applicants were less likely to receive a call back for an interview after disclosing a felony conviction. They support the notion that having a felony conviction is a difficult obstacle to overcome. Unfortunately for blacks, they are disproportionately affected by felony convictions Goldman, Cooper, and Kugler, (2019) and Pager, (2018) found that blacks were discriminated against in more significant numbers than their white counterparts with felony convictions.

Older felony records also have an impact on employability. Leasure and Anderson, (2017) examined the effect of old felony offenses on employment outcomes. They found that for specific crimes like felony drug convictions, the older the violation, the more likely the offender is to have a positive employment outcome. Mikkelson and Schweitzer, (2019) also examined the length of incarceration for a felony offense. They found hiring managers were concerned with the type of offense committed and expressed concern about the morals of someone who engaged in criminal activities. Mikkelson and Schweitzer, (2019) found employers perceived felons as less moral, and their employment opportunities diminished. These two conflicting studies only emphasize the need for more research to clarify any discrepancies regarding the impact of felony convictions and employment.

Offender Employment Opportunities

Once released, an ex-offender's ability to gain employment is necessary to reduce recidivism; however, this task is difficult with the wide use of background checks and individual perception. Job is needed to sustain life, and since it is required to look at the opportunities available, it should also be viewed. Before reviewing the employment opportunities available to ex-offenders, examining the programs used during incarceration to prepare the ex-offender for work upon release needs to occur. Obtaining an education while in prison is an element used to help reentry and lower recidivism. Studies have documented the positive impact of education while in prison and found a positive correlation between education and lower recidivism rates (Bozick et al., 2018; Ellison et al., 2017; Erickson, 2018). Studies have also examined educational programs and their impact on reducing recidivism (Austin, 2017; Magee, 2021; Pelletier & Evans, 2019). The differences in the educational programs offered vary by the facility; however, educational, vocational, and skills training programs have a proven impact on reducing recidivism. Having obtained a skill while incarcerated provides the ex-offender with the opportunity to seek employment in the field of their gained skill. One employment sector able to capitalize on the skills obtained while incarcerated is the construction industry.

The construction industry has a history of employing ex-offenders. Even though there is minimal research data regarding the number of ex-offenders that obtain employment in construction, the researcher has found there is a willingness to hire ex-offenders in construction jobs (Holzer et al., 2003; Loosemore et al., 2020; Loosemore et al., 2019; Loosmore, Bridgeman & Keast, 2020; Marziah et al., 2018). Loosemore,

Bridgeman, and Keast, (2020) highlighted some of the construction industry's incentives

to employ ex-offenders and provide them with employment opportunities. Miller, (2019)

explores how the ex-offenders ' employment opportunities are affected by their

conviction and highlights characteristics such as employer size, industry, and consumer

interaction as factors that impact employment opportunities. Miller, (2019) surmises that

the type of business and the sector serviced dictate employability because employers are

less likely to hire an ex-offender in an industry where the opportunity to engage in

criminal behavior exists. Cunningham, (2017) highlights the Correction Community

Education Officers (CCEOs) and Officer Recruitment Consultants (ORCs) are programs

implemented by the department of corrections to assist inmates in job opportunities and

have sources 100 companies willing to employ ex-offenders. Employment opportunities

are an essential aspect of successful reintegration.

Some employers are trying to incorporate better ways to include ex-offenders into

the applicant pool while ensuring they maintain safety for other employees and

customers. Finding a balance to increase employers' positive perceptions of ex-offenders

is needed to increase employability—the success of reintegration centers around policies

and employer attitudes. The current policies are centered around reintegration support,

which is beneficial to ex-offenders (Green, 2016). These policies also focus on the theme

of reintegration, which decreases the likelihood of recidivism. However, despite the

policies' implied positive effects on recidivism, exposure to the current policies' adverse

effects highlights employers' discriminatory practices (Sherrard, 2020). Desperate,

unfavorable policies are sometimes harmful and work against the ex-offender. Bergen

and Bressler, (2016) highlight that it is more probable for an individual not associated with the workplace to engage in workplace violence than an ex-offender. They also suggest that many employers would like to hire ex-offenders; however, employers do not want to be their first employers out of prison. Issues can arise from this thinking with reintegration because it determines the ex-offender's ability to secure employment. If the ex-offender is unable to secure employment, they are faced with the dilemma of unemployment. Unemployment after a criminal conviction is complex, and estimates suggest that unemployment amongst ex-offenders is higher than in the general population. Those numbers can range from 50% to 70% unemployment for ex-offenders (Young & Powell, 2015). Unemployment numbers vary; black women have the highest unemployment amongst ex-offenders. Two years after release, 43.5% are unemployed, and for black men, 35.2%, white women, 23.2%, and finally, white men, 18.4% (Couloute & Kopf, 2018).

Managers Hiring Dilemmas

The hiring of ex-offenders has become a balancing act. The hiring manager has a crucial role in the hiring process. This role is vital to all prospective new employees because they determine whether employment is secured or not. According to Durrani and Rajagopal, (2017), high turnover, low morale, and poor job performance are tied to ineffective hiring. Hiring decisions are so crucial to business success. The wrong hire can tarnish a company's reputation. This pressure to make the right hiring decisions can cause a hiring manager to overlook an applicant, negatively impacting the organization. Understanding the short-term and long-term effects of hiring decisions is essential to

making the right hiring decisions (Durrani & Rajagopal,2017). Good employees equal

long-term employment, growth, and stability, while the wrong hires contribute to high

turnover and the added expense of recruitment and training (LaMontagne, 2016). Bad

hires can impact the company's finances and an organization's ability to attract and retain

suitable candidates (Pedulla, 2020). Employers are focused on making the best hiring

decisions by evaluating the information they have received from their potential

candidates and outside sources (Abbasi et al., 2021).

Sorting through the applicant pool, hiring managers must quickly determine

which applicant gets taken to the next step. Companies have long understood the

importance of selecting the right candidate (de Clippel et al., 2019). The right candidate

allows companies to create a competitive advantage, making it difficult for their

competitor to replicate (Harris, 2021). With criminal information easily accessible to

hiring managers, it is easy to understand the hiring managers' difficulties when making

hiring decisions. Various factors influence hiring decisions. Hiring managers have to

review qualifications related to job descriptions and analyze personalities to ensure they

fit into its vision, mission, and purpose (Allais, 2017). This task gets complicated when

you incorporate an individual with a criminal past. Now the hiring managers have to

include other factors which can make the process harder. The hiring manager now has to

evaluate the potential risks of employing the ex-offender with an ex-offender. Assess the

seriousness of the offense and the time since the offense transpired also impacts the

selection process for ex-offenders, according to Kuhn, (2019). This evaluation is crucial

because it assists in deciding whether the ex-offender is employable or not. The hiring

manager now faces the dilemma of handling instances relating to the crime's seriousness and length of time since the offense. Poor hiring decisions impact an organization and pose a financial impact on the organization. The lack of careful thought in the hiring process is another factor that contributes to poor hiring decisions (Voss & Lake, 2021). The hiring manager's dilemma may cause them to use their discretion and personal biases when making hiring decisions.

Hiring managers must use their discretion in hiring and understanding how to apply that discretion to choose the right candidate. Hiring the right worker is an important and challenging problem (Hoffman et al., 2017). A study of human resource hiring managers' behaviors who faced ethical dilemmas revealed their perceptions shaped their decision-making when addressing an ethical dilemma in the workplace (LaMontagne, 2016). Dilemmas varied; however, the consistent theme was that the hiring managers always wanted to ensure the decisions made positively affected the organization (LaMontagne, 2016). Making the right hiring choice may cause the hiring manager to overlook individuals with a criminal record, fearing future potential illegal activities against the organization (Dugal, 2019). More specifically, a negative attitude toward ex-offenders increases their likelihood of not getting hired (Bastastini et al., 2017). The hiring managers believe they intend to help the organization, yet this choice has the opposite effect on the individual with a criminal record. Some organizations have decreased the possible potential for error in hiring decisions by increasing job testing. The reliance on job testing and testing score outcomes is used to make hiring decisions. This testing technology enables organizations to use less human input when hiring

decisions because companies realize that they sometimes have the worst hires (Hoffman, 2017). Experts are not immune from biases and require a process to remove all preferences. In healthcare, various federal and state entities impose strict policies and procedures for the hiring and contingency offering of employment to ex-offenders, making the background check process in a healthcare setting crucial to employment. These policies and guidelines should reduce the employment biases of ex-offenders and increase employment outcomes by providing a strict outline of which criminal offenses specifically can work in healthcare.

Background Checks in Healthcare

Hiring decisions are complicated. When determining the appropriate individual to work in an environment with a vulnerable and fragile population, the hiring decisions become an even more daunting task. Hiring managers must ensure their choices are in the organization's best interest and the people they serve. In healthcare, the employee selection process for non-licensed staff can present obstacles. According to Manthorpe and Lipman, (2015), federal and state laws regulate the employment of those who have convictions of holding a position in specific industries within the public and private sectors. Manthorpe and Lipman, (2015) also found some loopholes; for example, there is no fingerprint mandate requiring agencies that do not claim Medicare or Medicaid funds. If the company is privately owned and operated and is not receiving funds through the two specific programs mentioned., In that case, they are not required to conduct fingerprinting as a background check on their employees.

According to its website mission, the New York State Department of Health (DOH) aims to improve and promote New York residents while protecting all New Yorkers' interests. The department of health also oversees various agencies at a local level. It provides guidelines, including policies and procedures for organizations' functionality that receive money from Medicare and Medicaid (DOH website). The DOH must perform criminal background checks on all individuals seeking employment in a healthcare setting such as a nursing home or home health care company because of the defenselessness of the population serviced. According to Kurlycheck, Bushway, and Denver, (2019), the DOH should not deny individual employment exclusively based on a past criminal conviction. However, employment decisions should derive from the specific job sought and the nature of the offense, which should provide the ex-offender with opportunities once their past crimes and future position do not coincide.

The DOH is required to conduct criminal background checks for all non-licensed employees. These employees are hired conditionally, and the background check is not based on the position and the ability to perform the job. However, the background checks are conducted based on exposure and unsupervised activities with the population serviced. These employers include but are not limited to residential healthcare facilities, home healthcare agencies, and long-term home healthcare programs (Kurlycheck, Bushway, & Denver, 2019). The DOH also created a unit overseeing all the background checks guiding employers using their services. This oversight committee is called the Criminal History Record Check Legal Unit (CHRCLU). The process is straightforward for an individual who has never had an infraction. They are offered the position without

contingency. However, if the potential employee is an ex-offender, the violation needs

review from the CHRLCU. They determine that the ex-offender is a potential risk

(Kurlycheck et al., 2019). This committee possesses a lot of power over the ex-offender

in determining their employability. Even though the background check is conducted

based on a provisional hire, determining whether the ex-offender proceeds solely depends

on the available criminal background information (Denver et al., 2017). These decisions

can present as a selective selection and impact individuals that committed harsher crimes

more severely because each crime is viewed differently.

Reintegration vs. Recidivism for Ex-Offenders

Reintegration is essential for an ex-offender to escape recidivism. However, the

obstacles from the social stigmas associated with the ex-offender reintegration label may

seem impossible. The literature on recidivism suggests that reintegration is not easy.

Reintegration is an ex-offender's ability to reenter society after incarceration (Davis,

Bhar, & Ward, 2013). Alpher and Markman, (2018) addressed recidivism and highlighted

in 2005, 83% of the individuals released from state prison were rearrested within nine

years post-release, and 44% were rearrested within one year of release. Another study

relating to federal prisons found that in 2005 43% of inmates released from prison were

rearrested within eight years (Hunt & Dumville, 2016).

An ex-offender returning to the community must overcome an outsider label from

their friends, family, and society. These labels now impede the ex-offender's

reintegration into society properly (Ganapathy, 2018; Leslie, 2019; Rade et al., 2018). If

an ex-offender commits an offense that gains political and public awareness, popularity

interferes with reintegration because of the criminal offense's attention (Liem &
Weggmans, 2018). This notoriety individual is known for the crime they committed and
their popularity, causing them to be shunned and left out. Without proper employment
and housing, ex-offenders face reintegration challenges because these two components
are essential factors (Rade et al., 2018; Schiavone, 2017). Employment contributes to the
ex-offenders sense of worth, but it also allows the offender to contribute positively to
society by sustaining themselves. Family is an essential factor in the contribution to
positive reintegration. An absence of a positive support network can lead to recidivism
(Braga et al., 2018; Larsen et al., 2019; Marshall, 2018). The family contributes to
positive integration by providing the ex-offender with a support structure to elevate some
of the burdens placed on the ex-offender by society (Marshall, 2018). Some of the
family's key supports are emotional, financial, transportation, and housing (Mowen &
Boman, 2019). Family sometimes can hurt an ex-offender's ability to reintegrate
positively. Mowen and Boman, (2019) highlight the positive effects of family and
mention an ex-offender can recidivate in an environment where there is no shared set of
ideas for positive reintegration. In a coercive or aggressively hostile family environment,
the ex-offender may give in to the pressures of criminal life (Mowen & Boman, 2019).
Reintegration programs can assist in providing support to the ex-offender as well.

Programs to assist with successful reentry for ex-offenders do exist. But some
focus and attention need to center around why an individual ended up with a criminal
conviction is also necessary. Proper examination of these factors and their role also
contributes to successful reintegration. Understanding factors such as mental health,

substance abuse, unemployment, and financial insecurities, according to Berghuis,

(2018), allows for a greater understanding of what it takes to reintegrate successfully.

Several studies have highlighted the benefits of reentry programs to recidivism

(McLemore & Warner Hand, 2017; Mizel & Abrams, 2019; Veeh et al., 2018). Reentry

programs provide the ex-offender with opportunities to gain skills, but it also prepares

them for life post-incarceration (Doleac, 2019). Some of the programs available to match

individuals with services lack the specificity needed to ensure the ex-offender is

compared with the exemplary service (Gill & Wilson, 2017; Kendall et al., 2018; Visher

et al., 2017). Reintegration programs focus on helping ex-offenders reintegrate into

society (Quarton, 2020). However, the type of offense is of significant interest in

reintegration. Without successful reintegration, the ex-offender potentially will face

recidivism.

Recidivism rates are currently high, and approximately two-thirds of individuals

released from prison are rearrested for new crimes within the first three years of release

(James, 2020; Mitchell et al., 2017). Recidivism currently has two opposing definitions

used when conducting research. The first definition is any criminal contact that results in

arrest, conviction, or incarceration during a specific time (James, 2020). This definition

also considers any unlawful behaviors that impact the offenders during probation and

parole, including a failed drug test. The other definition subscribes to a narrow school of

thought that recidivism engages in any new crime, resulting in an original conviction or

sentence (James, 2020). These two opposing definitions of recidivism, when combined,

provide a clear understanding that recidivism happens when the ex-offender engages in

unlawful behaviors, which places them back into the criminal justice system. Race and gender also have an impact on recidivism.

Several studies have identified that black men have higher recidivism rates than their white counterparts, and men recidivate at higher rates than women (Atkin-Plunk et al., 2017; Chouldechova, 2017). Judges are encouraged to use algorithms to determine risk assessment for recidivism, and these judges incorporate this assessment into bail hearings, parole, and sentencing (Nishi, 2019). Sexual offenders and violent offenders face similar recidivism issues, and this sub-ground is found to have unique challenges with reentry and often faces recidivism (Grossi, 2017). Some of the difficulties are overcoming the stigmas and labels associated with rapists, murderers, and pedophiles labels, to name a few (Grossi, 2017). Others are to overcome the mental health issues related to those crimes (Moore & Tangney, 2017). Managing mental health post-incarceration becomes a struggle, and these individuals are highly prone to recidivate (Al-Rousan et al., 2017). According to Al-Rousan et al., (2017) approximately 48% of the inmates in prison have a mental illness. To effectively control mental illness, programs are needed to help develop the tools, maintain your mental health, and secure employment to sustain yourself (Utzet et al., 2020). Work is one of the essential components needed for ex-offenders.

A relationship exists between employment and recidivism. Parole boards treat employment as a tool to reduce recidivism (Levin, 2021). Most parolees must meet with a parole office and abide by the stipulations set forth, which generally involve employment (Cohen & Cobert, 1983). Failure to meet the requirements set forth by the parole board

can lead to recidivism for failure to abide by the stipulation set forth by the parole board (Sugie & Lens, 2017). Working around the prospect of recidivism due to employment can cause distress, especially if the individual does not know where to look for work (Suige & Lense, 2017). The association suggests that limited access to resources such as employment can cause an ex-offender to revert to past criminal acts (Denver, Siwach, & Bushway, 2017; Link & Roman, 2017). Obtaining employment is essential. However, obtaining and maintaining jobs that allow for the ability to take care of oneself is critical. The job quality impacts the ex-offender's ability to maintain employment and reduce recidivism, according to (Ramakers et al., 2017). Having access to work reduces recidivism and increases successful reintegration back into society for the ex-offender. However, when individual biases are also used in the decision-making process, successful re-entry becomes more complex.

