



JUST OPPORTUNITY

Creating Fairer Employment Practice
for Justice-Involved Young Adults

A Report Prepared by LeadersUp | August 2018



“I want to be given a fair chance, based on my abilities and not judged for my past mistakes that I made, so I kind of want to be given a clean slate so that I can show the world or businesses or whatever that I am capable of doing the right thing and being a *person of integrity.*”

-Chris

NOTE:

All visuals and text labeled with a tweet symbol or highlighted in yellow may be shared via Twitter by clicking on the text or symbol

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IN SEARCH OF A COMMON DEFINITION OF JUSTICE-INVOLVEMENT

In America, it is relatively unknown, and difficult to estimate, just how many minors become justice-involved youth each year. The term justice-involved youth refers to a broad spectrum of adolescents and young adults interacting

with the juvenile and criminal justice systems. At LeadersUp, we examined how justice system interaction actually ranges from those minors who are arrested and released for the suspicion of committing a delinquent act¹ or a status offense²; to those juveniles who are convicted of serious offenses and are subsequently ordered to serve time in a secure juvenile detention center or an adult penal facility. Due to the lack of a uniform definition of justice-involvement and the duplicative nature of available data on youth interacting with either the juvenile or adult criminal justice systems, there is currently no established baseline estimate for the number of justice-involved youth in America.

Yet, we believe that the act of arresting youth is the single most important determining factor of defining justice-involvement and serves as a critical leading indicator that has a profound negative impact on a young adult's ability to participate in the labor market and to successfully transition into adulthood.

According to the most recent FBI data on arrests, there are more than 2.5 million adolescents and young adults between the ages of 16-24 arrested annually by law enforcement (FBI UCR Arrests, 2018). An initial interaction with law enforcement by way of arrest certainly fuels or drives the number of minors and young adults that interact with the juvenile and criminal justice system. Therefore, contrary to the widespread narrative on conviction history, justice system involvement and system attachment—the initial interaction with youth and the justice system—is primarily driven by arrests. In this report, we will demonstrate that the process of being arrested and becoming *system attached* (e.g., appearing in court, being detained to await a court decision, being placed on probation or being incarcerated) has a significant negative impact on the lives of juveniles and their families, leading to long-term disconnection. According to the Kirwan Institute for the Study of Race and Ethnicity, this implicit bias driven by negative perceptions

Therefore, contrary to the widespread narrative on conviction history, justice system involvement and system attachment—the initial interaction with youth and the justice system—is primarily driven by arrests.

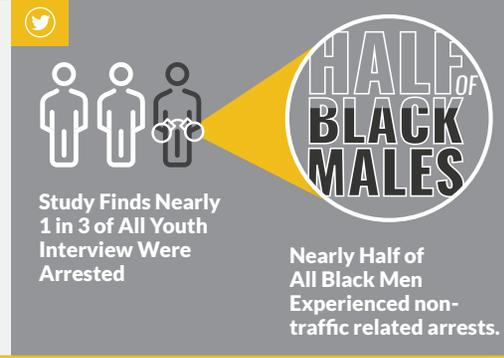
of youth of color can have lifelong impact on their education and employment trajectories (Cheryl Staats, 2017).

(Note: Referring to individuals ages 16- 24, this report uses “youth” and “young adults” interchangeably)

ARRESTS LEAD TO CHRONIC DISCONNECTION FOR YOUTH OF COLOR

It is common knowledge that certain communities, primarily those of color, are over-policed as a result of negative perceptions; and despite being a statistical minority in the juvenile population in America, youth of color are overrepresented in the juvenile justice system. This fact contributes to their over-representation in the adult criminal justice system. Youth of color experience significantly higher rates of arrest, juvenile court referrals with case files opened, pre-arraignment detention, commitments to secure facilities, and out-of-home placement compared to white youth, with the greatest racial disparities in lower-severity offenses (Youth.Gov, n.d.) (OJJDP, Disproportionate Minority Contact, 2014). In every state, youth of color are disproportionately represented throughout the juvenile justice system (The Sentencing Project, 2017). According to a recent study published by Stanford University's Open Policing Project, Blacks and Hispanics are more likely to be arrested than white youth and the threshold for a search is much lower for youth of color (Pierson, 2017). The insidious nature of over-policing guided by negative perception—leads to increased interaction with the law and subsequent justice-involvement. In practice, most youth who are arrested by law enforcement are referred directly