Hiring Discrimination and Biases

Selecting the right candidate for an open position is one aspect of the hiring process. The right candidate has the potential to contribute positively to the organization's success. Robinson, Buonocore, and Yearwood, (2016) found the employee selection process is crucial to the organization's diversity. Thus with the history of racial discrimination within the United States, employers often struggle to balance current adherence to regulatory laws with their abilities to perceive fairness to the job applicants (Robinson, Buonocore, & Yearwood, 2016). Creating fairness allows for selecting the right candidate to minimize the selection of the wrong candidate. This selection process comprised overlapping with the company's corporate social responsibility of ensuring all

applicants are treated fairly. The selection process takes place using standards applicable across race, color, gender, national origin, sex, and religious status as outlined in title vii of the civil rights act of 1964 (Wirts, 2021). The hiring manager has to consider all the information gained throughout the interview process to render a hiring decision.

Crowford, McBride-Owens, and College, (2014) acknowledged a subpopulation of unemployed individuals not even counted in the unemployment statistics, ex-offenders. The hiring managers often overlook these individuals because of their criminal background and the company's appearance when employing an ex-offender. The hiring managers are apprehensive about taking a chance with using these individuals for fear of appearance and how they perceive these individuals will be viewed. Crowford et al., (2014) investigated human resources hiring managers' perceptions and company policies. They found employers' perceptions of ex-offenders people skills while incarcerated diminished, causing the hiring manager to overlook them.

Overlooking qualified candidates based on past criminal actions gives the perception of unfairness, biases, and discriminatory practices within the hiring decision process. The hiring manager's perceptions of these candidates emerge in the selection process. According to Fosbender and Wang, (2017), elderly applicants are overlooked because of their age and outdated perception of contributing to the organization. Although age discrimination is against the law, it is still common in many industries (Fasbender and Wang, 2017). Gender stereotypes within specific social groups may cause a qualified individual to be overlooked for a particular position because the perception of that social group may not fit into the current perception of the hiring manager. When two

individuals with identical names and identical backgrounds applied for the same job, the applicant that fits into the social stereotype was chosen because it was perceived that the social group the applicant came from had a better understanding of mathematics in comparison to the other applicant (Ratten et al., 2021). Batastini et al., (2017) found that individuals with psychiatric and criminal backgrounds were perceived negatively by employers. Employers were unwilling to provide opportunities to such individuals because of the perceived risks involved in hiring such people. Even though the hiring managers are aware of the implications of making hiring decisions and the laws surrounding such hires, the perception of such individuals overshadows their desire to move forward with these applicants.

Gaps in the Literature

Researchers have approached the social issue of employment through the lens of the ex-offender (Atkinson, 2018; Bramley et al., 2019; Cundiff, 2016; Jackson and Zhao, 2017; Lockwood et al., 2016; Loosemore et al., 2020). Understanding the ex-offender's perspective is vital because it provides insight into the importance of employment as an ex-offender. Unfortunately, the decision to obtain employment does not solely rest on the ex-offender. Employers must hire these individuals making it a dual process. Therefore, greater emphasis on the employers' perspective and hiring practices is needed to understand what obstacles exist, if any, fully. Studies have addressed barriers ex-offenders face (Hinton, 2020; LaMontagne, 2016; Martin et al., 2020; Minor et al., 2018; Reich, 2017; Young & Ryan, 2019). However, limited information is available that addresses how perceptions influence hiring decisions for ex-offenders. Exploring the

types of biases in the hiring process can assist in better understanding why biases occur, and what happens when those biases are a part of our decision making process. This study addresses hiring gaps by examining how perceptions influence hiring decisions by interpreting the hiring managers' lived experiences. Future research can focus on hiring managers' perceptions of ex-offenders in a compromising job market or ex-offenders ' ability to embark on a startup business.

Summary and Conclusions

The literature provides us with a better understanding of how background checks impact an ex-offender's ability to obtain proper housing, employment, licensure, schooling, financial aid, and even firearm ownership. The literature review explained how decisions are made and expanded upon the importance of employment. The literature focuses on how the mark of a criminal conviction impedes an individual's ability to reenter society successfully. The literature review expands on ex-offenders' barriers by viewing the current legislation enacted to increase ex-offenders' employability. However, the literature review revealed a lack of uniformity in the legislation passed, leading to discrimination. What is clear is the greater need for more legislation to increase employment outcomes for ex-offenders. What is known is that background checks create bias, which harms ex-offenders. The background checks produce information about past criminal conduct, making social stigmas and labels hard to overcome. Hiring managers are then faced with deciding to hire an ex-offender. Despite knowing the laws and the importance of employment, sometimes such individuals' perception supersedes the employers' willingness to take a chance and hire.

Gaining insight into the hiring decision of ex-offenders in need. What is also required is how the hiring manager perceives the ex-offenders and their impact on their hiring decisions. Chapter 3 will provide the research method.

Chapter 3: Research Method

The purpose of this qualitative descriptive phenomenological study was to explore the lived experiences of human resources managers when hiring applicants with past criminal convictions. Chapter 3 provides insight into the chosen methodology and how the process complements the research purpose. Using a descriptive phenomenological approach through semistructured interviews, I gained insight into the hiring managers' perceptions through their lived experiences of perceiving the applicants with past criminal convictions. Chapter 3 will also expand on how the research was designed and the study rationale. Issues of trustworthiness are explained by elaborating on credibility, transferability, dependability, and confirmability.

Research Design and Rationale

The research question guiding this study was:

What are the lived experiences of human resources managers when hiring applicants with past criminal convictions?

The descriptive phenomenological approach provided insight into human resource hiring managers' lived experiences. Phenomenology offered an understanding of how lived experiences influence and guide decision making. Postmodernism is the ontological position used to interpret the information guiding the decision-making process. When used with the research design of phenomenology, they helped provide greater detail and insight into the influences of an individual's perceptions. Phenomenology offered an understanding of perceptions because it allowed me to view the participants lived experiences (see Qutoshi, 2018).

Phenomenology

Qualitative research offers several potions in method selection: ethnography, narrative, grounded theory, case study, and my chosen method of phenomenology. A researcher must decide which method will help answer the research question when selecting a method. Ethnography involves participant observation through an informal interview process, which allows the researcher to gain insight into human experiences (Mannik & McGarry, 2017). The researcher observes gestures and body movements, allowing the researcher to understand better the phenomena observed (Ahlstedt et al., 2019). This method would not provide a comprehensive understanding of the phenomenon explored because it interprets what is observed. The narrative design allows the experiences to become the analyzed data (Brown, 2017). This method focuses on the meaning individuals assign to individual experiences (Brown, 2017; Khwaja & Mahoney, 2019), whereas this study focused on personal perception, the narrative design was not suitable. Grounded theory and case studies are both research methods that provide the researcher with evidence to answer the research question. Case studies allow the researcher to select information based on generalization within a specific category (Ridder, 2017).

In contrast, grounded theory allows for reiterative examination of acquired data and comparison with the literature to develop new theories (Aldiabat & Le Navenec, 2018). The methodologies would extract information; however, the data I was investigating would not be suited for these two approaches. The phenomenological method provided greater access to answers, which helped describe the participants'

perceptions and attributes to answering the research question.

Phenomenology allowed me to explore participants' lived experiences to gain greater insight into the phenomenon. According to Qutoshi, (2018), phenomenological studies expand the mind and increase how the researcher identifies the phenomena. Phenomenology provides an in-depth perspective through a different lens where the outcome is based on personal lived experiences. Willis et al., (2016) assert that phenomenology offers the researcher with uncovering and analysis. As a research method, phenomenology requires three crucial characteristics understanding, interpreting, and documenting (Jackson et al., 2018). Willis et al., (2016) explained a phenomenon and compared how phenomena relate to our consciousness and how objects appear in our thoughts. Therefore, phenomenology puts together subjects and objects.

Descriptive phenomenology allows the researcher to better understand and extract the essentials from the phenomenon studied. According to Aagaard, (2017), descriptive phenomenology provides an impartial narrative of a phenomenon. The descriptive phenomenological approach allowed me to understand how the hiring manager makes hiring decisions when faced with the prospect of hiring an ex-offender. The hiring decisions enable the researcher to capture how life experiences influence hiring decisions. The hiring manager's lived experiences allowed me to hear, analyze, and interpret the hiring manager's feelings toward ex-offenders. The phenomenological approach provided a better understanding and analysis of hiring decisions by observing emerging themes which helps describe the patterns in the behaviors.

Postmodernism

When addressing postmodernism, trying to put together a definition that incorporates a particular meaning becomes difficult (Kretchmar, 2019). Postmodernism is defined as establishing vital, tactical, and pretentious practices using ideas like variations, recurrence, trace, simulacrum, and hyper-reality to destabilize alternative concepts like presence, identity, historical progress, epistemological certainty, and the univocity (Peters et al., 2020). The postmodernists believe that criminality is arbitrary, but crime is complex (Najafi Adrandabodi & Goldouzian, 2017). Postmodernists believe in corruption through power (Parviz & Akbar, 2016), and, therefore, postmodernism suggests that crime and criminal acts are centered around control. The labels derived from the powerful onto the powerless are a method of maintaining power. Postmodernists would view some criminal acts that lead to incarceration as a possible necessity. Therefore, the postmodernist would have difficulty understanding and applying the labels and stigmas associated with offending individuals (Duignan, 2020). Postmodernist theory, in conjunction with labeling and stigma theories, is explored throughout the literature review, and the literature review assists in bringing to perspective how perceptions influence hiring outcomes.

According to Burke, (2009), roles are problematic in a postmodern society because society's roles require individuals to function with shared understandings of different beliefs. Some dysfunctions can develop when the opinions are not shared, making it difficult for postmodernists to coexist. The postmodernist way of thinking requires rethinking and reanalyzing modernism. It is not an attack on the modernist but

an extension of the framework, which causes distinctions between postmodernist and modernist to become blurred (Silverman, 2017). Modernist seeks to adjust their beliefs to fit into what society considers contemporary. Postmodernism is closely linked to poststructuralism. However, poststructuralism, like postmodernism, seeks to reject society's definitions by examining a phenomenon. Poststructuralism differs in understanding society's meanings that are not shared purpose by community (St. Pierre, 2021). The postmodern lens allowed the researcher to review and interpret the information from a perspective not commonly used. The lens will assist in gaining insight into the phenomena researched from an alternate perspective.

Postmodernism offered a unique view of what crime is. Postmodernism derives from an alternate understanding of crime, and this alternate understanding allows the reader to merge the postmodernist perspective for greater insight (Najafi Abrandabadi & Goldouzian, 2017). I explored which research design would yield the responses needed to complement the research design and rationale. I decided on the chosen method because I believed it would complement the design and rationale and better understand and interpret the phenomenon of interest. Using a qualitative descriptive phenomenological approach provided a lens for understanding how human resource hiring managers conclude and render hiring decisions when hiring ex-offenders. I believed the other designs would not have allowed the researcher to gain insights as this design because phenomenology enabled the researcher to gain the individual's perspective through the individuals' lived experience. Phenomenology is the only method that provides an appropriate lens.

Role of the Researcher

For an interpreter in the research process, the individual must take on the complex role of organizing and transcribing the information obtained. The researcher must never forget to maintain their role as interpreters and guide the research process under that premise. According to Giorgi, (2020), interpretation requires an explicit consideration, which allows the information to have various meanings. According to Qutoshi, (2018), the translation component makes the investigation more significant for understudying social structures and approaches. It hones from the perspective of an individual researcher using interpretation to understand the common themes that developed how and why decisions are made. As an interpreter of the experiences, the researcher can form themes that provide a focal point for what factors contributed to the decision making process.

Interpretation required more than just grouping ideas and concepts. It needed the researcher to capture the context of events yet revealed. Having a personal relationship with the participants can also impact the research study. There were no professional or personal relationships between the participants and the researcher for this research study. Objectivity can only strengthen the research process and help to eliminate any biases. According to Bergan and Labonte, (2020), research biases distort or sway experience to support socially normal beliefs. To help reduce and eliminate biases when interviewing, researchers should establish a relationship with the participant to minimize uncertainty and gain insights and a better understanding (Bergan & Labonte, 2020). Biases and other ethical issues impact a researcher's outcome. The current research would not affect my

work environment because my employment is in healthcare, and healthcare, as previously mentioned, has strict guidelines for hiring ex-offenders. My current role would have no impact on the participants in the study. Conflicts of interest can arise within the research process when using incentives to encourage participation. I did not use any incentives for participants in this study.

Methodology

This study's methodology is a phenomenological approach. Creswell and Creswell (2016) defined the research method as specific protocols that lead the research design. The research question is the tool that guided the research study, and through a semistructured interview process, the perceptions of applicants with past criminal convictions are explored and answered. For this research approach, I explored the lived experiences of the hiring manager. This method allows for greater insight into the research question and, through the interview process, greater insight into perceptions and the impact of perceptions on a semistructured interview approach method. Rubin and Rubin, (2011) believed research interviews provided participant logic to elicit responses to answer the research question.

Participant Selection Logic

The research design requires the researcher to identify participants who have experienced the phenomenon. Phenomenology requires the researcher to conduct interviews to document and describe the participants' lived experiences (Creswell et al., 2007). It is through these interviews that interpretation emerged and was analyzed. Marshall and Rossman, (2011) recommended selecting participants based on the research

question in constructing the participant selection logic. This logic provided the framework for creating and distributing the email correspondence to human resource practitioners within New York City's five boroughs. This sampling strategy allowed the researcher to choose participants that fit into the criteria of working in human resources, which is the criterion for this research study. The recruitment strategy of sending out a recruitment flier to organizations within New York City yielded a diverse enough participant pool to facilitate the study. For this research, the participant logic criteria are the individual must work in the human resources department and be involved in the hiring decisions. The effects were not examined because this study is qualitative and is limited to understating the perception of hiring managers interviewing applicants with a past criminal history. According to Burkholder, Cox, and Crawford, (2016), the participant selection process is necessary because they complement the research question and specify the participant group. The decision to use 20 participants was believed to yield enough data for the researcher to analyze correctly. The researcher continued the data collection until saturation was achieved.

Saturation occurs when the data collected begin to repeat itself (Burkholder et al., 2016). Creswell **and** Creswell, (2016) suggested saturation occurs between five to twenty participants. Once I obtained enough participants, I proceeded with the process. I distributed the invitation, and upon response via email, I arranged time at the participant's convenience and scheduled the interviews. I Provided the participant's informed consent to ensure the participants knew all the interview process risks. The instrumentation used in the data collection process provides a lens for interpreting and

understanding the information gained.

Instrumentation

The researcher used semistructured interviews, reflective notes, and audio recordings of the web-based meetings as an instrument to organize and interpret the data provided. These instruments allowed the researcher to analyze the data and assess other tools needed to assist. Semistructured interviews were the chosen instrument used by the researcher to collect data. According to Ravitch and Carl, (2019), interviews gain insight into a phenomenon of the participants' lived experiences. Interviews within qualitative research allowed for more focused experiences and let the researcher greater access to a better understanding (Ravitch & Carl, 2019). The interview also allowed the researcher to notice nonverbal cues and allowed both the researcher and the participant to share at the moment (Ravitch & Carl, 2019). The researcher could not observe the participant's behaviors as they responded to the question using web-based communication— observation helps provide greater insight into how the participant perceived the questions. Semistructured interviews contain open-ended questions that enable the participant to explain and share their experience. This instrument provided the researcher with the perfect tool to explore the phenomena and gather the necessary information while assessing the nonverbal cues and probing the information. This process allowed the researcher to focus openly on the participant, not necessarily to abandon their personal feelings but to highlight the participant's experience (Giorgi, 2020). The interview question aligned with the research question guiding the study.

Audio recordings are a valuable tool in the interview process. Audio-recording

provided the researcher with unlimited access to the information obtained. The researcher

used a web-based meeting, which records. These recordings allowed the researcher to

access all information in the interview process. Using the application Web-based, I

recorded the entire interview. Web-based tools also allowed the interviewer to record the

audio aspect of the discussion. Using this function helped maintain the participants'

anonymity while still having access to review the entire interview. If anything was in

question, the researcher checked the recording for clarification. Reflective notes also

allowed the researcher the opportunity to not only reflect on the interaction it also allows

for clarification of any uncertainties. Recording enabled the research to focus on the

participants' experiences. Whereas taking notes during the interview might have

distracted the interviewer from pertinent information. Rubin and Rubin, (2011) suggested

minimizing any distractions that may influence what was happening. No professional ties

existed between the researcher and the participants in this study.

Procedures for Recruitment, Participation, and Data Collection

Participant recruitment is a central factor in the success of the research.

Newington and Metcalfe, (2014) identified four themes they believed influenced an

individual's willingness to participate in a study. The themes identified were substructure,

type of research, researcher's personality, and participants' personality. These themes

provided the researchers with an understanding of the influences which contributed to

participant involvement. Upon receiving the recruitment flier, the participants determine

whether they want to participate. The participants' consent form summarizes the

background and summarizes the study's purpose. The document included contact

information for the researcher and the Walden University representative to contact if they had any questions.

The researcher needed to determine the frequency of data collection events to ensure enough participation. The researcher created a data collection log to track responses and prevent intrusiveness. Once the flier and email were distributed, the research followed up three business days later to ensure receipt and willingness to participate. The data collection continued until saturation was reached. Rubin and Rubin, (2011) argued that the data collection instruments are not perfect. Therefore, the researcher must recognize the need for adjustment when necessary.

I conducted interviews through web-based meetings, which allowed me to record the audio of the interviews with transcription, expressing the gathered data in a new form (Ravitch & Carl, 2016). Transcription allowed me to review for inaccuracies. The transcribed data was then shared with the participants through email for feedback. Once the data-gathering portion of the research process concluded, the research progressed to the following data analysis phase.

Data Analysis Plan

The first phase of the data analysis plan allowed the researcher to examine the data generated. Since a descriptive phenomenological approach guided the research, the researcher needed to identify themes within the participants' responses. The themes identified became the core focus of the coding process. According to Colazzi, (1978), as cited in Morrow, Rodriguez, and King, (2015), descriptive phenomenology focuses on the principle or essential structure of any development under investigation – that those

feathers are the entities that create it, other than something else. Matua and Van Der Wal, (2015) believed descriptive phenomenology required researchers to pursue the meaning of consciousness without any biases or preconceived notions. It is this pure understanding of the phenomena the researcher wanted to acquire.

The researcher coded the data. However, determining which method best suited the research question was the guiding factor in the selection process. Saldana, (2016) stated the researcher needs to determine which coding method relates to the research question, and the answer to that question determines which codes are chosen. Codes are techniques to solve problems with no specific formula. Coding allows the researcher to organize the data into groups because they have similar characteristics (Saldana, 2016). The researcher used the open coding technique with the axial coding scheme.

Open Coding and Axial Coding

This study used two coding techniques to organize—open data and axial coding. Open coding is a coding technique derived from grounded theory, where the extraction of words or phrases is done line-by-line (Blair, 2015). Open coding's primary purpose was to help the researcher conceptualize and identify the data. For the researcher, this process allowed for a greater understanding of the information gathered, which provided more clarity when proceeding to the next step in axial coding.

Axial coding was the second step in the process. For axial coding, the data were analyzed and grouped based on one word or concept's relationship (Moghaddam, 2006). Moghaddam, (2006) states, four logical processes should occur while axial coding: (a) continuously linking subdivisions to a category, (b) examining groups with the collected

information, (c) increasing the concreteness of the classes by particularization their assets and scopes, and (d) investigating the differences in the occurrences. The coded data was inputted into the Nvivo software for analysis. After generating the coding themes and patterns, a clearer picture emerges, responding to the research question.

Issues of Trustworthiness

For the qualitative researcher, trustworthiness issues are essential elements in the research process. Trustworthiness for qualitative research is the certainty in the data, which allows for the proper interpretation of methods to ensure the research study's validity (Connelly, 2016). Gunawan, (2015) highlighted that trustworthiness becomes a matter of persuasion of auditable information, and the task is only considered trustworthy if the reader deems the research reliable. Trustworthiness is then divided into subcategories, which also need achievement to believe the research is creditable. Credibility, transferability, dependability, and confirmability contribute to the trustworthiness and achieving a credible study.

Credibility

Credibility concerns needed consideration within the research process. Credibility in qualitative research is a vital element in establishing research validity. Creswell and Creswell, (2016) suggested that the researcher explain the process to check the credibility of the research findings. The credibility depended on the theoretical reference, research topic, data gathering methodologies, and data analysis are all logically consistent. This logic should be as straightforward as feasible. It must include the verification procedures employed, such as data and analysis triangulation, the search

for negative cases, and participant feedback (Santiago-Delefosse et al., 2016).

Transferability

Transferability in qualitative research is the ability to take the finding and generalize those findings to the population of interest for the study (Burkholder, Cox, & Crawford, 2016). According to Burkholder, Cox, and Crawford (2016), qualitative research aims not to simplify a section of the population but must have meaning beyond the study. According to Burkholder, Cox, and Crawford, (2016), the researcher's responsibility is to provide sufficient information about the study so that the reader can derive an informed conclusion regarding the study.

Dependability

Another factor in achieving trustworthiness is dependability. Dependability in qualitative research means confirming uniformity within the gathering, examining, and recording of the data (Burkholder, Cox, & Crawford, 2016). However, qualitative research requires the achievement of dependability for accuracy. Dependability is closely related to reliability, and in qualitative research, reliability indicates the methodology is reliable throughout diverse research and diverse research projects (Creswell & Creswell, 2016). Dependability is vital because it establishes accuracy based on the researcher's findings.

Confirmability

Another necessary achievement in the research process is the ability of the researchers to achieve confirmability. When a research study is confirmable, another researcher can arrive at the same results if that researcher examined the same data.

Burkholder, Cox, and Crawford, (2016) suggested conducting research audits to ensure

confirmability. Audit trails allow the researcher to look back at how decisions were

made regarding the data—using introspective notes obtained through the data collection

process allowed for analysis and consideration of information, which may clarify

uncertainties with the data.

Ethical Procedures

Maintaining proper ethical boundaries in the research process is another

component of trustworthiness and helps to validate the research as ethical. For this

research study, the researcher understood that Walden University Institutional Review

Board's approval was needed before distributing any materials relating to the

investigation. Then, the researcher distributed the participation flier. The participation

flier provided critical information about the study. The participants received written

informed consent before the interview via email. The consent form includes an

introduction to the analysis, the process to conduct the study, participant withdrawal

information, and voluntary language regarding all participation. Once a participant has

agreed to participate in the research study, they replied I consent to begin the interview

process.

<div align="center">

Summary

</div>

The descriptive phenomenological design goal is to address the research question

presented for this study. I used a semistructured interview design to gather and analyze

human resource hiring managers' lived experiences. This chapter included the method

design, the research rationale, and the methodology. This chapter also included

procedures for recruitment and analysis. I explained trustworthiness issues relating to

credibility, transferability, dependability, and confirmability. The researcher's ethical

guidelines outlined how I would gain access to participants and use the data obtained.

Chapter 4 will include the data collection and analysis.

Chapter 4: Results

The purpose of this qualitative descriptive phenomenological study was to explore the lived experiences of hiring managers when hiring applicants with past criminal convictions. The research question was: what are the lived experiences of hiring managers when making decisions about applicants with a prior criminal background? This chapter includes research setting, demographics, data collection, data analysis, evidence of trustworthiness, and study results.

Research Setting

A total of seven participants participated in the research study. The world was still readjusting to a global pandemic, so I decided against face-to-face interviews to avoid health concerns based on the prevailing Centers for Disease Control recommendations. After posting the recruitment flier to my LinkedIn page, only one person responded, but that one person recommended other participants. Using the snowball sampling process, I reached out to other participants. I contacted all possible participants and sought their consent for interviews through Web-based options. I asked all participants to read the consent form, and I advised them that the study was voluntary and that they could choose to discontinue participation at any time during the process. I also advised all the participants that the interview process would safeguard confidentiality throughout the process. All participants were active within the human resources department at their current companies and were currently involved in the applicants' interview and decision-making process. There were no personal or organizational conditions mentioned at the time of the interviews that would have influenced the interpretation of the study results.

Interviews were scheduled based on the participants' availability. The web-based

interviews were conducted using a private web-based conference line which required a

meeting ID and a password. The Web-based meeting allowed the participant to arrange a

more conducive schedule that would allow them to choose the best time to have our

discussion. I recorded the audio for transcription and coding for analysis. The interviews

lasted between 10 and 20 minutes in length. Within the first two weeks, I was able to

schedule nine participants. One participant changed their mind because of personal issues

at home, and another participant had a medical emergency and was unable to dedicate the

time to be interviewed.

Demographics

I interviewed seven participants for this study. All participants in the study met

the inclusion criteria of having worked in human resources for more than 2 years, making

hiring decisions for a company operating in NYC. The participants' years of experience

in making hiring decisions ranged from 4 to 15 years (see Table 1).

Table 1

Participant Demographics

Study Participants	Years of Experience
Participant #1	5
Participant #2	4
Participant #3	5
Participant #4	4
Participant #5	5
Participant #6	5
Participant #7	15

Note. Years of experience is the total number of years working as a human resource

hiring manager.

Data Collection

Data collection was conducted in January and February of 2022. While the

sample size goal was 15-20 participants, saturation occurred early in the interview

process, and only seven participants were needed. According to Mason, (2010), there is

no minimum sample size for a phenomenological study because the sample size is

dependent upon the scope of the research. Sometimes a researcher can achieve saturation

early on, based on the topic. However, there are instances in which the sample size is

larger depending on the method and the contents analysis. Data was collected from seven

participants who met the criteria for inclusion in this descriptive phenomenological study.

The IRB approval number was 01-26-22-0743460. The sample was seven participants,

who provided a sufficient sample to achieve data saturation and answer the research

question.

I interviewed all seven participants and began by thanking them for expressing interest in my research study and expressing my appreciation for volunteering their time to contribute to the study. Care was taken to mitigate personal biases and retain the integrity of the conveyed responses. The interviews took place at the discretion of the participants. I allowed the participants to select times most convenient to them for their comfortability, and I worked around their schedules. Interviews were conducted in my home office to limit any distractions and allow for confidential conversations. While engaging in the interviews, some distractions did occur, which disrupted the flow of the interviews. For example, during one of the interviews, the participant kept having side conversations.

In contrast, another interview was interrupted by the phone ringing, and the participant had to stop to respond to the telephone call. The interruptions, while disruptive, had no impact or effect on the integrity of the data. Each participant was a member of the human resource team working in a capacity where they were involved in making hiring decisions. This criterion was needed to facilitate answering the research question because the participant had to work in human resources and make hiring decisions to answer the research question. I used my audio recorder to record the interviews with permission from the participants.

I used 10 semistructured interview questions (see Appendix A) to guide the discussions and ensure consistency during in-depth web-based communication interviews. The use of web-based communication interviewing allowed the participant to participate in the comfort of their home or any designated location. The web-based

communication meeting did not require the use of the camera, so I was unable to view the participant's face and, therefore, unable to see any specific gestures or facial responses to any of the questions. However, web-based communication provided flexibility and comfort for participants to schedule based on their availability. Again, since the country was still in a global pandemic, it allowed for safe interaction to limit the spread of COVID. In addition, the audio allowed me to take notes while the participant was speaking without coming across distracted. If a participant responded to a question with a yes or no response, I was able to document it and probe for a more in-depth answer. The data collection process ranged from 10 - 20 minutes, and data collection lasted approximately fourteen days (see Table 2). All of the interviews are labeled P1 - P7 and stored in a folder on my laptop.

Table 2

Interview Schedule & Duration

Participants	Date of interview	Length of Interview
Participant 1	01/31	19:26
Participant 2	02/01	14:30
Participant 3	02/01	14:39
Participant 4	02/03	11:06
Participant 5	02/03	10:30
Participant 6	02/08	15:53
Participant 7	02/12	10:02

Note: Duration of time includes minutes and seconds.

Participants 4 and 7 had the shortest duration time; however, both responded to the questions, providing the necessary insights to explore the research question. During the interview process, while interviewing participant 5, we kept getting interrupted by the other telephone ringing; it became very distracting and made it difficult to understand the replays to the questions. Participant 9 canceled our scheduled interview the day before because of an emergency that arose. The participant could not reschedule due to her giving birth and not knowing when she would be free and available to reschedule to engage in the interview process. These unusual events did not have any adverse impact on the data. I excluded any friends, family, or co-workers from participating in the research study to avoid research biases.

Data Analysis

The data analysis plan was divided into three parts: (a) transcription and data review, (b) analyzing the data, and (c) synthesizing and reporting the data findings. First, I read and reread the transcripts obtained by uploading the audio recording into Trint software for transcription. The data included over 30 pages of text from all seven participants. Interviews were transcribed into a Microsoft Word document. I transcribed and reviewed the document for accuracy. A code log was created using an excel spreadsheet, and this helped categorize themes that were identified throughout the process. I begin by listing words that helped form the code before its emergence of the code. Once the codes emerged, I sorted them into groups with similar patterns. This process involved recognizing specific elements and highlighting them before any

interpretation. The codes which emerged allowed for better analysis. Table 3 highlights

the codes and code frequency based on participants' responses.

I inserted a section explaining how the coding was developed and how the

interviews with various participants contributed to the coding and the themes that

emerged. Adding extracts from various participants would help.

Table 3

Codes assigned to data collected

Code #	Code Title	Code Frequency
Code 1	Background checks	69
Code 2	Felony/felonies	37
Code 3	Misdemeanor	14
Code 4	Reference checks	6
Code 5	Biases	1
Code 6	Fit	13
Code 7	Violent Crimes	14
Code 8	Previous Employment	3
Code 9	Criminal Conviction	49
Code 10	Consideration	24
Code 11	Hiring	103
Code 12	Perceived	18
Code 13	Positive	13
Code 14	Negative	10
Code 15	Criminal Record	3
Code 16	Hiring Manager	18
Code 17	Selection	2
Code 18	Prevent	11
Code 19	Crime	25
Code 20	Hiring decision	7
Code 21	Position	29
Code 22	Recruiter	2
Code 23	Red flags	3
Code 24	Offense	14
Code 25	Laws	3
Code 26	Statute of limitation	15
Code 27	Applicant	34
Code 28	Disclosure	4
Code 29	Candidate	21
Code 30	Applicant	52
Code 31	Honesty	8

After developing the categories, I reviewed the codes and grouped them based on their similarities. The synthesis of the codes helped in the development of categories. Five categories we developed from the codes. The codes I developed were personality traits, employment requirements, and hiring obstacles. The grouping of the codes allowed for the development of categories (see Table 4).

Table 4

Categories developed from coded data

Category	Code Assigned
Personality traits	Fit, perceived, positive, negative, honesty
Employment Requirements	Background, reference checks, previous employment, criminal conviction, hiring, selection, hiring decision, position, hiring manager, candidate, applicant,
Hiring Obstacles	Biases, consideration, criminal record, criminal past, prevent, crime, red flags, the statute of limitation, disclosure, offense felony/felonies, violent crime,

After categorizing the data, various themes emerged. A theme provides clarity to data by allowing meaning to emerge based on the categories of the data (Saldana, 2016). Themes develop by linking the data based on similar concepts. According to Rubin and Rubin, (2012), themes assist in providing a better understanding of how the participants feel about the phenomenon. The themes were developed from coding and categorizing the participants' interviews and the interview notes and memos. The themes coincided with the interview questions and participant responses to the interview questions (see Table 5).

Table 5

Title

Theme Number	Theme Description
Theme 1	Hiring Decisions
Theme 2	Significance of Charges
Theme 3	Managers' Opinions

Evidence of Trustworthiness

Credibility

Several methods were taken throughout the research study to ensure credibility, dependability, and confirmability. In Qualitative research, credibility refers to the researcher's ability to correctly capture the participants' point of view about the topic or phenomenon studied (Creswell and Creswell, 2016). To ensure credibility, I used notes during the interview process. I wrote down any pertinent information I believed and thought would contribute to the data analysis process. After the interviews were transcribed and coded, I followed up with the participants to briefly summarize what I derived from the interview and answer any questions.

Transferability

Transferability refers to how applicable or transferable the findings of a study are (Ravitch & Carl, 2016). To increase transferability, I utilized a snowball sampling strategy to find a variety of participants to interview. Multiple participants indicated they knew someone interested in participating in the study, and the individuals met the study criteria. The open-ended semistructured interview questions allowed the participants to

provide narratives related to the phenomenon. I used question probes when necessary to gather supplemental information about the participant experience.

Dependability

Dependability refers to how the researcher logically and thoroughly plans on executing their data in the research process. According to Urban & van Eeden-Moorefield, (2018), to obtain dependability, the researcher must describe the research process in detail to facilitate. During the interviews, I took notes and followed up with probing questions if the response was unclear. The messages allowed me to reflect and explore the phenomenon in question. The notes also assisted in satisfying the need for dependability because these notes helped to answer any questions I, as the researcher, may have developed during the interview process.

Confirmability

The researcher needs to put forth plans to reduce biases because the researcher is the primary instrument used in qualitative research studies (Burkholder, Cox, and Crawford, (2016). I reviewed the themes and codes several times to ensure the data analysis was correct to establish confirmability. Confirmability also requires researchers to demonstrate how conclusions are reached (Urban & van Eeden-Moorefield, 2018). I achieved confirmability by using my notes to document my thoughts, feelings, and biases during the entire research study. I ensured all themes were developed solely from the participant's responses.

<div align="center">

Study Results

</div>

The research question guided the research study: What are the lived

experiences of human resources managers when hiring applicants with past criminal

convictions? Questions 5 - 9 of the interview questions were designed to capture the

lived experiences of the hiring manager (see Table 6). The themes were derived from

the interview questions and participants' responses. The combination of all the

information gathered led to these results.

Table 6

Interview Questions Centered Around Perception and Lived Experiences

Interview Questions
Question #5 Can you describe your experiences when you find someone had a criminal conviction? How do you proceed?
Question #6 How would you describe your experiences in deciding past criminal convictions in your hiring decisions?
Question #7 Has the background check policy ever prevented you from hiring an otherwise well-qualified applicant? If so, how would you describe your experiences in reaching a decision in such a case?
Question #8 Do you consider the statute of limitation on criminal convictions when making your hiring decisions? Why/Why not?
Question #9 Do you believe ex-offenders are perceived positively or negatively in the organization?

Note: There were 10 questions. However, these five questions centered around the

participant's perceptions and lived experiences.

Theme 1: Hiring Decisions

There was a consensus between all seven participants that various factors

contribute to the hiring decision. All participants expressed what they look for and

how they derive a decision. Questions 5 and 6 in the interview asked the participant to

explain how they proceeded once they discovered someone had a conviction and how

they decided to hire an individual. According to all the participants, both questions require input and consideration from other individuals on the management team. Participant 1 stated, "a felony is the severest of criminal infractions possible, and sometimes those individuals are really bad people. Those types of people sometimes deserve what they get; therefore, some individuals just don't get the job based on a felony charge. If I go to my boss and say, this person has a felony conviction, more than likely he will say don't hire them because they are a felon, and we cannot take the chance of hiring a felon."