to juvenile or adult criminal court systems to be formally processed. Based on national arrest data collected by the FBI and reported by the Bureau of Justice Statistics, approximately 68% of all juvenile arrests are referred to juvenile court, 23% were immediately released to their parents, and less than 10 % of juvenile arrests were referred directly to adult criminal court (Puzzanchera & Sickmund, 2014). Therefore, nearly 80% of youth who interact with the juvenile justice



Study Finds Nearly 1 in 3 of All Youth Interview Were Arrested

Nearly Half of All Black Men Experienced non-traffic related arrests.

HALF OF BLACK MALES

¹ Delinquent Act: An act committed by a youth that would be considered a crime if committed by an adult.
² Status Offense: A nondelinquent, noncriminal offense, an offense that is illegal due to being underage (e.g. curfew violation, unruly conduct, running away from home, truancy, or underage drinking).

system and the adult criminal court system, become justice-involved annually as a result of an arrest (Hockenberry & Puzanchera, Juvenile Court Statistics 2013, 2015) (Hockenberry & Puzanchera, Juvenile Court Statistics 2014, 2017) (OJJDP, 2014).

Although there is limited research that documents the cumulative proportion of youth and young adults that interact with the juvenile and criminal justice systems before reaching adulthood, a report published by the American Academy of Pediatrics—utilizing responses from the National Longitudinal Survey of Youth between 1997-2008—estimates that anywhere between 16% and 27% of youth had reported being arrested prior to turning 18. The report suggests that approximately 30% of all youth interviewed had reported having been arrested at least once by the time they had reached 23 years of age (Brame, Turner, Paternoster, & Bushway, 2011). Upon a closer examination of the study, nearly half (49%) of all black men, and 40% of all males in the study had experienced a non-traffic related arrest prior to their 24th birthday.

Note: To attain an accurate number of justice-involved youth is very challenging. Arrest data provides us with a starting point to estimate the number of justice-involved youth. However, an arrest is an action initiated by law enforcement and does not represent the total number of people arrested. There could have been multiple people that were accounted for with one arrest, as it is common for minors, or a juvenile may have been arrested multiple times within a given year. Therefore, there is some inherent duplicity when using arrest records to quantify the number of justice-involved youth.

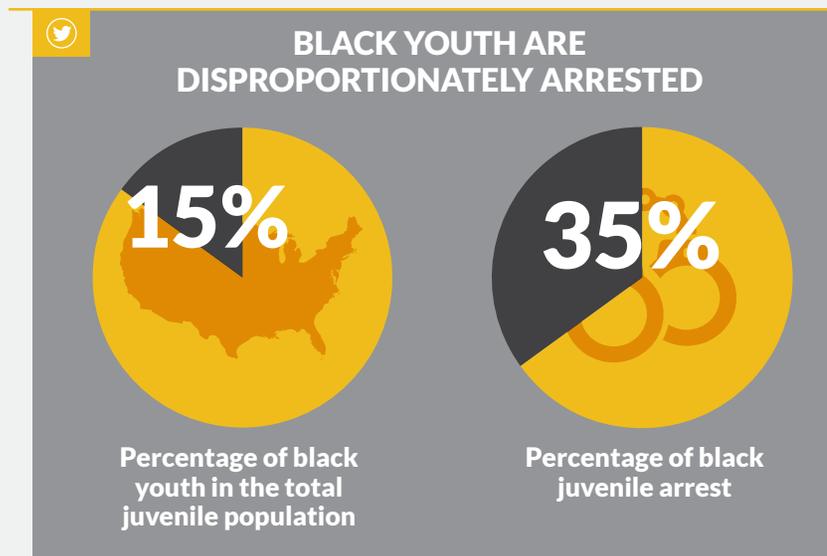
Disparities in arrest rates account for the largest over-representation of youth of color in the justice system (Chiu, 2014). Youth of color, particularly black youth, are far more likely than their white peers to be arrested across a range of offenses (Rovner, Racial Disparities in Youth Commitments and Arrests, 2016). In general, because black youth are more than twice as likely to be arrested - they are more often referred to juvenile court than white youth (OJJDP, Juvenile Arrests, 2016) (National Center for Juvenile Justice, 2013) (Rovner, Disproportionate Minority Contact in the Juvenile Justice System, 2014) (Children's Defense Fund, 2017), (Rovner, Racial Disparities in Youth Commitments and Arrests, 2016).