Participant 3 stated that once an applicant discloses that they have a previous conviction, they ask them to write down in detail what transpired, then they "gauge based on the information provided was it a flight, fight, flee, situation or did they have to do what they felt necessary and got caught up in a bad situation where now, they have a record." Participant 4 shared a similar reaction to participant 3 and said, "once we find out about the conviction, then I ask the individual what happened, to see if they are telling the truth. If they tell me about the conviction before running the background check, that's good. I can only go by what they say, so I just have to use my judgment on whether or not I believe them."

Participant 5 stated, "we try to get as much information as possible about what transpired. The more information we have, the better we are able to make a properly informed decision." Sometimes I am unable to make the decision alone, so then I incorporate my boss, who is the Vice President of Human Resources, to get their perspective on the situation. Then they will say, let me think about it. I believe my

boss is weighing the pros and cons. They are using their knowledge about a particular type of crime to decide if the individual is a good fit." Participant 6 stated, "We try always to find the best candidates that meet the qualifications whether it's a combination of their background and experience along with their education, and all of those qualifications depend on the position we are hiring for. We don't want to hire a bad fit, and by that, I mean if they are not perceived to be the right fit, then we will pass on the candidate."

Participant 6 stated, "we try to find the best candidate that is out there, that meets all of the requirements, not only is the qualifications important, but they have to pass the background check, education, and qualifications, and those things are also determined by the position they are applying for. Participant 7 stated that "a person was convicted for armed robbery in 2008. Obviously, that was 12-14 years ago, so depending on the position the robbery can be an immediate red flag. So, let's say they are applying to housekeeping. Do you want a robber working in housekeeping, or would you want a robber working in your finance department? Probably not, them working in housekeeping is less of a concern than them working in the fiancé department. Any position would be a cause for concern because they were a robber. So, I would have to review what happened with the person. I try to get all the information upfront about the crime, and I also try to make my determination based on the information. Do I think they are being honest or not? More than likely, I would hire them for housekeeping, but not finance because, in finance, they may have access to money. I don't want to take the chance and make a bad hire."

Theme 2. Significance of the Charges

As previously mentioned, employers take into consideration various factors when hiring an ex-offender. Some specific factors included the individual's personality, type of offense, time since the offense, and the company's background check policy may prevent a sometimes-well-qualified individual from obtaining a position. Participant 7 stated they have experienced one or two instances where they had to disqualify an applicant because of the information found on the background check. "it turns out the person was convicted of a violent felony, it was not a felony but a few felonies and even though it happened a long time ago, I did not want to take the chance because of the nature of the crime and how others would perceive it. Violent crimes are hard to look past. Misdemeanors are not that bad, but felonies will prevent you from getting the job because of the seriousness of the offense."

Participant 6 reflected on an instance where the company's background check disqualified a potential candidate. The response mirrored the participant's 7 answers that the severity of the crimes is considered. Participant 6 gave an example of an individual who was convicted on being aggressive or assault, "then maybe this is not the right person for a security job, because one they are constantly interacting with people who may be aggressive or unhappy now an argument happens and the population at this job is testy, so now they arguing and a fight breaks out, now they get another assault change because they were arguing back with the people here. That may not be the right job for that person if you think about it. It's hard to decide who to hire. But the policy is what it

is, and we have to adhere to it. These candidates have to understand that we are using our judgment based on what they tell us and what the company says."

Participant 5 explained, "yes the criminal conviction plays a part. I understand we all grow up differently and are exposed to different circumstances in life, but those decisions do follow us, so some people have to make better decisions. So yes, the criminal convictions play a part, and sometimes it's the deciding factor because we don't know these people like we don't know them, so sometimes it's hard to determine if we are doing the right thing. Unfortunately, some people are judged because of their past and past acts, but we have to go based on their information. All that information is used in making the hiring decision.

Participant 4 and participant 1 have never experienced an instance where the company background check policy has prevented them from extending an offer. Participant 3 explained the instance and how it was addressed. "The candidate had a felony, and it was bad, really bad, and what ended up happening with that particular individual is when we dug deep and asked more and more questions, we found out the applicant was in the wrong place at the wrong time with the wrong friends and ended up doing a did for murder. That was a crazy situation, and they did some serious time. Murder is hard to overlook unless its self-defense and even then, it's still hard. He had everything, but he was a murderer. Murderers are not looked at positively by anyone. You kill someone doesn't matter if it was by accident people look at you strangely, and that strangeness will affect you. So, we had to withdraw the offer. Nope sorry, we couldn't bring him on board. He murdered and is bad. We only like positive people

working here. Participant 2 stated that the company's policy is very strict and "any violent crime convictions are an automatic no higher, regardless of how long ago it was or the circumstance at which it occurred.

Theme 3. Manager's Opinions

According to Participant 2 and Participant 7, background checks are only conducted after an offer of employment has been extended. According to Participant 7, New York City is a "ban the box" city. You cannot inquire about past convictions until an offer of employment has been made; therefore, it is in the candidate's best interest to be honest about any past criminal convictions. According to Participant 7, once the disclosure of a past crime is made, now you examine the crime against the position they are applying for. "Everything is taken into consideration the seriousness of the offense, the statute of limitation, how long ago did they commit the offense. Human resources are the only department that knows about the conviction. Our company policy is specific about who needs to know about the applicant's past criminal acts. So, the decision to hire depends on us [HR] and our opinion about this individual. Do we [HR] believe the candidate deserves this opportunity? Honestly, it is a matter of our personal opinions and the candidate." Participant 2 stated, "We have a decent number of ex-offenders working within our organization. I do not think they are any negative perceptions about them because if they were, they wouldn't be working here."

Participant 1 and Participant 5 expressed they are the only ones that know about the offense, so there are no negative perceptions from the staff. According to participant one, "my company does not allow us to disclose anything about the applicant's past

criminal behaviors. So, when I become aware of an individual's past criminal convictions, I need to know how long was the offense, if it was something they did in their teens or twenties, and they are now in their forties. I can't hold that against them. They were probably young and dumb. If they committed this offense recently, and they are older, then they made a choice they knew what they were doing that lack of judgment on their side does not look good, so yeah, I may pass on that person. In my mind, they are too old to make those types of careless mistakes. I can't look at someone like that favorably. Participant 5 stated the paperwork stays in my office no one knows, so no one can have anything to say. We know, and we also know the importance of confidentiality. We examine the crime, but we also examine all the information provided to us."

Participant 3 stated, "I believe they have an added value; everyone deserves a second chance. However, not everything can be overlooked. If you hire a felon, the thought is always your dealing with someone with a violent nature, and you have to be careful because you never know when a situation can arise, and then anything can happen. I have no issue with giving someone a second chance, neither does my organization, but when it comes to violent crimes, you have to look at the crime, look at the person, look at how many convictions this person has. When I stated before, they bring value, and it's because they are normally hard-working and determined people. They want us to see that we made the right decision in taking a chance with them. Participant six shared a similar sentiment stating that "the decision to move forward is based on our perception of the crime, we cannot tell anyone about the past offense, so it all just depends on what we think based on what they are telling us."

Participant 4 stated, "I am sure if they know, or find out they would probably treat the person away. Either looking at them differently are gossiping about what they did. That's just how people are too negative talk about things they don't know enough about to make a decision." Participant four also goes on to say, "in a case where the information does get out to staff, they would probably just watch them more. Like if something goes missing, more than likely, they will blame the ex-offender knot even knowing whether or not they were a thief. So, if that information got out, it would be our fault for allowing that information to get out. That individual would be the cause of anyone having a negative or positive thought about the applicant."

Summary

This chapter provided analysis for this qualitative descriptive phenomenology study. The study results revealed that ex-offenders still face challenges when seeking employment. Employment is a critical element in recidivism, and the experiences of seven human resource hiring managers confirmed that employers consider the type of crime when making hiring decisions. Employers also consider the individuals ability to be transparent and honest about past criminal offenses, suggesting that if an ex-offender is upfront and discloses past criminal history it is viewed favorable. Employers also take into consideration the individual's ability to perform the positions, and the skills needed for the positions and the type of infraction that occurred. Chapter 5 will include the interpretation of findings, limitations of the study, recommendations, implications, and conclusion.

Chapter 5: Discussion, Conclusions, and Recommendations

The purpose of this qualitative descriptive phenomenological study was to explore the lived experiences of human resources managers when hiring applicants with past criminal convictions. The nature of the selected descriptive phenomenological study was an in-depth exploration of the lived experiences of New York City nonhealth sector human resources managers when hiring applicants with past criminal convictions. Seven participants engaged in semistructured interviews via web-based audio-based communication. The interviews yielded data that was organized into themes. Those themes were:

- Theme 1: Hiring Decisions

- Theme 2: Significance of Charges

- Theme 3: Manager's Opinions

The study results indicated that ex-offenders still face challenges in New York City based on background checks. Even though New York City engages in "ban the box," well-qualified ex-offenders are still overlooked for employment based on the nature of the crime committed, the company's background check policy, and how the hiring manager views the crime.

Interpretation of Findings

The results of this study underscore the corporative efforts needed between hiring managers and organizations to remove personal opinions and biases from hiring decisions when considering hiring applicants with past criminal convictions. The study findings support the conceptual framework I used, which centered around Durkheim's, (1964)

labeling theory and Goffman's, (1963) social stigma theory. These two theories highlight

how individuals with certain labels and the social stigmas attached to those labels are

excluded because of behaviors that society has deemed unacceptable. Highlighting the

importance of how society views specific crimes and how those particular crimes can

impede an ex-offender's ability to reintegrate. Participant 1 expressed a felony as being

the severest of infractions, and an unwillingness to give chances to individual with this

type of infraction. In this instance the label of felon and the stigmas attached to the

person being labeled a felon, has caused an entire group of ex-offenders now to be

excluded from a job with this specific organization. Whereas Participant 1 also expressed

"those types of people sometimes deserves what they get" clearly indicating some sort of

personal bias against felons and an unwillingness to give a second chance.

In New York City, background checks are only conducted after an offer of

employment is extended to an applicant. Since New York City operates under the "Ban

the Box," provision and employers are only made aware of any past criminal activities

through a background check or full disclosure by the applicant, postmodern theorists

would applaud such a policy because it causes employers to look deeper into the why an

act was committed and remove some of the focus and bias attached with the specific label

of the act itself. Participant 3 expressed wanting more detail about the surrounding story

of the infraction, and postmodern theorists would also want to try and figure out why an

individual committed and specific crime. However, once the conviction becomes known,

the choice to hire is left to policy and perception. All participants spoke about the

background check policies enacted by their organization. Based on the responses, the

organizations that employ the participants enacted background check policies as guidance when making hiring decisions. The policies highlight the parameters taken when making hiring decisions involving ex-offenders. These parameters do leave some discretion to the hiring manager, where they must incorporate their opinions based on the information provided about the offense into the hiring decisions.

The decision to hire involves information obtained through the interview process. Each participant expressed how they derived the decision and what factors contributed to the decision. Based on the participants' responses to how they made the hiring decision, themes emerged. Those themes were generated from an interpretation of the responses provided by each participant in this study. The themes which emerged were: Hiring Decisions, Significance of Charges, and Managers Opinions, which complimented the previous research discussed in Chapter 2. One of the interview questions was: Has the company's background check policy ever prevented you from hiring an otherwise well-qualified? Unanimously, all the participants explained various incidents where the company's background check policy caused them to overlook a well-qualified applicant because of their past criminal infractions. Also, during the instances in which the applicant was disqualified the statute of limitations was examined, but the nature of the crime was the deciding factor.

Chapter 2 addressed social stigmas and labels for ex-offenders and how those specific attributes can hinder possible employment opportunities. When asked, "do you believe ex-offenders are perceived negatively or positively," the responses differed in that three participants said positive, two negative, and two neutral (see Figure 1). Based on

the participant responses, 42.8% of participants believed ex-offenders are perceived positively by the organization. One participant mentions ex-offenders bring an added value of commitment and integrity. Whereas 28.5% of the participants thought they were viewed negatively. One participant stated, "they would probably be watched closely by others and viewed in a way that if anything ever went missing, they would look at that individual as the one who did it." The other 28.5% thought that ex-offenders are viewed neutrally by the organization. Meaning, they are not considered either negatively or positively. This position is because, according to one participant, "no one has access to the background check information but this department." The response to this specific question is a clear indicator of the colleterial damage with occurs when an individual has specific labels and stigmas attached to them.

Figure 1

Perception Responses From Participants
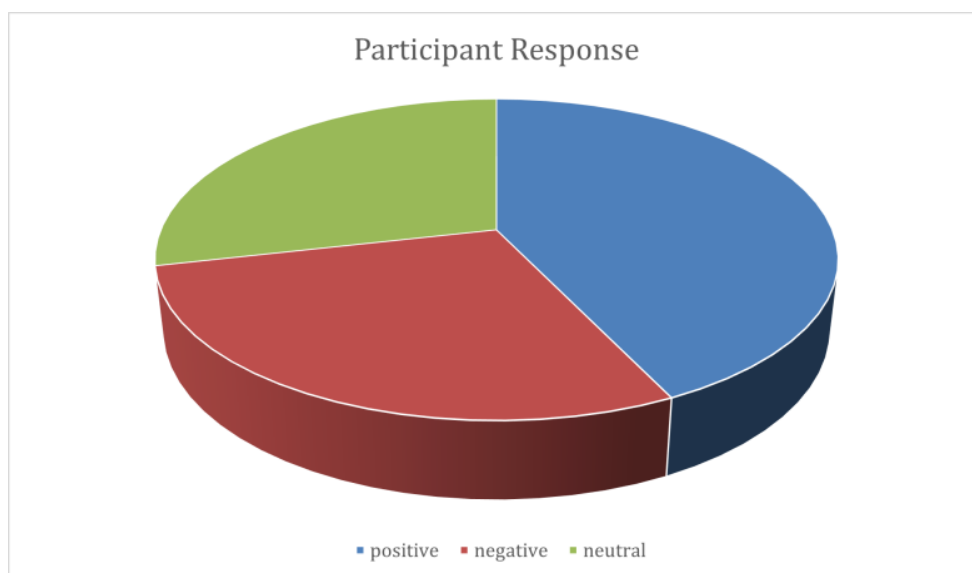
The research finding and Chapter 2 literature review expand on some of the obstacles faced by ex-offenders when seeking employment. The labels and stigma which develop from past criminal interactions are extremely difficult to overcome. The research finding also is in alignment with the importance for employers and hiring managers to understand what factors distort the decision-making process. Nikolic (2018) addressed how understanding what factors contribute to the decision-making process helps to increase awareness of the information presented and helps to reduce biases in the decision-making. What the research finding has uncovered is there is still a great deal of room for improving employment outcomes for ex-offenders.

Limitations of the Study

A few limitations did arise during the research. One limitation of this research study was the small sample size. The small sample size does not allow generalizability of the results to the entire human resource hiring manager population. Secondly, the results of this study were developed by analyzing participants' responses to the semistructured interview and as such, I must assume the participants are responding to the questions honestly (Giorgi, 2009). Qualitative research is subject to potential biases because the information is derived from interpreting the participant's responses to interview questions (Creswell, 2013).

Since the research was exploratory the limitations did not weaken the overall trustworthiness of the study results. However, the results may not be transferable to states where ban-the-box laws do not exist. Organizations such as healthcare or finance where strict guidelines exist regarding the hiring of ex-offenders. Since the findings are limited

to organizations in New York City specifically, then these findings may not be applicable to other large cities in different regions. I did not examine how race and gender may have influenced the study results.

Recommendations

Prior research has revealed some of the difficulties faced by ex-offenders when seeking employment. Unemployment is a collateral consequence of incarceration, and this study has identified the constraints. The constraints identified in this study center around employer perception of ex-offenders, and how those perceptions can impede an ex-offender's ability to secure employment. Evaluating employability through the lens of the hiring managers provides a perspective unlike any other because it allowed the researcher to understand the factors which contribute to positive employment outcomes.

Further research focusing on how to minimize hiring managers biases regarding ex-offenders may provide clarity on the need for training programs, so that hiring managers are better equipped to deal with the ex-offender population. Research exploring a larger sample size over a larger geographic region may yield results which can provide clarity into these challenges. Research on specific industries and their response to hiring ex-offenders can assist in gaining a full understanding of how various industries hire ex-offenders. Since New York City has ban-the-box laws, exploring how other cities in different regions of the United States adapt and facilitate the ban-the-box laws with their hiring practices may be useful to the implementation of policies that. Exploring the percentage of ex-offenders hired before and after the ban-the-box was enacted may also

provide clarity of if the law is actually working, allowing law makers/policy makers the opportunity to revise the law where needed.

Research using a case study methodology can provide insight by studying cases where employment outcomes have a higher success rate and find out what those employers are doing in comparison to companies that have a low hire rate for ex-offenders. The research would have to review what organizations are doing to successfully attract and maintain the hiring of ex-offenders. A case study method could allow the researcher to explore what employers perceive as the risk factors in hiring ex-offenders and provide insight to employers unwillingness to hire ex-offenders. Research related to the removal of some of the employment constraints for the ex-offender seeking employment.

Implications

Positive social change resulting from this study could be realized from the application of the findings in individual, organizational, and societal/policies. On the individual application, it requires self-reflection. On the organizational, societal, and policy application the application requires change. Each application referenced has a specific role in ensuring the change occurs and the social change is maintained in a way that fosters positive outcomes. Once those outcomes are achieved on the individual, organizational, and societal/policy levels, then we begin to move in the right direction towards social change.

Individual

Individually ex-offenders should use the responses in this research to prepare for the employment seeking process. Furthermore, ex-offenders should prepare by familiarizing themselves with the current laws within New York City regarding disclosing prior convictions, and how the ban-the-box law affects their employment applications. Also, provide insight into the importance of honesty in the interview process. While understanding that some employers will exclude them from being hired solely based on the type of offense committed. Understanding that these employment biases do exist and have an adverse impact on hiring outcomes for ex-offenders.

Organizational

At the organizational level, leaders should focus on areas within their organization's hiring policies to increase ex-offender employment. The organizational leader must teach staff to hire based on qualifications and skills and match candidates based on job requirements and duties. Organizational leaders have to ensure the individuals involved in the decision-making process remove personal biases when making hiring decisions. Organizations should also implement programs to increase the hiring of ex-offenders since employment is such a critical component.

Societal/Policy

This study is expected to help policymakers identify weaknesses in current laws, including ban the box laws, and assist in the necessary revisions to the existing laws. It highlights some of the challenges ex-offenders face in acquiring employment and the need for policy reform. Increasing employment outcomes for ex-offenders helps to

reduce the likelihood of recidivism. Policymakers have to expand laws like ban-the-box

to all states to help with the increase in employment outcomes. Also, propose new

policies which could entail the expulsion of someone's criminal record if a specific

period of time lapses with no other infractions. Society needs to view ex-offenders, as

people who have severed their time, and should not be penalized based on past bad acts.

Conclusions

In conclusion, research has shown that employment is a key factor in recidivism.

Ex-offenders are often overlooked for employment opportunities because of the labels

and the stigmas associated with the infractions committed. This study has laid the

foundation for how organizations can work on improving employment outcomes for ex-

offenders. Some of the participants of this study disclosed their unwillingness to hire

individuals who committed specific crimes. Creating an inability for an entire segment of

the population to become gainfully employed. While all of the participants expressed that

their company's background check policy, has caused them to overlook a well-qualified

applicant. Reinforcing the need for better policies on an organizational level, to increase

employment outcomes for ex-offenders. The efforts by companies to make the right hire,

cannot be overlooked, however, understanding some of the obstacles and the importance

of employment ability to lower recidivism should create enough of a reason for a

reevaluation of the barriers ex-offenders face.

References

Atkinson, K. (2018). Disclosure laws under the Rehabilitation of Offenders Act 1974: Do they discriminate against offenders. *North East Law Review*, *6*, 53.

Aagaard, J. (2017). Introducing postphenomenological research: A brief and selective sketch of phenomenological research methods. *International Journal of Qualitative Studies in Education*, 30(6), 519–533. https://doi.org/10.1080/09518398.2016.1263884

Abbasi, S. G., Tahir, M. S., Abbas, M., & Shabbir, M. S. (2021). Examining the relationship between recruitment & selection practices and business growth: An exploratory study. *Journal of Public Affairs, n/a(n/a)*, e2438. https://doi.org/10.1002/pa.2438

Adams, E. B., Chen, E. Y., & Chapman, R. (2017). Erasing the mark of a criminal past: Ex-offenders' expectations and experiences with record clearance. *Punishment & Society*, *19*(1), 23–52. https://doi.org/10.1177/1462474516645688

Agan, A. (2017). Increasing Employment of People with Records. *Criminology & Public Policy*, *16*(1), 177–185. https://doi.org/10.1111/1745-9133.12266

Agan, A., & Starr, S. (2017). The effect of criminal records on access to employment. *American Economic Review*, 107(5), 560–564. https://doi.org/10.1257/aer.p20171003

Ahlstedt, C., Eriksson Lindvall, C., Holmström, I. K., & Muntlin Athlin, Å. (2019). What makes registered nurses remain in work? An ethnographic study. *International Journal of Nursing Studies*, 89, 32–38.

https://doi.org/10.1016/j.ijnurstu.2018.09.008

Ahmed, A., & Lång, E. (2017). The employability of ex-offenders: A field experiment in the Swedish labor market. IZA *Journal of Labor Policy, 6*(1), 1.

Aldiabat, K. M., & Le Navenec, C. L. (2018). Data saturation: The mysterious step in grounded theory methodology. *The Qualitative Report*, *23*(1), 245-261.

Ali, A. A., Lyons, B. J., & Ryan, A. M. (2017). Managing a perilous stigma: Ex-offenders' use of reparative impression management tactics in hiring contexts. *Journal of Applied Psychology, 102*(9), 1271–1285. https://doi.org/10.1037/apl0000226

Allais, S. (2017.). *Labour market impact of National Qualification Frameworks in six countries*. *ILO*.

Alpher, M., & Markman, J. (2018) Update on prisoner recidivism: A 9-year follow-up period (2005-2014). *Bureau of Justice Statistics*. https://www.bjs.gov/content/pub/pdf/18upr9yfup0514.pdf

Al-Rousan, T., Rubenstein, L., Sieleni, B., Deol, H., & Wallace, R. B. (2017). Inside the nation's largest mental health institution: A prevalence study in a state prison system. *BMC Public Health, 17*(1), 342. https://doi.org/10.1186/s12889-017-4257-0

Anazodo, K. S., Ricciardelli, R., & Chan, C. (2019). Employment after incarceration: Managing a socially stigmatized identity. *Equality, Diversity and Inclusion: An International Journal, 38*(5), 564–582. https://doi.org/10.1108/EDI-09-2018-0175

Andersen, L. H. (2020). Using a natural experiment to measure the impact of swifter

punishment on criminal recidivism. *Journal of Experimental Criminology, 16*(2),

289–298. https://doi.org/10.1007/s11292-019-09355-4

Atkin-Plunk, C., Peck, J., & Armstrong, G. (2017). Do race and ethnicity matter? An

examination of racial/ethnic differences in perceptions of procedural justice and

recidivism among problem-solving court clients. *Race and Justice*, *9*, 151-179.

https://doi.org/10.1177/2153368717691800

Augustine, D. (2019). Working around the law: Navigating legal barriers to employment

during reentry. *Law & Social Inquiry, 44*(3), 726–751.

https://doi.org/10.1017/lsi.2018.23

Augustyn, M. B., Ward, J. T., Krohn, M. D., & Dong, B. (2019). Criminal justice contact

across generations: Assessing the intergenerational labeling hypothesis. *Journal

of Developmental and Life-Course Criminology*, *5*(2), 137–175.

https://doi.org/10.1007/s40865-019-00118-3

Austin, J. (2017). Limits of prison education. *Criminology & Public Policy*, *16*, 563.

Baffour, F. D., Francis, A. P., Chong, M. D., Harris, N., & Baffour, P. D. (2020).

Perpetrators at first, victims at last: Exploring the consequences of stigmatization

on ex-convicts' mental well-being. *Criminal Justice Review*, *46*(3), 304-325.

https://doi.org/10.1177/0734016820960785

Balik, B. (2018). Joy in work: The vital role of nursing leadership. *Nurse Leader*, *16*(4),

220–223. https://doi.org/10.1016/j.mnl.2018.05.006

Barmaki, R. (2019). On the origin of "labeling" theory in criminology: Frank

Tannenbaum and the Chicago School of Sociology. *Deviant Behavior*, *40*(2), 256-

271.

Batastini, A. B., Bolaños, A. D., Morgan, R. D., & Mitchell, S. M. (2017). Bias in Hiring
Applicants With Mental Illness and Criminal Justice Involvement: A Follow-Up
Study With Employers. *Criminal Justice and Behavior*, 44(6), 777–
795. https://doi.org/10.1177/0093854817693663

Baur, J. E., Hall, A. V., Daniels, S. R., Buckley, M. R., & Anderson, H. J. (2018).
Beyond banning the box: A conceptual model of the stigmatization of ex-
offenders in the workplace. *Human Resource Management Review*, *28*(2), 204–
219. https://doi.org/10.1016/j.hrmr.2017.08.002

Bergen, C. W. V., & Bressler, M. S. (2016). *"Ban the Box" Gives Ex-Offenders a Fresh
Start in Securing Employment*. 15.

Bergen, N., & Labonté, R. (2020). "Everything Is Perfect, and We Have No Problems":
Detecting and Limiting Social Desirability Bias in Qualitative
Research. Qualitative Health Research, 30(5), 783–
792. https://doi.org/10.1177/1049732319889354

Berger, L. M., Cancian, M., Cuesta, L., & Noyes, J. L. (2016). Families at the
intersection of the criminal justice and child protective services systems. *The
ANNALS of the American Academy of Political and Social Science*, *665*(1), 171-
194.

Berghuis, M. (2018). Reentry Programs for Adult Male Offender Recidivism and
Reintegration: A Systematic Review and Meta-Analysis. *International Journal of
Offender Therapy and Comparative Criminology*, *62*(14), 4655–

4676. https://doi.org/10.1177/0306624X18778448

Berk, B. B. (2015). Labeling Theory, History of. In International Encyclopedia of the

Social & Behavioral Sciences (pp. 150–155).

Elsevier. https://doi.org/10.1016/B978-0-08-097086-8.03161-5

Bernburg, J. G. (2019). Labeling Theory. In M. D. Krohn, N. Hendrix, G. Penly Hall, &

A. J. Lizotte (Eds.), Handbook on Crime and Deviance (pp. 179–196). Springer

International Publishing. https://doi.org/10.1007/978-3-030-20779-3_10

Berry, K. R., Kennedy, S. C., Lloyd, M., Veeh, C. A., & Tripodi, S. J. (2020). The

Intersectional Effects of Race and Gender on Time to Reincarceration. Justice

Quarterly, 37(1), 132–160. https://doi.org/10.1080/07418825.2018.1524508

Bhuller, M., Dahl, G. B., Løken, K. V., & Mogstad, M. (2018). Incarceration,

Recidivism, and Employment. 83.

Blair, E. (2015). A reflexive exploration of two qualitative data coding techniques. 16.

Blair, P., & Chung, B. (2018). Job Market Signaling through Occupational

Licensing (No. w24791; p. w24791). *National Bureau of Economic

Research*. https://doi.org/10.3386/w24791

Blair, P., Kleiner, M., & Hicks, J. (2019). The Labor Market Consequences of Ex-

Offender Licensing Laws. Upjohn-Sponsored Grants.

https://research.upjohn.org/grants/173

Blazier, K. (2020). Criminal Bias in Employment.

Blustein, D. L. (2019). The Importance of Work in an Age of Uncertainty: The Eroding

Work Experience in America. Oxford University Press.

Bollinger, C. R., & Yelowitz, A. (2021). Targeting intensive job assistance to EX-OFFENDERS by the nature of offense: Results from a randomized control trial. *Economic Inquiry*, *59*(3), 1308–1327. https://doi.org/10.1111/ecin.12984

Bozick, R., Steele, J., Davis, L., & Turner, S. (2018). Does providing inmates with education improve postrelease outcomes? A meta-analysis of correctional education programs in the United States. Journal of Experimental Criminology, 14(3), 389–428. http://doi.org /10.1007/s11292-018-9334-6

Braga, A. A., & Cook, P. J. (2018). The Criminal Records of Gun Offenders. *Georgetown Journal of Law & Public Policy*, *14*, 1.

Braga, L. A. B., Vasconcelos, F. C. W., & Ituassu, C. T. (2018). Apac: Institution for the Resocialization of Prisoners. Revista Pensamento Contemporâneo Em Administração, 12(2), 17–30. http://doi.org /10.12712/rpca.v12i1.1157

Bramley, S., Norrie, C., & Manthorpe, J. (2019). Current practices and the potential for individuals with criminal records to gain qualifications or employment within social work: A scoping review. Social Work Education, 1–17. https://doi.org/10.1080/02615479.2019.1699912

Britt, J. Y., Patton, C. L., Remaker, D. N., Prell, L., & Vitacco, M. J. (2019). Predicting violence risk and recidivism in female parolees: A state-wide sample. International Journal of Law and Psychiatry, 66, 101471. https://doi.org/10.1016/j.ijlp.2019.101471

Brossman, M. E., Richman, R. E., Weiss, H. H., Gold, S. A., & Gartner, A. B. (2016). New York City Commission on Human Rights Issues Enforcement Guidance on

Fair Chance Act and Clarifies Credit Check Law Exemption. *Benefits Law Journal*, *29*(1), 72.

Brown, K., Threadcraft, M., & Threadcraft-Walker, W. (2019). Black Male Experiences and Perceptions of Felony Disenfranchisement. 11.

Brown, P. (2017). Narrative: An ontology, epistemology and methodology for pro-environmental psychology research. Energy Research & Social Science, 31, 215–222. https://doi.org/10.1016/j.erss.2017.06.006

Bruch, E., & Feinberg, F. (2017). Decision-Making Processes in Social Contexts. *Annual Review of Sociology*, *43*, 207–227. https://doi.org/10.1146/annurev-soc-060116-053622

Burke, P. (2009). *Cultural hybridity*. Polity.

Burkholder, G. J., Cox, K., & Crawford, L. (2016). *The Scholar-Practitioner's Guide to Research Design*.

Caillier, J. G. (2020). The Impact of Workplace Aggression on Employee Satisfaction With Job Stress, Meaningfulness of Work, and Turnover Intentions. Public Personnel Management, 0091026019899976. https://doi.org/10.1177/0091026019899976

Calbi, M., Heimann, K., Barratt, D., Siri, F., Umiltà, M. A., & Gallese, V. (2017). How Context Influences Our Perception of Emotional Faces: A Behavioral Study on the Kuleshov Effect. Frontiers in Psychology, 8. https://doi.org/10.3389/fpsyg.2017.01684

Carton, A. M. (2018). "I'm Not Mopping the Floors, I'm Putting a Man on the Moon":

How NASA Leaders Enhanced the Meaningfulness of Work by Changing the

Meaning of Work. *Administrative Science Quarterly*, 63(2), 323–

369. https://doi.org/10.1177/0001839217713748

Castro, E. L. (2018). Racism, the language of reduced recidivism, and higher education in

prison: Toward an anti-racist praxis. *Critical Education*, *9*(17).

Cerda, J. A., Stenstrom, D. M., & Curtis, M. (2015). The Role of Type of Offense and

Work Qualifications on Perceived Employability of Former Offenders. American

Journal of Criminal Justice, 40(2), 317–335. https://doi.org/10.1007/s12103-014-

9244-8

Chataway, M. L., Hart, T. C., Coomber, R., & Bond, C. (2017). The geography of crime

fear: A pilot study exploring event-based perceptions of risk using mobile

technology. *Applied Geography*, *86*, 300-307.

Chavez, J. M., & Rocheleau, G. C. (2020). Formal Labeling, Deviant Peers, and

Race/Ethnicity: An Examination of Racial and Ethnic Differences in the Process

of Secondary Deviance. *Race and Justice*, *10*(1), 62–

86. https://doi.org/10.1177/2153368717727122

Cherney, A., & Fitzgerald, R. (2016). Efforts by Offenders to Manage and Overcome

Stigma: The Case of Employment. *Current Issues in Criminal Justice*, 28(1), 17–

31. https://doi.org/10.1080/10345329.2016.12036054

Chin, G. (2018). Collateral consequences of criminal conviction. Aktual′nye Problemy

Èkonomiki i Prava, 12(3), 660–676. https://doi.org/10.21202/1993-

047X.12.2018.3.660-676

Chiu, C., Mallorie, L., Keh, H. T., & Law, W. (2009). Perceptions of Culture in
Multicultural Space: Joint Presentation of Images From Two Cultures Increases
In-Group Attribution of Culture-Typical Characteristics. Journal of Cross-Cultural
Psychology, 40(2), 282–300. https://doi.org/10.1177/0022022108328912

Choi, F. H., Au, W. T., Hui, O. T. W., Leung, K. M., Chiu, S. M., & Yang, Y. (2021). A
Longitudinal Study of Meaningfulness of Work: Its Relations with Job Outcomes
in the Police Force. Journal of Police and Criminal Psychology, 36(1), 124–
131. https://doi.org/10.1007/s11896-020-09370-6

Chouldechova, A. (2017). Fair prediction with disparate impact: A study of bias in
recidivism prediction instruments. *ArXiv:1703.00056 [Cs,
Stat]*. http://arxiv.org/abs/1703.00056

Clifford, R., & Sullivan, R. (2017). *The Criminal Population in New England: Records,
Convictions, and Barriers to Employment* (SSRN Scholarly Paper ID 3031188).
Social Science Research Network. https://papers.ssrn.com/abstract=3031188

CMS National Background Check Program | CMS. (n.d.). Retrieved June 24, 2020,
from https://www.cms.gov/Medicare/Provider-Enrollment-and-
Certification/SurveyCertificationGenInfo/BackgroundCheck

Cohen, N.P, & Cobert, J. J. (1983) *Law of Probation and Parole | Office of Justice
Programs*.

Colaizzi, P. (1978). Psychological research as a phenomenologist views it. In: Valle, R.
S. & King, M. (1978). *Existential Phenomenological Alternatives for Psychology*.
Open University Press: New York.

Connelly, L. M. (2016). Trustworthiness in qualitative research. MedSurg Nursing, 25(6), 435–437.

Corbett-Davies, S., Pierson, E., Feller, A., Goel, S., & Huq, A. (2017). Algorithmic decision making and the cost of fairness. In *Proceedings of the 23rd acm sigkdd international conference on knowledge discovery and data mining* (pp. 797-806).