For black youth, disproportionate contact with law enforcement, resulting in higher arrest rates, seems to fuel—at every decision point—the disproportionate representation throughout the juvenile justice system. In 2014, black youth made up approximately 15% of the total juvenile population in the United States; however, they accounted for 35% of juvenile arrests (OJJDP, Juvenile Arrests, 2016) and represented 36% of all delinquent juvenile court cases, an increase from a decade earlier (National Center for Juvenile Justice, 2013). Black youth

also represented 42% of all cases resulting in temporary detention in a secure residential facility, 32% of those placed on probation, 35% of those adjudicated, 40% of those transferred to adult prison, and 58% of those sentenced to adult prison (OJJDP, 2014).

In terms of incarceration rates, youth of color are four times more likely to be incarcerated than their white peers (OJJDP Juveniles in Residential Placement, 2014). For Black youth, the disparities are even worse. The Sentencing Project recently reported, citing Department of Justice data, that in 2015, Black youth are five times more likely than whites to be held in secure residential facilities. Additionally, racial disparities in incarceration rates between white and black youth have increased by more than 20% in recent years. In some states, African American youth were more than ten times as likely to be incarcerated than their white counterparts (The Sentencing Project, 2017).

We can reasonably conclude that disproportionate involvement early in the juvenile justice process, starting with arrest, results in youth of color, particularly Black youth, being overly represented throughout the juvenile justice process. Research has indicated that the aggressive policing of poor communities of color,



racial biases by both law-enforcement and juvenile court representatives, and harsher crime laws that make it easier to try youth as adults have all contributed to a disturbing and disproportionate representation of youth of color in the juvenile justice system.

On the Wrong Side of Perception: Disconnected from Education and then Employe

Though most juvenile arrests do not result in adjudication, conviction, or even imprisonment, the volume of arrests among young people is far more common, especially in poor communities of color, and its impact on later labor market participation rates is significant. Research has consistently connected incidences of arrests to short-term and long-term negative outcomes, including: continued interaction with juvenile and criminal justice systems, job instability, long periods of unemployment, and lower levels of education attainment. There is strong evidence that a first-time arrest during high school nearly doubles a student's chances of dropping out of school. When combined with formal court appearances, justice-involved youth are more than four times as likely to drop out of high school, even when controlling for other education variables (e.g., prior suspension, grade retention, middle school grades, etc.) (Sweeten, 2006) .

Research has also found that being arrested significantly impacts future income (Hyla, 2016). Youth with arrest records have lower levels of earning, longer bouts with unemployment, greater work instability, diminished educational levels and a greater risk of destructive family conflicts. (Institute of Medicine and National Research Council, 2001). A growing body of work suggests that juvenile arrests perpetuate offending and increases the likelihood of future arrests (Lieberman, Kirk, & Kim, 2014). Various studies have found that juvenile offenders who have dropped out of high school are more likely to be arrested as an adult and continue interacting with the criminal justice (Na, The Consequences of School Dropout among Serious Adolescent Offenders: More Offending? More Arrest? Both?, 2016). We can reasonably conclude from previous research that justice-involvement, measured by arrests, negatively affects youth outcomes, and system attachment further worsens youth outcomes. Therefore, we must find alternatives to youth arrests by implementing justice system *interventions* to ensure that 2.5 million youth transition to adulthood and successfully enter the labor market with the skills needed to be self-sufficient and productive citizens.