Couloute, L., & Kopf, D. (2018). Out of prison & out of work: Unemployment among formerly incarcerated people. *Prison Policy Initiative*.

Crank, B. R. (2018). Accepting deviant identities: The impact of self-labeling on intentions to desist from crime. Journal of Crime and Justice, 41(2), 155–172. https://doi.org/10.1080/0735648X.2016.1246259

Crawford, E. M., McBride-Owens, M., & College, P. (2014). *Perceptions of Employers towards Hiring Ex-Offenders with Online Degrees*. 16.

Creswell, J. W., & Creswell, J. D. (2016). *Research design: Qualitative, quantitative, and mixed methods approaches* (5th ed.). Los Angeles, CA: Sage.

Creswell, J. W., Hanson, W. E., Clark Plano, V. L., & Morales, A. (2007). Qualitative Research Designs: Selection and Implementation. The Counseling Psychologist, 35(2), 236–264. https://doi.org/10.1177/0011000006287390

Crifasi, C. K., McCourt, A. D., Booty, M. D., & Webster, D. W. (2019). Policies to Prevent Illegal Acquisition of Firearms: Impacts on Diversions of Guns for Criminal Use, Violence, and Suicide. *Current Epidemiology Reports*, *6*(2), 238–247. https://doi.org/10.1007/s40471-019-00199-0

Cundiff, P. R. (2016). Erasing the Mark of a Criminal Record: Examining the Effect of

Education on Ex-Offender Employment. Corrections, 1(2), 127–138.

https://doi.org/10.1080/23774657.2016.1175327

Cunningham, S. (2017). Targeting recidivism of ex-offenders through the use of

employment. *The New Zealand Corrections Journal*, *5*(1), 57-60.

Curcio, G., & Pattavina, A. (2018). Still Paying for the Past: Examining Gender

Differences in Employment Among Individuals with a Criminal Record. *Women*

& Criminal Justice, *28*(5), 375. Complementary Index.

Custer, B. D. (2016). *College Admission Policies for Ex-Offender Students: A Literature*

Review. 9.

Daniels, B. T. (2019). Disparate Impact: A Failed Remedy for Discrimination. *Creighton*

L. Rev., *53*, 313.

Dar, A. (2018). Using semistructured interviews to explore employer attitudes towards

recruiting ex-offenders. https://e-space.mmu.ac.uk/621655/

D'Arrigo-Patrick, J., Hoff, C., Knudson-Martin, C., & Tuttle, A. (2017). *Navigating*

Critical Theory and Postmodernism: Social Justice and Therapist Power in

Family Therapy. Family Process, 56(3), 574–588.

https://doi.org/10.1111/famp.12236

Dattner, B., Chamorro-Premuzic, T., Buchband, R., & Schettler, L. (2019). The Legal

and Ethical Implications of Using AI in Hiring. 7.

Davis, C., Bahr, S. J., & Ward, C. (2013). The process of offender reintegration:

Perceptions of what helps prisoners reenter society. Criminology & Criminal

Justice, 13(4), 446–469. https://doi.org/10.1177/1748895812454748

de Clippel, G., Eliaz, K., Fershtman, D., & Rozen, K. (2019). On Selecting the Right

    Agent. SSRN Electronic Journal. https://doi.org/10.2139/ssrn.3527088

de Lange, F. P., Heilbron, M., & Kok, P. (2018). How Do Expectations Shape

    Perception? Trends in Cognitive Sciences, 22(9), 764–779.

    https://doi.org/10.1016/j.tics.2018.06.002

Deakin, J., Fox, C., & Matos, R. (2020). Labelled as 'risky' in an era of control: How

    young people experience and respond to the stigma of criminalized

    identities. European Journal of Criminology, 1477370820916728.

    https://doi.org/10.1177/1477370820916728

Decker, K. H. (2019). Hiring Legally: A Guide for Employees and Employers.

    Routledge.

Decker, S. H., Ortiz, N., Spohn, C., & Hedberg, E. (2015). Criminal stigma, race, and

    ethnicity: The consequences of imprisonment for employment. *Journal of*

    Criminal Justice, 43(2), 108–121. https://doi.org/10.1016/j.jcrimjus.2015.02.002

Denver, M. (2017). Evaluating the Impact of "Old" Criminal Conviction Decision

    Guidelines on Subsequent Employment and Arrest Outcomes. Journal of

    Research in Crime and Delinquency, 54(3), 379–408.

    https://doi.org/10.1177/0022427816680252

Denver, M. (2020). Criminal Records, Positive Credentials and Recidivism:

    Incorporating Evidence of Rehabilitation Into Criminal Background Check

    Employment Decisions. Crime & Delinquency, 66(2), 194–218.

    https://doi.org/10.1177/0011128719833358

Denver, M., Pickett, J. T., & Bushway, S. D. (2017). The Language of Stigmatization and the Mark of Violence: Experimental Evidence on the Social Construction and Use of Criminal Record Stigma. Criminology, 55(3), 664–690. https://doi.org/10.1111/1745-9125.12145

Denver, M., Pickett, J. T., & Bushway, S. D. (2018). Criminal Records and Employment: A Survey of Experiences and Attitudes in the United States. Justice Quarterly, 35(4), 584–613. https://doi.org/10.1080/07418825.2017.1340502

Denver, M., Siwach, G., & Bushway, S. D. (2017). A New Look at the Employment and Recidivism Relationship Through the Lens of a Criminal Background Check*. Criminology, 55(1), 174–204. https://doi.org/10.1111/1745-9125.12130

DeWitt, S. E., & Denver, M. (2020). Criminal Records, Positive Employment Credentials, and Race. Journal of Research in Crime and Delinquency, 57(3), 333–368. https://doi.org/10.1177/0022427819886111

Dickerson, D. (2017). Background checks in the university admissions process: an overview of legal and policy consideration.34(2), 107. Doleac, J. L. (n.d.). Empirical evidence on the effects of Ban the Box policies: The state of the literature in 2019. 30.

Doleac, J. L. (2019). Wrap around services don't improve prisoner reentry outcomes: Point/Counterpoint. Journal of Policy Analysis and Management, 38(2), 508–514. https://doi.org/10.1002/pam.22119

Doleac, J. L., & Hansen, B. (2016). Does "Ban the Box" Help or Hurt Low-Skilled Workers? Statistical Discrimination and Employment Outcomes When Criminal

Histories are Hidden (Working Paper No. 22469). National Bureau of Economic Research. https://doi.org/10.3386/w22469

Duane, M., Reimal, E., & Lynch, M. (2017). Criminal Background Checks and Access to Jobs. *Washington, DC: Urban Institute*.

Duffy, R. D., Blustein, D. L., Diemer, M. A., & Autin, K. L. (2016). The Psychology of Working Theory. *Journal of Counseling Psychology*, *63*(2), 127–148. https://doi.org/10.1037/cou0000140

Dugal, R. (2019). Soft Skills: An Effortless Interview Strategy for Selecting the Cream of the Crop. New Age Admissions Strategies in Business Schools; IGI Global. https://doi.org/10.4018/978-1-5225-9073-6.ch006

Duignan, B. (2020). Postmodernism| Definition, Doctrines, & Facts. *Encyclopedia Britannica*.

Duke, B. (2018). A Meta-Analysis Comparing Educational Attainment Prior to Incarceration and Recidivism Rates in Relation to Correctional Education. Journal of Correctional Education, 69(1), 44–59.

Durkheim, E. (1964). The rules of sociological method. New York: Free Press.

Eidelson, B. (2018). Discrimination as Stigma: A Theory of Anti-discrimination Law. *Ethics*, *3*, 678.

Ellison, M., Szifris, K., Horan, R., & Fox, C. (2017). A Rapid Evidence Assessment of the effectiveness of prison education in reducing recidivism and increasing employment. Probation Journal, 64(2), 108–128. https://doi.org/10.1177/0264550517699290

Emsellem, M., & Avery, B. (2016). Racial Profiling in Hiring: 9.

Emsellem, M., & Rodriguez, M. N. (2015). Advancing a Federal Fair Chance Hiring

Agenda. 24.

Engelmann, J. B., & Hare, T. A. (2018). Emotions can bias decision-making processes by

promoting specific behavioral tendencies. https://doi.org/10.5167/UZH-165573

English, K. (2018). Conflicting Approaches to Addressing Ex-Offender Unemployment:

The Work Opportunity Tax Credit and Ban the Box. INDIANA LAW

JOURNAL, 93, 21.

Erickson, L. (2018). Reducing Recidivism through Correctional Education: The Roles of

Neoclassical and Behavioral Economics. Policy Perspectives, 25, 22–31.

https://doi.org/10.4079/pp.v25i0.18353

Evans, D. N., Pelletier, E., & Szkola, J. (2018). Education in Prison and the Self-Stigma:

Empowerment Continuum. *Crime & Delinquency*, 64(2), 255–280.

https://doi.org/10.1177/0011128717714973

Fasbender, U., & Wang, M. (2017). Negative Attitudes toward Older Workers and Hiring

Decisions: Testing the Moderating Role of Decision Makers' Core Self-

Evaluations. *Frontiers in Psychology*, 7, 2057.

https://doi.org/10.3389/fpsyg.2016.02057

Flake, D. F. (2019). Do Ban-the-Box Laws Really Work? Iowa Law Review, 104(3),

1079–1127.

Flood, F. (2018). Reframing trauma: The transformative power of meaning in life, work,

and community. *Journal of Psychiatry and Psychiatric Disorders*, 2(5), 37-54.

Four, A. (2016). Think Twice, It's All Right: The Use of Conviction Histories in Hiring Decisions Under California Law. Loyola of Los Angeles Law Review, 49(2), 453–474.

Gallagher, J. R., Wahler, E. A., & Lefebvre, E. (2020). Further Evidence of Racial Disparities in Drug Court Outcomes: Enhancing Service-Delivery to Reduce Criminal Recidivism Rates for Non-White Participants. Journal of Social Service Research, 46(3), 406–415. https://doi.org/10.1080/01488376.2019.1575325

Ganapathy, N. (2018). Rehabilitation, reintegration and recidivism: A theoretical and methodological reflection. *Asia Pacific Journal of Social Work and Development*, 28(3), 154–167. https://doi.org/10.1080/02185385.2018.1501416

Garretson, H. J. (2016). Legislating forgiveness: A study of post-conviction certificates as policy to address the employment consequences of a conviction. *The Boston University Public Interest Law Journal*, *1*, 1. Gale OneFile: LegalTrac.

Gill, C., & Wilson, D. B. (2017). Improving the Success of Reentry Programs: Identifying the Impact of Service–Need Fit on Recidivism. Criminal Justice and Behavior, *44*(3), 336–359. https://doi.org/10.1177/0093854816682048

Giorgi, A. (2020). Reflections on Certain Qualitative and Phenomenological Psychological Methods. University Professors Press.

Goffman, E. (2009). *Stigma: Notes on the Management of Spoiled Identity*. Simon and Schuster.

Goldman, B., Cooper, D., & Kugler, T. (2019). Crime and punishment: A realistic group conflict approach to racial discrimination in hiring convicted felons. *International*

Journal of Conflict Management, *30*(1), 2–23. https://doi.org/10.1108/IJCMA-04-2018-0055

Goodstein, J. D., & Petrich, D. M. (2019). Hiring and retaining formerly incarcerated persons: An employer-based perspective. Journal of Offender Rehabilitation. https://doi.org/10.1080/10509674.2019.1582572

Goulette, N. (2020). What are the gender differences in risk and needs of males and females sentenced for white-collar crimes? Criminal Justice Studies, *33*(1), 31–45. https://doi.org/10.1080/1478601X.2020.1709951

Green, E. E. (2016). Finding a Balance Between Hiring Ex-Offenders and Protecting Private Employers in Oklahoma—The Need to Reform the Negligent-Hiring Standard, Enact a Fair-Chance Policy, and Establish a Statutory Presumption Against Negligent Hiring. Oklahoma City University Law Review, *41*(3), 439–480.

Grossi, L. M. (2017). Sexual offenders, violent offenders, and community reentry: Challenges and treatment considerations. Aggression and Violent Behavior, 34, 59–67. https://doi.org/10.1016/j.avb.2017.04.005

Gunawan, J. (2015). Ensuring trustworthiness in qualitative research. *Belitung Nursing Journal*, *1*(1), 10-11.

Ha, O. K., & Andresen, M. A. (2017). Unemployment and the specialization of criminal activity: A neighborhood analysis. Journal of Criminal Justice, 48, 1–8. https://doi.org/10.1016/j.jcrimjus.2016.11.001

Hamilton, M. (2019). The sexist algorithm. *Behavioral Sciences & the Law*, 37(2), 145–

157.

Hanna, P. (2016). Human Cattle: Prison Overpopulation and the Political Economy of

    Mass Incarceration. 25.

Harris, C. G. (2021). Making Better Job Hiring Decisions using "Human in the Loop"

    Techniques. 11.

Hass, A. Y. (2017). Labeling Theory. In *The Encyclopedia of Juvenile Delinquency and*

    Justice (pp. 1–5). American Cancer Society.

    https://doi.org/10.1002/9781118524275.ejdj0002

Heidari, H., & Krause, A. (2018). Preventing Disparate Treatment in Sequential Decision

    Making. *Proceedings of the Twenty-Seventh International Joint Conference on*

    Artificial Intelligence, 2248–2254. https://doi.org/10.24963/ijcai.2018/311

Heinonen, J. A., Spink, J., & Wilson, J. M. (2017). When crime events defy

    classification: The case of product counterfeiting as white-collar crime. *Security*

    Journal, *30*(2), 621–639.

    http://dx.doi.org.ezp.waldenulibrary.org/10.1057/sj.2014.18

Hemenway, D., Azrael, D., & Miller, M. (2017). Whose guns are stolen? The

    epidemiology of Gun theft victims. *Injury Epidemiology*, *4*(1), 11.

    https://doi.org/10.1186/s40621-017-0109-8

Hermansen, M. (2019). Occupational licensing and job mobility in the United States

    economics department working papers No. 1585. 78.

Heydon, G., & Naylor, B. (2018). Criminal record checking and employment: The

    importance of policy and proximity. *Australian & New Zealand Journal of*

Criminology, *51*(3), 372–394. https://doi.org/10.1177/0004865817723410

Hickox, S. A. (2016). A Call to Reform State Restrictions on Hiring of Ex-Offenders. Stanford *Journal of Civil Rights & Civil Liberties*, *12*(1), 121–176.

Higgins, B. A. (2017). Give It to Me, I'm Worth It: The Need to Amend Georgia's Record Restriction Statute to Provide Ex-Offenders with a Second Chance in the Employment Sector. *Georgia Law Review*, *52*(1), 267.

Hillyer, H. A. (2016). Reducing the Rate of Prison Recidivism in Florida by Providing State Corporate Income Tax Credits to Businesses as an Incentive for Employment of Ex-Felons. 21(1), 19.

Hinton, T. (2020). "I See You Have Been Convicted of A Felony; Can You Tell Me About That?" Workforce Development Challenges for Restorative Citizens Seeking Employment. *Journal of Prison Education Reentry*. Vol. 6, No. 2 (2020). https://doi.org/10.25771/A0ZZ-1109

Hipes, C. (2019). The impact of a felony conviction on stigmatization in a workplace scenario. *International Journal of Law, Crime and Justice*, 56, 89–99. https://doi.org/10.1016/j.ijlcj.2019.01.003

Hoffman, M., Kahn, L. B., & Li, D. (2017). Discretion in Hiring. 76.

Holzer, H. J., Raphael, S., Stoll, M. A., Holzer, H., Raphael, S., & Stoll, M. (2003). Employment Barriers Facing ExOffenders.

Hopkins, M. (2018). Chapter 789: Banning the Box: The Solution to High Ex-Offender Unemployment? 20.

Howarth, C., & Santos, T. D. (2017). Stigma. *The Wiley-Blackwell Encyclopedia of*

Social Theory, 1-3.

Huebner, B. M., Kras, K. R., & Pleggenkuhle, B. (2019). Structural discrimination and

    social stigma among individuals incarcerated for sexual offenses: Reentry across

    the rural–urban continuum. *Criminology*, 57(4), 715–738.

    https://doi.org/10.1111/1745-9125.12226

Huggins, B. A. (n.d.). Give it to me, I'm worth it: The need to amend Georgia's record

    restriction statute to provide ex-offenders with a second chance in the

    employment sector. 52, 40.

Hughes, S. F., Elliott, T. L., Myers, M., Heard, C., & Nolan, J. (2016). College Athletics

    and Background Checks: Literature Review and Survey Results. 31.

Hunt, K. S., & Dumville, R. (2016). *Recidivism among federal offenders: A*

    comprehensive overview. United States Sentencing Commission.

Hur, J., Iordan, A. D., Dolcos, F., & Berenbaum, H. (2017). Emotional influences on

    perception and working memory. Cognition and Emotion, 31(6), 1294–1302.

    https://doi.org/10.1080/02699931.2016.1213703

Izen, S. C., & Ciaramitaro, V. M. (2020). A crowd of emotional voices influences the

    perception of emotional faces: Using adaptation, stimulus salience, and attention

    to probe audio-visual interactions for emotional stimuli. *Attention, Perception, &*

    Psychophysics, *82*(8), 3973-3992.