In Chicago: Disconnection from School and Work

LeadersUp works in the South and West Sides of Chicago to reach, ready and connect the hardest to serve young adults in the region. With a disconnection rate amongst Black males of nearly 25%, we have found that certain neighborhoods are simply out of reach of opportunities for employment. Over the last three years we have worked in the 10 most impoverished zip codes to train young adults and identify meaningful employment opportunities, many of which have had some

involvement with the justice-system. According to a study, "Juvenile Arrest and Collateral Educational Damage in the Transition to Adulthood," contact with the justice system increased school dropout rates among Chicago inner-city students. Students who were arrested during Grades 9 and 10 were six to eight times more likely to drop out of school than students who were never arrested (Kirk & Sampson, 2013). The data also found a gap in four-year college enrollment between arrested youth and students who have never had contact with law enforcement. Conclusively, arrests disrupt the school process and has implications on education and career pathways (Kirk & Sampson, 2013).

This study also found that secondary and postsecondary policies explained most of the difference in high school completion and postsecondary enrollment, not other social-psychological factors (e.g., being labeled a juvenile delinquent, lack of parental supervision, association with deviant peers, neighborhood disadvantages, low self-control, lack of commitment to conventional behavior) (Wilczak, 2014) (Kirk & Sampson, 2013). Rather exclusionary discipline practices (e.g., suspension and expulsion) and postsecondary policy of considering criminal history as part of the college admission process are both policies and practices that significantly contribute to lower education attainment of arrested juveniles (Kirk & Sampson, 2013).

Geographic differences account for varying levels of joblessness among young adults in Chicago. The areas in the South, Southwest, and West sides of Chicago correspond with neighborhoods with the greatest populations of black and Hispanics, while the areas with the lowest joblessness rates are predominantly white neighborhoods³ (American Community Survey, 2014). LeadersUp intentionally targets the areas within the city of Chicago that have the greatest need and among our participants in Chicago, 38.38% of participants live in the 10 most impoverished zip codes (ZipAtlas.com Development Team, n.d.)



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ARRESTS DISRUPT THE SCHOOL PROCESS AND HAS IMPLICATIONS ON EDUCATION AND CAREER PATHWAYS

56%

OF ALL **FEDERAL**

67%

OF ALL **STATE**

69%

OF ALL **LOCAL**



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JAIL INMATES ACROSS THE COUNTRY, NEVER GRADUATED FROM HIGH SCHOOL

Chronic disconnection is often a result of the lower educational attainment and is directly associated with increased arrest and incarceration rates, particularly in the case of males. The Alliance for Excellent Education's Impact of Education on Crime Reduction and Earnings report finds that about 56% of all federal inmates, 67% of state inmates, and 69% of all local jail inmates across the country, never graduated from high school (Alliance For Excellent Education, 2013). A 2009 Northeastern University study reports that on any given day, one in every 10 male high school dropouts are currently in jail or in some type of residential detention facility, compared to just one in 35 male high school graduates (Sum, Khatiwada, McLaughlin, & Palma, 2009). The significant impacts of the linkages between education and employment generates a need to offer additional opportunities to combat persistent barriers to achieving fairer employment connections caused by poor perception of youth of color.

An (Un)clean Slate: Double Check the Background Check

Anyone who has an arrest that was reported by a state criminal justice agency to the FBI national database, has a criminal record. It is important to note that having a criminal record does *not* denote criminality or even delinquency. Oftentimes having a criminal record means that an individual had a prior interaction with law enforcement or the justice system, in the form of an arrest (Duane, La Vigne, Lynch, & Reimal, 2017). Therefore, a criminal record may comprise a simple arrest with initial charges; an arrest with a non-conviction, meaning that charges were dropped; or a person was found not-guilty; or there was an arrest with a conviction. In fact, according to the Department of Justice, **more than 50% of background checks for federal employees had at least one error listed on the report, with some states reporting much higher errors and others not reporting what resulted from the arrest.** (Trone Private Sector and Education Advisory Council, 2017).

It is nearly impossible to know the percentage of criminal records that are comprised of only arrests and arrest/non-conviction data; however, simply having a criminal record creates significant employment barriers. Research conducted in **New York City found that having a criminal record reduced the likelihood of a call back or job offer from employers by nearly 50%** (Pager & Western, 2009). According to the study posted by the National Criminal Justice Reference Service (NCJRS), racial disparities exacerbated challenges individuals experienced when applying for employment with a criminal record. The negative effect of having a criminal record was nearly double for black applicants than for white applicants. The study also found that employment prospects dramatically increased when applicants with a criminal record had an opportunity to interact with hiring managers (Pager & Western, 2009).



The linkages between education and employment are widely understood but the targeted and systematic involvement of youth of color in the justice system remains elusive.

One arrest can lead to a lifetime of chronic disconnection due to a social policy that creates negative perception and bias.

It is imperative that businesses own their own power to transform policies at the firm level in order to advance diversity; create equity and inclusion for the overlooked and often invisible candidate; and discover new sources of talent: justice-involved youth.

THE BUSINESS BOTTOM LINE

Many studies suggest that hiring individuals with criminal records is no riskier than hiring those without, and in many ways, the hiring improves the bottom line of businesses. To

date, there is no research that suggests workplace violence is causally linked to the hiring of individuals with criminal histories. Moreover, there is some evidence that suggest individuals with criminal histories are actually more productive and loyal than other workers without criminal records. Research conducted by Jennifer Lundquist, a sociologist at the University of Massachusetts Amherst, found that between 2002 and 2009, of the nearly 1.3 million enlistees in the U.S. military, individuals with felony convictions were 32% more likely to be promoted to a leadership position over those who did not have a felony conviction (Lundquist, 2018). Lundquist's unique research and groundbreaking study assesses work performance of ex-offenders across a wide range of occupations to seriously reflect on the question: "Does Criminal Past Predict Worker Performance?" (Lundquist, 2018). Moreover, a recent study published by Northwestern University suggests that individuals with criminal records have much higher retention rates, are no more likely to be involuntarily separated, and are far less likely to leave voluntarily (Minor, Persico, & Weiss, 2017). The Northwestern study essentially means that hiring ex-offenders may result in reduced cost associated with recruitment, training and involuntary turnover.

Higher retention rates ultimately lead to reduced recruitment, lower on-boarding and training costs, and training costs—all of which positively impacts the business bottom line. positively impacts the business bottom line. Some studies have also found that individuals with criminal records are more motivated because there are limited employment options in the workforce and they tend to want to keep their current jobs. During a recent roundtable hosted by the White House, "Greyston CEO Mike Brady dispelled some of the myths around hiring ex-offenders, whom he called "fully functional and productive members of our team." Insurance and workers' comp costs at Greyston are no higher than at comparable businesses, and turnover is actually lower. "Our history is a demonstration that people coming out of the criminal justice system make for an amazing workforce," said Brady, in a follow-up interview" (Buchanan, 2018).

The benefits of fair chance employment policies and Ban the Box legislation—where employers consider a applicant's qualifications first— have the potential of

"Our history is a demonstration that people coming out of the criminal justice system make for an amazing workforce"

Mike Brady, CEO, Greyston

yielding significant public, private and social returns. Employment of those leaving prisons and jails can help reduce recidivism and public-sector costs. **Approximately 95% of those who are incarcerated will return to their respective communities, yet, research has found that the inability to secure stable employment is the number one predictor of recidivism.** Hiring ex-offenders and individuals with criminal records is an effective strategy to lower criminal justice related costs by lowering recidivism rates (Trone Private Sector and Education Advisory Council, 2017). National productivity is also weakened by excluding ex-offenders and individuals with criminal records. **It is estimated that at the national level the gross national product is reduced between \$78 and \$87 billion dollars by policies that prohibit the hiring workers with criminal records (Trone Private Sector and Education Advisory Council, 2017).**

Arrest records can be misleading and may unnecessarily prevent individuals from gaining employment. In response to the prevalence of criminal records in America combined with the high demand for talent, public and private sectors should follow the fair chance employment initiative and ban the box policies that encourage businesses to re-examine hiring practices and extend more opportunities to a significant proportion of America's workforce with criminal records.