Jackson, O. (2020). *Punishment and Crime: The Impact of Felony Conviction on*

    Criminal Activity (Federal Reserve Bank of Boston Research Department

    Working Papers). Federal Reserve Bank of Boston.

https://doi.org/10.29412/res.wp.2020.01

Jackson, O., & Zhao, B. (2017a). *Does Changing Employers' Access to Criminal Histories Affect Ex-Offenders' Recidivism?: Evidence from the 2010–2012 Massachusetts Cori Reform* (SSRN Scholarly Paper ID 2942006). Social Science Research Network. https://papers.ssrn.com/abstract=2942006

Jackson, C., Vaughan, D. R., & Brown, L. (2018). Discovering lived experiences through descriptive phenomenology. *International Journal of Contemporary Hospitality Management*.

Jacobs, L. A., & Gottlieb, A. (2020). The Effect of Housing Circumstances on Recidivism: Evidence From a Sample of People on Probation in San Francisco. *Criminal Justice and Behavior, 47*(9), 1097–1115. https://doi.org/10.1177/0093854820942285

James, N. (2020). Offender Reentry: Correctional Statistics, Reintegration into the Community, and Recidivism. 37.

Juhl, J. (2019). Terror management theory: A theory of psychological well-being. In *Handbook of terror management theory* (pp. 303-324). Academic Press.

Kaeble, D. (2018). *Time Served in State Prison,* 2016. 7.

Kaeble, D., & Cowhig, M. (2018). *Correctional populations in the United States, 2016* (NCJ 251211). Bureau of Justice Statistics.

Kaihlanen, A.-M., Hietapakka, L., & Heponiemi, T. (2019). Increasing cultural awareness: Qualitative study of nurses' perceptions about cultural competence training. BMC Nursing, 18(1), 38. https://doi.org/10.1186/s12912-019-0363-x

Kamp, A. R. (2011). Ricci v. DeStefano and Disparate Treatment: How the Case Makes
Title VII and the Equal Protection Clause Unworkable. *Cap. UL Rev.*, *39*, 1.
SSRN Electronic Journal. https://doi.org/10.2139/ssrn.1657216

Kaur, P., & Mittal, A. (2020). Meaningfulness of Work and Employee Engagement: The
Role of Affective Commitment. *The Open Psychology* Journal, 13(1).
https://doi.org/10.2174/1874350102013010115

Kendall, S., Redshaw, S., Ward, S., Wayland, S., & Sullivan, E. (2018). Systematic
review of qualitative evaluations of reentry programs addressing problematic drug
use and mental health disorders amongst people transitioning from prison to
communities. *Health & Justice,* 6(1), 4. https://doi.org/10.1186/s40352-018-0063-
8

Khwaja, T., & Mahoney, K. (2019). Adapting narrative methodology to explore
emerging fields. International Journal of Research & Method in Education, 42(4),
341–357. https://doi.org/10.1080/1743727X.2018.1467889

Kim, B.-J., Nurunnabi, M., Kim, T.-H., & Jung, S.-Y. (2018). The Influence of Corporate
Social Responsibility on Organizational Commitment: The Sequential Mediating
Effect of Meaningfulness of Work and Perceived Organizational
Support. Sustainability, 10(7), 2208. https://doi.org/10.3390/su10072208

Knepper, P. (2016). Criminal history: Uses of the past and the ethics of the archive.
In *Research Ethics in Criminology*. Routledge.

Kretchmar, J. (2019). Postmodernism. In Salem Press Encyclopedia. Great Neck
Publishing.

Kuhn, K. M. (2019). Is it disqualifying? Practitioner responses to criminal offenses in

    hiring decisions. Equality, Diversity and Inclusion: *An International*

    Journal, 38(5), 547–563. https://doi.org/10.1108/EDI-10-2018-0182

Kuper, J. L., & Turanovic, J. J. (2021). The Consequences Are Black and White: Race

    and Poor Health Following Incarceration. Race and Justice, 2153368721998053.

    https://doi.org/10.1177/2153368721998053

Kurlychek, M., Bushway, S., & Denver, M. (2019). Defensible decisions: Balancing

    employer and prospective employee rights in an era of criminal background

    checks. Equality, Diversity and Inclusion: *An International Journal*, 38(5), 529–

    546. https://doi.org/10.1108/EDI-09-2018-0176

LaMontagne, R. M. (2016). Ethical Dilemmas in the Workplace: HR Managers'

    Perceptions of Behavioral Influences with Implications for Building an Ethical

    Culture in Organizations. *International Journal of Knowledge, Culture & Change*

    in Organizations: Annual Review, 15, 9–21. https://doi.org/10.18848/1447-

    9524/CGP/9-21

Larsen, B. K., Hean, S., & Ødegård, A. (2019). A conceptual model on reintegration after

    prison in Norway. *International Journal of Prisoner Health*, 15(3), 282–292.

    https://doi.org/10.1108/IJPH-06-2018-0032

Leasure, P., & Andersen, T. S. (2017). *Recognizing redemption: Old criminal records*

    and employment outcomes. *41*, 16.

Leasure, P., & Martin, T. (2017). Criminal records and housing: An experimental

    study. *Journal of Experimental Criminology*, 13(4), 527–535.

https://doi.org/10.1007/s11292-017-9289-z

Lee, J. S., Tajima, E. A., Herrenkohl, T. I., & Hong, S. (2017). Effects of Formal and Informal Deviant Labels in Adolescence on Crime in Adulthood. *Social Work Research*, 41(2), 97–110. https://doi.org/10.1093/swr/svx003

Lee, K. (2018). Unemployment and crime: The role of apprehension. *European Journal of Law and Economics*; New York, 45(1), 59–80. http://dx.doi.org.ezp.waldenulibrary.org/10.1007/s10657-016-9526-3

Lee, K, Harding, D. J., & Morenoff, J. D. (2017). Trajectories of neighborhood attainment after prison. Social Science Research, 66, 211–233. https://doi.org/10.1016/j.ssresearch.2016.12.004

Lee, M. A. C. (2017). *Do Criminal Background Checks in Hiring Punish?* 27.

Levin, B. (2021). Criminal Employment Law. *Cardozo Law Review*, 39, 62.

Levine, J. F., Cintron, A. M., & McCray, K. L. (2019). Legal Implications of Conducting Background Checks on Intercollegiate Student Athletes. 30, 32.

Liem, M., & Weggemans, D. (2018). Reintegration among high-profile ex-offenders. *Journal of developmental and life-course criminology*, *4*(4), 473-490.

Link, N., & Roman, C. (2017). Longitudinal Associations among Child Support Debt, Employment, and Recidivism After Prison. *The Sociological Quarterly*, 58, 140–160. https://doi.org/10.1080/00380253.2016.1246892

Lockwood, S. K., Nally, J. M., & Ho, T. (2016). Race, Education, Employment, and Recidivism among Offenders in the United States: An Exploration of Complex Issues in the Indianapolis Metropolitan Area. 11(1), 18. *International Journal of*

Criminal Justice Sciences, *12*(2), 57–74.

Loosemore, M., Bridgeman, J., & Keast, R. (2020). Reintegrating ex-offenders into work through construction: A case study of cross-sector collaboration in social procurement. Building Research & Information, 1–16. https://doi.org/10.1080/09613218.2019.1699772

Loosemore, Martin, Alkilani, S., & Mathenge, R. (2020). The risks of and barriers to social procurement in construction: A supply chain perspective. *Construction Management and Economics*, 38(6), 552–569. https://doi.org/10.1080/01446193.2019.1687923

Loosemore, Martin, Daniele, F., & Lim, B. T. H. (2019). Integrating ex-offenders into the Australian construction industry. Construction Management and Economics, 0(0), 1–17. https://doi.org/10.1080/01446193.2019.1674449

Lorente, L., Tordera, N., & Peiró, J. M. (2018). How work characteristics are related to European workers' psychological well-being. A comparison of two age groups. *International journal of environmental research and public health*, *15*(1), 127.

Magee, G. (2021). Education Reduces Recidivism. *Technium Social Sciences Journal*, 16, 175–182.

Mannik, L., & McGarry, K. (2017). Practicing Ethnography: A Student Guide to Method and Methodology. University of Toronto Press.

Manthorpe, J., & Lipman, V. (2015). Preventing abuse through pre-employment checks: An international review. *The Journal of Adult Protection*, 17(6), 341–350.

https://doi.org/10.1108/JAP-06-2015-0018

Mardirossian, R. K., & Esmail, A. M. (2017). Access of Hispanic Inmates to Correctional

Education (ged) in California and Its Impact on Three Year Recidivism

Rates. Race, Gender & Class, 24(1/2), 203–229.

Marshall, P. (2018). Citizenship and Disadvantaged Groups in Chile. Lexington Books.

Marshall C, Rossman GB (2011) *Designing Qualitative Research*. Fifth edition. Sage

Publications, Thousand Oaks CA

Martin, T. E., Huffman, A., Koons-Witt, B. A., & Brame, R. (2020). Hiring People With

Criminal Records in South Carolina: Examining Businesses' Hiring Practices and

Views on Incentives. *Criminal Justice Policy Review*, 31(4), 532–554.

https://doi.org/10.1177/0887403419831062

Marziah, S., Jaafar, J., Hazila, N., & Mat Lazim, N. (2018). Employment issues among

ex-offenders: difficulties in securing employment and barriers of employment.

Mason, M. (2010, August). Sample size and saturation in PhD studies using qualitative

interviews. In *Forum qualitative Sozialforschung/Forum: qualitative social

research* (Vol. 11, No. 3).

Matua, G. A., & Van Der Wal, D. M. (2015). Differentiating between descriptive and

interpretive phenomenological research approaches. *Nurse researcher*, *22*(6).

McLemore, M. R., & Warner Hand, Z. (2017). Making the case for innovative reentry

employment programs: Previously incarcerated women as birth doulas – a case

study. *International Journal of Prisoner Health*, 13(3/4), 219–227.

https://doi.org/10.1108/IJPH-07-2016-0026

McWilliams, E. R., & Hunter, B. A. (2021). The impact of criminal record stigma on

quality of life: A test of theoretical pathways. *American Journal of Community*

Psychology, *67*(1-2), 89-102.

Mikkelson, S., & Schweitzer, K. (2019). Hiring the Formerly Incarcerated: The

Mediating Role of Morality. *Criminal Justice and Behavior*, 46(12), 1757–1774.

https://doi.org/10.1177/0093854819858373

Miller, B. L., & Agnich, L. E. (2016). Unpaid debt to society: Exploring how ex-felons

view restrictions on voting rights after the completion of their

sentence. *Contemporary Justice Review*, 19(1), 69–85.

https://doi.org/10.1080/10282580.2015.1101685

Miller, D. (2019). Employer Reservation and Ex-Offender Employment

Opportunities. Journal of Research & Practice for Adult Literacy, Secondary &

Basic Education, 29–46.

Miller, M., Hepburn, L., & Azrael, D. (2017). Firearm Acquisition Without Background

Checks. *Annals of Internal Medicine*, 166(4), 233–239.

https://doi.org/10.7326/M16-1590

Miloš, S., Nikola, S., Jelena, B., Jelena, S., Marina, H.-P., & Milkica, N. (2019). The

prediction of criminal recidivism in male juvenile delinquents. *Psihologija,* 52(3),

285–301. https://doi.org/10.2298/PSI181002005S

Minor, D., Persico, N., & Weiss, D. M. (2018). Criminal background and job

performance. *Journal of Labor Policy,* 7(1), 8. https://doi.org/10.1186/s40173-

018-0101-0

Mitchell, O., Cochran, J. C., Mears, D. P., & Bales, W. D. (2017). Examining Prison

    Effects on Recidivism: A Regression Discontinuity Approach. *Justice*

    Quarterly, 34(4), 571–596. https://doi.org/10.1080/07418825.2016.1219762

Mizel, M., & Abrams, L. (2019). Practically Emotional: Young Men's Perspectives on

    What Works in Reentry Programs. *Journal of Social Service Research*, 46, 1–13.

    https://doi.org/10.1080/01488376.2019.1617225

Moghaddam—*Coding issues in grounded theory*. (2006). Retrieved November 13, 2020,

    from http://iier.org.au/iier16/moghaddam.html

Monahan, J., Skeem, J., & Lowenkamp, C. (2017). Age, Risk Assessment, and

    Sanctioning: Overestimating the Old, Underestimating the Young. *Law & Human*

    Behavior (American Psychological Association), 41(2), 191–201.

Monterrubio, C., & Valencia, L. (2019). Negotiating stigmatisation of deviant behaviour:

    An exploration of locals' perceptions of nude tourists. *Journal of Tourism and*

    Cultural Change, 17(6), 689–709.

    https://doi.org/10.1080/14766825.2018.1511723

Moore, K. E., Milam, K. C., Folk, J. B., & Tangney, J. P. (2018). Self-stigma among

    Criminal Offenders: Risk and Protective Factors. *Stigma and Health*, *3*(3), 241–

    252. https://doi.org/10.1037/sah0000092

Moore, K. E., Stuewig, J. B., & Tangney, J. P. (2016). The Effect of Stigma on Criminal

    Offenders' Functioning: A Longitudinal Mediational Model. *Deviant*

    Behavior, *37*(2), 196–218. https://doi.org/10.1080/01639625.2014.1004035

Moore, K. E., & Tangney, J. P. (2017). Managing the concealable stigma of criminal

justice system involvement: A longitudinal examination of anticipated stigma, social withdrawal, and post–release adjustment. *Journal of Social Issues*, *73*(2), 322-340.

Morash, M., Kashy, D. A., Bohmert, M. N., Cobbina, J. E., & Smith, S. W. (2017). Women at the nexus of correctional and social policies: Implications for recidivism risk. *The British Journal of Criminology*, *57*(2), 441-462.

Moreland-Capuia, A. (2019). Labeling Theory, The Power of Words, and Implicit Bias. In A. Moreland-Capuia (Ed.), *Training for Change: Transforming Systems to be Trauma-Informed, Culturally Responsive, and Neuroscientifically Focused* (pp. 207–237). Springer International Publishing. https://doi.org/10.1007/978-3-030-19208-2_7

Morris, K. L. (2015). *Within Constitutional Limitations: Challenging Criminal Background Checks by Public Housing Authorities under the Fair Housing Act*. Columbia Human Rights Law Review, 47, 158.

Morrow, R., Rodriguez, A., & King, N. (2015). Colaizzi's descriptive phenomenological method. *The psychologist*, *28*(8), 643-644.

Moustakas, C. E. (1990). *Heuristic research: Design, methodology, and applications*. Newbury Park: Sage.

Mowen, T. J., & Boman, J. H. (2019). Do We Have It All Wrong? The Protective Roles of Peers and Criminogenic Risks From Family During Prison Reentry. *Crime and Delinquency*, 65(5), 681–704. https://doi.org/10.1177/0011128718800286

Munger, F. W., & Seron, C. (2017). Race, Law, and Inequality, 50 Years After the Civil

Rights Era. *Annual Review of Law and Social Science*, 13(1), 331–350.

https://doi.org/10.1146/annurev-lawsocsci-110316-113452

Najafi Abrandabadi, A. H., & Goldouzian, H. (2017). Postmodern criminology and its

approach to crime and crime causation. *Journal of Criminal Law Research*, 6(23),

9–46. https://doi.org/10.22054/jclr.2018.22508.1429

Narayan, A. (2020). Does simplifying the college financial aid process

matter? *Economics of Education Review*, 75, 101959.

https://doi.org/10.1016/j.econedurev.2020.101959

Newington, L., & Metcalfe, A. (2014). Factors influencing recruitment to research:

Qualitative study of the experiences and perceptions of research teams. *BMC*

Medical Research Methodology, *14*(1), 10. https://doi.org/10.1186/1471-2288-14-

10

Neumeister, L. (2016). Appeals court: Judge can't erase defendant's record. *US News*

Online. Associated Press DBA Press Association.

Nichols, R. S., & Dodds, A. K. (2017). The case for uniform ban-the-box laws. *Strategic*

HR Review, 16(6), 279–284. https://doi.org/10.1108/SHR-08-2017-0058

Nikolić, J. (2018). Biases in the decision-making process and possibilities of overcoming

them. Ekonomski Horizonti, 20(1), 45–59.

https://doi.org/10.5937/ekonhor1801045N

Nishi, A. (2019). Privatizing Sentencing: A Delegation Framework for Recidivism Risk

Assessment. Columbia Law Review, 119(6), 1671–1710.

Nordin, M., & Almen, D. (2017). Long-term unemployment and violent crime. *Empirical*

Economics, 52(1), 1–29. https://doi.org/10.1007/s00181-016-1068-6

Obatusin, O., & Ritter-Williams, D. (2019). A phenomenological study of employer
perspectives on hiring ex- offenders. Cogent Social Sciences, 5(1), 1571730.
https://doi.org/10.1080/23311886.2019.1571730

Ott, M., & McTier, T. S. Jr. (2019). Faculty attitudes toward college students with
criminal records. *Journal of Diversity in Higher Education.*
https://doi.org/10.1037/dhe0000138

Pager, D. (2018). Marked: Race, Crime, and Finding Work in an Era of Mass
Incarceration. In *The Inequality Reader* (2nd ed.).