Policy Window: A Fair Chance

Using data generated from the Survey of State Criminal History Information Systems' 2012 report and FBI arrest data, researchers currently estimate that over 70 million adult workers have a criminal record, representing nearly 1 in 3 working age Americans (U.S. Department of Justice, 2012). A criminal record is considered anyone who has been arrested, not necessarily convicted, on a felony charge; or has been arrested for a misdemeanor and the arrest was reported by a state criminal justice agency to the FBI. It is important to note that having a criminal record does not denote criminality or even delinquency. Often having a criminal record means

an individual had a prior interaction, in the form of arrest, with law enforcement agencies (Duane, La Vigne, Lynch, & Reimal, 2017). Therefore, a criminal record may be comprised of a simple arrest with initial charges, an arrest with a non-conviction—meaning that charges were dropped—or a person was found not-guilty, or an arrest with a conviction.

With as many as 1 in 3 Americans having been arrested and possessing a criminal record, federal, state policies and business leaders are working to implement new initiatives to increase employment rates and expand talent pools to fill critical jobs. In 2016, the White House launched the Fair Chance Business Pledge that encourages businesses, universities, and organizations to commit to postponing criminal history questions until after a candidate is considered qualified for employment; and a conditional offer of employment was made. Nearly 300 businesses, universities, and organizations have signed the Fair Chance Business Pledge to date; including American Airlines, Google, Intel, Microsoft, Target, Prudential, and Walmart.

All across America, states have adopted similar campaigns. For example, in 2017, the State of New York launched the [Work for Success Campaign](#) to encourage businesses to hire qualified individuals with criminal records and show their support for fair-chance hiring practices by signing a New York State public pledge (Work For Success, 2018). It is nearly impossible to know the percentage of criminal records that are comprised of only arrests and arrest/non-conviction data; however, simply having a criminal record creates significant employment barriers. Research conducted in New York City found that having a criminal record reduced the likelihood of a call back or job offer from employers by nearly 50% (Pager & Western, 2009). According to the study, racial disparities exacerbated challenges individuals experienced when applying for employment with a criminal record. The study also found that employment prospects dramatically increased when applicants with a criminal record had an opportunity to interact with hiring managers (Pager & Western, 2009).

In addition to enlisting voluntary commitments at the federal and state level; counties and cities have passed legislation and local ordinances as a part of the national “ban the box” campaign. Led by All of Us or None, the ban calls for the elimination of criminal history questions on public sector job applications and from private companies doing business with government entities that have enacted ban the box policies. According to the National Employment Law Project (NELP), 31 states and 150 cities and counties have adopted a ban the box or related fair chance hiring policies, including California and Illinois. NELP also reports that there are 11 states (including California and Illinois) and 17 cities (including San Francisco, Los Angeles, and Chicago) that have mandated removal of criminal

history questions from job applications from private business within their respective jurisdictions. To address the issue of mass incarceration, California passed Proposition 47 in 2014 which reclassified specific non-violent drug offenses and low-level property crimes from a felony to a misdemeanor. Proposition 47 is in direct response to the dramatic increase in incarceration rates in California and is a public-sector attempt to help reverse rising prison population trends as a result of low-level, non-violent crimes.

Both fair chance hiring practices and ban the box policies do not prevent employers from including background checks as a part of the hiring process, rather it eliminates the likelihood of excluding candidates based solely on having a criminal record. It also provides guidance to delay using criminal history checks until later in the hiring process—once a candidate has proven to meet job qualifications. In many cities across the country, large numbers of individuals with prior criminal histories recently received employment. For example, in Minneapolis, more than 50% of job seekers with criminal convictions were hired for public employment within one year of implementing local ban the box laws.

Employer Practices Often Perpetuate Disconnection

According to a 2016 study by CareerBuilder, 72% of companies perform background checks and 82% of those companies screen potential employees for criminal histories (CareerBuilder, 2016). This drastically reduces access for people with criminal records who are seeking employment. More than 60% of formerly



incarcerated individuals are unemployed one year after being released, and those who do find jobs make 40% less in pay annually (The PEW Charitable Trusts, 2010). The economic impact is felt across the U. S. labor market with the population of former prisoners and people with felony convictions leading to a loss of \$78 to \$87 billion in GDP in 2014 (CENTER FOR ECONOMIC AND POLICY RESEARCH, 2016).

In general, anyone who has come into documented contact with a law enforcement agency—technically has a criminal record. A criminal record may include incidences of arrests without a formal criminal charge and/or a conviction for committing a crime. However, background checks, either conducted through the FBI's criminal database or by private companies that issue "consumer reports," often provide inaccurate or incomplete criminal history reports. According to the Bureau of Justice Statistics, approximately 32% of arrests records in the FBI database lack any corresponding court data that provides accurate case disposition information (Duane, La Vigne, Lynch, & Reimal, 2017). More recent data suggests that nearly half of all arrests records have no corresponding court-related disposition data and accuracy varies widely across states from 14% in Mississippi to 98% accuracy in Maryland (Duane, La Vigne, Lynch, & Reimal, 2017). Therefore, for a significant number of arrests records, employers are unaware of what resulted from the specific interaction with law enforcement, whether charges were dismissed, if a not-guilty verdict was rendered, or whether the individual was actually convicted of a crime. Erroneous reporting of criminal histories misrepresents individuals and significantly limits a qualified candidate's ability to secure employment. It also stifles a company's ability to access much needed talent.

The combination of low unemployment rates, continued economic growth and sustained job creation is forcing employers to identify new sources of talent and to rethink potentially outdated hiring practices. A recent report issued by the Society of Human Resource Management indicates a growing willingness by employers to consider applicants with criminal histories. Approximately 65% of hiring managers and over 70% of human resource professionals are willing to overlook both substance-related felonies (e.g., DUI, drug-related crimes) and misdemeanors convictions. LeadersUp onboards and supports employer partners committed to advancing fairer chance employment practices and connecting to work-ready talent.

HIRING FAIRS: A SOLUTION TO PERCEPTION BIAS

LeadersUp designs its hiring fairs to combat perception bias especially amongst youth of color by leveraging the unique assets of various partners and align their interests to forge secure full-time career connections for young adults. Through a cross-sectoral approach, the hiring fair

galvanizes young adults, employers, talent development partners⁴, civic leaders and local influencers, to come together around a shared interest of connecting trained talent to viable employment opportunities in a win-win for all stakeholders. Moreover, the hiring fairs address the seemingly intractable issues of access and exposure to opportunity, especially for more vulnerable populations (i.e. low-income and justice-involved) by bringing all employers to one location. Our hiring fairs require that employers provide interview opportunities with on-the-spot offers. With this procedure, the hiring fairs address the challenge of accessibility by providing an offer *prior* to receiving a completed job application. The results of which, also address technology barriers head-on and provide an opportunity for candidates to interview before navigating technology, resumes, background checks, and other hiring processes. In addition to addressing some of these barriers via on-the-spot interviewing and hiring, the hiring fairs also provide a protective factor for job applicants with records who may otherwise face discrimination on the basis of their criminal history, which have often been shown to have records that are inaccurate, not applicable, or just incorrect.

Through our hiring fairs, we have found that job seekers with criminal records fare better than those without justice-involved record in terms of getting hired. Based on our own empirical analysis, LeadersUp hiring fairs have shown that young adults who identified as needing re-entry support were hired at rate of 65.6%, compared to 52.2%. To address perceptions about ability, willingness to work, and other factors often confronting justice-involved young adults, our empirical data suggests that just one single opportunity to interview without overt knowledge of one's background, yields a favorable outcome for young adults who can prove themselves without application bias. This provides more insight into how perception of employability can be influenced during the initial job application phase due to one's criminal background. Although policies spanning federal and statewide efforts such as Ban the Box and Prop 47 (NELP, 2018) (CA

⁴ A network of community-based organizations, workforce development providers, faith-based entities, postsecondary institutions or other partners that work with LeadersUp to source, train, and support young adults for career pathway opportunities.

To address perceptions about ability, willingness to work, and other factors often confronting justice-involved young adults, our empirical data suggests that just one single opportunity to interview without overt knowledge of one's background, yields a favorable outcome for young adults who can prove themselves without application bias.



Dept. of Corrections and Rehab, 2017), have recently been put in place to prevent employers from asking about backgrounds and to reduce sentences from felonies to misdemeanors, there is still much ground to cover on the practice side to make good on the efforts and intentions that those policies were drafted to produce. By partnering with LeadersUp and participating in the Hiring Fairs, employers are aware of our mission towards “just opportunities” and are collaborating with LeadersUp to advance diverse, inclusive and equitable hiring and on-boarding practices.