Paternoster, R., Bachman, R., Bushway, S., Kerrison, E., & O'Connell, D. (2015).
Human Agency and Explanations of Criminal Desistance: Arguments for a
Rational Choice Theory. *Journal of Developmental and Life-Course
Criminology*, *1*(3), 209–235. https://doi.org/10.1007/s40865-015-0013-2

Paterson-Young C., Hazenberg R., Bajwa-Patel M. (2019) *Social Impact
Measurement and Youth Justice. In: The Social Impact of Custody on Young
People in the Criminal Justice System.* Palgrave Macmillan, Cham.
https://doi.org/10.1007/978-3-030-18422-3_3

Patterson, R. (2020). Punishing Violent Crime. *New York University Law Review*, *95*, 40.

Parviz, T., & Akbar, V. (2016). Forming the Concept of Crime in Theoretical System of
Post Modernism. *Journal of Politics and Law*, *9*(9), 102.
https://doi.org/10.5539/jpl.v9n9p102

Pedulla, D. (2020). Making the Cut: Hiring Decisions, Bias, and the Consequences of

Nonstandard, Mismatched, and Precarious Employment. Princeton University Press.

Pelletier, E., & Evans, D. (2019). Beyond Recidivism: Positive Outcomes from Higher Education Programs in Prisons. *Journal of Correctional Education*, 70(2), 49–68.

Peters, M. A., Tesar, M., Jackson, L., & Besley, T. (2020). What Comes After Postmodernism in Educational Theory? Routledge.

Pleggenkuhle, B. (2018). The Financial Cost of a Criminal Conviction: Context and Consequences. *Criminal Justice and Behavior*, 45(1), 121–145. https://doi.org/10.1177/0093854817734278

Qiong, O. U. (2017). A brief introduction to perception. *Studies in Literature and Language*, *15*(4), 18-28.

Quarton, B. R. (2020). Recidivism and Reintegration: Barriers Facing Ex-Offenders of Color in Employment. 18.

Qutoshi, S. B. (2018). Phenomenology: A philosophy and method of inquiry. *Journal of Education and Educational Development*, *5*(1), 215-222.

Rade, C. B., Desmarais, S. L., & Burnette, J. L. (2018). Implicit theories of criminal behavior: fostering public sipport for ex-offender community reentry. 23.

Rade, C. B., Desmarais, S. L., & Mitchell, R. E. (2016). A Meta-Analysis of Public Attitudes Toward Ex-Offenders. *Criminal Justice and Behavior*, 43(9), 1260–1280. https://doi.org/10.1177/0093854816655837

Ramakers, A., Nieuwbeerta, P., Van Wilsem, J., & Dirkzwager, A. (2017a). Not Just Any Job Will Do: A Study on Employment Characteristics and Recidivism Risks After

Release. International Journal of Offender Therapy and Comparative

Criminology, 61(16), 1795–1818. https://doi.org/10.1177/0306624X16636141

Rattan, A., Steele, J., & Ambady, N. (2019). Identical applicant but different outcomes:

The impact of gender versus race salience in hiring. *Group Processes &*

Intergroup Relations, 22(1), 80–97. https://doi.org/10.1177/1368430217722035

Raub, M. (2019). Bots, Bias and Big Data: Artificial Intelligence, Algorithmic Bias and

Disparate Impact Liability in Hiring Practices. Arkansas Law Review, 71, 43.

Ravitch, S. M., & Carl, N. M. (2019). *Qualitative research: Bridging the conceptual,*

theoretical, and methodological. Sage Publications.

Reich, S. E. (2017a). An exception to the rule: Belief in redeemability, desistance signals,

and the employer's decision to hire a job applicant with a criminal record. *Journal*

of Offender Rehabilitation, 56(2), 110–136.

https://doi.org/10.1080/10509674.2016.1268235

Ricciardelli, R., & Mooney, T. (2018). The decision to disclose: Employment after

prison. *Journal of Offender Rehabilitation,* 57(6), 343–366.

https://doi.org/10.1080/10509674.2018.1510866

Ridder, H.-G. (2017). The theory contribution of case study research designs. *Business*

Research, *10*(2), 281–305. https://doi.org/10.1007/s40685-017-0045-z

Rips, E. (2020). A Fresh Start: The Evolving Use of Juvenile Records in College

Admissions (SSRN Scholarly Paper ID 3644739). *Social Science Research*

Network. https://papers.ssrn.com/abstract=3644739

Roberson, L., Buonocore, F., & Yearwood, S. M. (2017). Hiring for Diversity: The

Challenges Faced by American and European Companies in Employee Selection. In K. Hansen & C. Seierstad (Eds.), *Corporate Social Responsibility and Diversity Management: Theoretical Approaches and Best Practices* (pp. 151–171). Springer International Publishing. https://doi.org/10.1007/978-3-319-43564-0_9

Rogers, W. S. (2017). *Occupational Licensing: Quality Control or Enterprise Killer? Problems that Arise When People Must Get the Government's Permission to Work.* 59.

Ropes Berry, K., Kennedy, S. C., Lloyd, M., Veeh, C. A., & Tripodi, S. J. (2020). The Intersectional Effects of Race and Gender on Time to Reincarceration. *Justice Quarterly*, 37(1), 132–160. https://doi.org/10.1080/07418825.2018.1524508

Rose, E. (2020). Does Banning the Box Help Ex-Offenders Get Jobs? Evaluating the Effects of a Prominent Example. *Journal of Labor Economics*. https://doi.org/10.1086/708063

Rovira, M. (2019). The stigma of a criminal record in the labour market in Spain: An experimental study. *European Journal of Probation,* 11(1), 14–29. https://doi.org/10.1177/2066220319843694

Rubin, Herbert J., and Irene S. Rubin. *Qualitative interviewing: The art of hearing data.* sage, 2011.

Saba, C. A. (2019b). A Roadmap for Comprehensive Criminal Justice Reform to Employ Ex-Offenders: Beyond Title VII and Ban the Box. *American Criminal Law Review*, 56, 547.

Saldaña, J. (2016). The coding manual for qualitative researchers (3rd ed.). Thousand
  Oaks, CA: Sage.

Sankhala, K. G. (2019). *Social Adjustment and Psychological Wall-Being and Human*
  Life. 6(2), 6.

Santiago-Delefosse, M., Gavin, A., Bruchez, C., Roux, P., & Stephen, S. L. (2016).
  Quality of qualitative research in the health sciences: Analysis of the common
  criteria present in 58 assessment guidelines by expert users. *Social Science &*
  Medicine, *148*, 142-151.

Sarode, A. P., & Deore, S. S. (2017). Role of Third Party Employee Verification and
  Background Checks in HR Management: An Overview. *Journal of Commerce &*
  Management Thought, 8(1), 86–96. https://doi.org/10.5958/0976-
  478X.2017.00005.2

Schiavone, S. C. (2017). Wiping the Slate Clean: A Proposal to Expand Ohio's
  Expungement Statutes to Promote Effective Offender Reintegration. *Capital*
  University Law Review, 45, 509.

Schinkel, S., Schouten, B. C., Kerpiclik, F., Van Den Putte, B., & Van Weert, J. C. M.
  (2019). *Perceptions of Barriers to Patient Participation: Are They Due to*
  Language, Culture, or Discrimination? Health Communication, 34(12), 1469–
  1481. https://doi.org/10.1080/10410236.2018.1500431

Schnepel, K. T. (2018). Good Jobs and Recidivism. *The Economic Journal*, 128(608),
  447–469. https://doi.org/10.1111/ecoj.12415

Schweitzer, M., Labrecque, R. M., & Smith, P. (2017). Reinvesting in the Lives of

Youth: A Targeted Approach to Reducing Recidivism. *Criminal Justice Policy Review*, *28*(3), 207–219. https://doi.org/10.1177/0887403415579262

Shannon, S. K. S., Uggen, C., Schnittker, J., Thompson, M., Wakefield, S., & Massoglia, M. (2017). The Growth, Scope, and Spatial Distribution of People With Felony Records in the United States, 1948–2010. *Demography*, *54*(5), 1795–1818. https://doi.org/10.1007/s13524-017-0611-1

Selbin, J., McCrary, J., & Epstein, J. (2018). Unmarked criminal record clearing and employment outcomes. *Journal of Criminal Law & Criminology*, *108*(1), 1–72. Academic Search Complete.

Sheppard, A., & Ricciardelli, R. (2020). Employment after prison: Navigating conditions of precarity and stigma. *European Journal of Probation*, *12*(1), 34-52.

Sherrard, R. (2020). "Ban the Box" Policies and Criminal Recidivism (SSRN Scholarly Paper ID 3515048). *Social Science Research Network*. https://doi.org/10.2139/ssrn.3515048

Shoag, D., & Veuger, S. (2016). No Woman No Crime: Ban the Box, Employment, and Upskilling (SSRN Scholarly Paper ID 2782599). Social Science Research Network. https://papers.ssrn.com/abstract=2782599

Silverman, H. J. (2017). *Postmodernism*: Philosophy and the Arts. Routledge.

Siwach, G. (2017). Criminal background checks and recidivism: Bounding the causal impact. *International Review of Law and Economics, 52*, 74–85. https://doi.org/10.1016/j.irle.2017.08.002

Skinner-Osei, P., & Stepteau-Watson, D. (2018). A qualitative analysis of African

American fathers' struggle with reentry, recidivism, and reunification after participation in re-entry programs. *Journal of Human Behavior in the Social Environment, 28*(2), 240–255. https://doi.org/10.1080/10911359.2017.1402724

Skitka, L. J., Mosier, K. L., & Burdick, M. (1999). Does automation bias decision-making? *International Journal of Human-Computer Studies*, *51*(5), 991–1006. https://doi.org/10.1006/ijhc.1999.0252

Solanke, I. (2016). *Discrimination as stigma: A theory of anti-discrimination law*. Bloomsbury Publishing.

Stangl, D., Çetinkaya-Rundel, M., Oster, B., Gracely, E., Lazar, N., Robert, C., & Wainer, H. (2021). 31 Taking a Chance in the Classroom. 60.

Stevenson, M. T., & Mayson, S. G. (2021). The Scale of Misdemeanor Justice. *Boston University Law Review*, *98*, 48

St.Pierre, E. (2020). *Postmodernism is not dead* (pp. 276–277). https://doi.org/10.4324/9781003021032-138

Strough, J., & Bruine de Bruin, W. (2020). *Decision Making Across Adulthood. Annual Review of Developmental Psychology*, *2*(1), 345–363. https://doi.org/10.1146/annurev-devpsych-051120-010038

Sue, K. (2017). How to Talk with Patients about Incarceration and Health. *AMA Journal of Ethics*, 19(9), 885–893. https://doi.org/10.1001/journalofethics.2017.19.9.ecas2-1709.

Sugie, N. F., & Lens, M. C. (2017). *Daytime Locations in Spatial Mismatch: Job Accessibility and Employment at Reentry From Prison*. Demography, *54*(2), 775–

800. https://doi.org/10.1007/s13524-017-0549-3

Sullivan, C. A., & Zimmer, M. J. (2017). *Cases and materials on employment discrimination*. Wolters Kluwer.

Swavola, E., Riley, K., & Subramanian, R. (2016). *Overlooked: Women and Jails in an Era of Reform*. 48.

Tyler, E. T., & Brockmann, B. (2017). Returning Home: Incarceration, Reentry, Stigma and the Perpetuation of Racial and Socioeconomic Health Inequity. *The Journal of Law, Medicine & Ethics,* 45(4), 545–557. https://doi.org/10.1177/1073110517750595

Unanue, W., Gómez, M. E., Cortez, D., Oyanedel, J. C., & Mendiburo-Seguel, A. (2017). Revisiting the Link between Job Satisfaction and Life Satisfaction: The Role of Basic Psychological Needs. *Frontiers in Psychology* 8. https://doi.org/10.3389/fpsyg.2017.00680

Utzet, M., Valero, E., Mosquera, I., & Martin, U. (2020). Employment precariousness and mental health, understanding a complex reality: A systematic review. International *Journal of Occupational Medicine and Environmental Health*, 33(5), 569–598. https://doi.org/10.13075/ijomeh.1896.01553

Van Manen, M. (2014). *Phenomenology of practice: Meaning-giving methods in phenomenological research and writing*. Walnut Creek, CA: Left Coast Press.

van Manen, M. (2017). Phenomenology in Its Original Sense. *Quality Health Research*, *27*(6), 810–825. https://doi.org/10.1177/1049732317699381

Vernick JS, Alcorn T, Horwitz J. (2017). Background checks for all gun buyers and gun

violence restraining orders: state efforts to keep guns from high-risk persons. *J Law Med Ethics*. 45:98–102. https://doi.org/10.1177/1073110517703344

Visher, C. A., Lattimore, P. K., Barrick, K., & Tueller, S. (2017). Evaluating the Long-Term Effects of Prisoner Reentry Services on Recidivism: What Types of Services Matter? *Justice Quarterly*, 34(1), 136–165. https://doi.org/10.1080/07418825.2015.1115539

Voss, N. M., & Lake, C. J. (2021). Let me think about this: Factors associated with deliberative decision making within hiring contexts. *The Psychologist-Manager Journal*. https://doi.org/10.1037/mgr0000104

Wakefield, S., & Apel, R. (2016). *Criminal Justice and the Life Course.* In M. J. Shanahan, J. T. Mortimer, & M. Kirkpatrick Johnson (Eds.), Handbook of the Life Course: Volume II (pp. 301–319). Springer International Publishing. https://doi.org/10.1007/978-3-319-20880-0_13

Walter, R. J., Viglione, J., & Tillyer, M. S. (2017). *One Strike to Second Chances: Using Criminal Backgrounds in Admission Decisions for Assisted Housing*. Housing Policy Debate, 27(5), 734–750. https://doi.org/10.1080/10511482.2017.1309557

Wirts, A. M. (n.d.). *Discriminatory Intent and Implicit Bias: Title VII Liability for Unwitting Discrimination*. 58, 49.

Weissert, E. P. (2016). Get Out of Jail Free? Preventing Employment Discrimination Against People with Criminal Records Using Ban the Box Laws. *University of Pennsylvania Law Review*, 164(6), 1529–1555.

Westrope, E. (2021). *Employment Discrimination on the Basis of Criminal History: Why*

an Anti-Discrimination Statute is a Necessary Remedy. 108, 33.

Willis, D. G., Sullivan-Bolyai, S., Knafl, K., & Cohen, M. Z. (2016). Distinguishing Features and Similarities Between Descriptive Phenomenological and Qualitative Description Research. *Western Journal of Nursing Research,* 38(9), 1185–1204. https://doi.org/10.1177/0193945916645499

Winn, J., & Govern, K. H. (2018). Due Diligence and Legal Obligations of Employment Screening in Healthcare Organizations. *University of Cincinnati Law Review*, 87, 1.

Wolfer, L. (2019). Current Inmate Expected Post-Release Needs and Perceived Barriers to Future Voluntary After-Care Program Attendance. *Journal of Social Service Research*, *45*(1), 102–111. https://doi.org/10.1080/01488376.2018.1479675

Yang, C. S. (2017). Local labor markets and criminal recidivism. *Journal of Public Economics*, *147*, 16–29. https://doi.org/10.1016/j.jpubeco.2016.12.003

Young, N. C. J., & Ryan, A. M. (2019). Criminal history and the workplace: A pathway forward. *Equality, Diversity and Inclusion: An International Journal*, *38*(5), 494–504. https://doi.org/10.1108/EDI-04-2019-0140

Young, N. C. J., & Anazodo, K. S. (2020). Exploring the overlooked: Women, work and criminal history. *Gender in Management: An International Journal*, *35*(6), 505–528. https://doi.org/10.1108/GM-05-2019-0072

Young, N. C. J., & Powell, G. N. (2015). Hiring ex-offenders: A theoretical model. *Human Resource Management Review*, *25*(3), 298-312.

Yukhnenko, D., Sridhar, S., & Fazel, S. (2020). *A systematic review of criminal*

recidivism rates worldwide: 3-year update [version 3; peer review: 2 approved, 1
approved with reservations]. Wellcome Open

Research, 4. https://doi.org/10.12688/wellcomeopenres.14970.3

Zakaria, S. M., Jaafar, J. R., & Lazim, N. H. M. (2018). *Employment issues among ex*
offenders: difficulities in securing employmen and barriers of employment. 5, 6.

Zeitler, N. W., & Luisi, L. (2016). Criminal Background Checks for

Employment. *Journal of the Academy of Nutrition and Dietetics*, 116(4), 694.

https://doi.org/10.1016/j.jand.2016.01.015

Zhang, A. (2018). Sanctioned Unemployment: The Impact of Occupational Licensing

Restrictions on ExOffenders. 57, 24.

Zitko, P. (2021). Redesigning Correctional Education to Meet 21st Century Learning

Modalities. *Academia Letters*, 2.

Appendix A: Interview Questions

1- How long have you been employed as a hiring manager?

2- Please share your company's policies about hiring process and background check.

3- Please describe your experiences in the hiring process. How do you decide who to hire?

4- At what point in the process do you find out whether an applicant has had convictions and how do you address that?

5- Can you describe your experience when you find someone had a criminal conviction? How do you proceed?

6- How would you describe your experiences in deciding past criminal conviction in your hiring decision?

7- Is there background check by your company that may prevent you from hiring an otherwise well-qualified applicant? If so, how would you describe your experiences in reaching a decision in such cases?

8- Do you consider a statute of limitation on criminal convictions when making your hiring decision? Why/Why not? Please elaborate.

9- Do you believe ex-offenders are perceived positively or negatively in the organization?

10- Is there anything else that you could share about your experiences in hiring process decision making when considering an applicant with past criminal conviction?