In our unique hiring fair model, an inclusive hiring strategy is activated through employers who are hiring on-the-spot, and community-based organization partners who refer their young adults to LeadersUp for training and pre-scheduled interviews. To date, LeadersUp has worked with the local parole and probation offices in both Los Angeles and Alameda Counties; and community organizations such as the Center for Employment Opportunities (CEO), Building Opportunities for Self Sufficiency (BOSS), and the Cook County Sheriff’s Office in Chicago, in order to directly connect young adults with criminal backgrounds to career training and/or employment opportunities. These young adults were provided with career training consisting of resume building and mock interview practice. After completion of training they are connected to employment opportunities through pre-scheduled interviews. This mix of initial exposure through community-based organization partnership and connection to job opportunities via supportive employer partners contributes to increasing accessibility for re-entry young adults.

Case Study: BAYEP – A Model for Cross Sectoral Partnership

In 2016, LeadersUp launched the Bay Area Young Men of Color Employment Partnership (BAYEP) with core partners: The Bay Area Council, Policy Link, United Way Bay Area, and Urban Strategies Council, to reach, ready and connect young men of color from the region to employment opportunities. By leveraging the assets of each participating organization, it serves as a communications and advocacy platform to forge cross sector solutions to sustainable career pathways for boys and men of color. With a focus on breaking down the system-level barriers impacting boys and men of color, BAYEP serves to align cross sector partnerships between employers, talent development partners, civic leaders, and other influencers to forge talent solutions that assist boys and men of color seeking employment in the Bay Area. This strategy squarely encourages the inclusion of justice-involved youth, who are primarily boys and men of color, to participate in work readiness training prior to securing employment opportunities.

To date, LeadersUp has connected more than 400 boys and men of color to employment opportunities in the Bay Area. In the most recent hiring fair, 18% of

all attendees were justice-involved youth. LeadersUp operates the hiring fairs and generates new partnerships with re-entry groups and youth-facing community-based organizations such as Building Opportunities for Self Sufficiency (BOSS), the Center for Employment Opportunities (CEO), Community and Youth Outreach (CYO), and 11 “Fair Chance”⁵ employers, to provide exposure and access to employment opportunities for justice-involved young adults. By facilitating direct access to fair chance employers who have forgone standard hiring practices to engage interviewees prior to background checks and application submission, the majority of justice-involved youth present at the hiring fair successfully secured offers. With 74 participants secured 50 offers, resulting in a 68% interview-to-hire ratio, which is nearly identical to the interview-to-hire ratio of non-justice involved participants. Our empirical data points to the findings in some aforementioned studies that justice-involved young adults or job seekers with criminal backgrounds are qualified and work ready talent; and even more so, it speaks to the tenacity and determination of young adults with these backgrounds due to the considerable challenges they face in education, credentialing, and overall human capital development.

LeadersUp highlights the value of providing access to job opportunities that remove the initial barriers to interviews such as application screening processes. The BAYEP model not only solidifies opportunities for its justice-involved youth, but it also provides a clear example of the impact in removing such barriers through innovative models like on-the-spot hiring fairs. Across all of our markets in Chicago, Los Angeles, and the Bay Area, LeadersUp has connected nearly 100 justice-involved young adults to secure employment opportunities.

AT OUR HIRING FAIRS, YOUNG ADULTS WHO IDENTIFIED AS NEEDING RE-ENTRY SUPPORT WERE HIRED AT A NATIONAL RATE OF

65.6%

VS

52.2%

⁵ Employers committed to hiring justice-involved youth.

400

**BOYS AND MEN
OF COLOR
CONNECTED TO
OPPORTUNITY**

18%

**OF ATTENDS WERE
JUSTICE-INVOLVED
YOUTH**

11

**FAIR CHANCE
EMPLOYERS**

50

**EMPLOYMENT
OFFERS**

68%

**INTERVIEW
TO HIRE RATIO**

**NEARLY
IDENTICAL
TO THE
INTERVIEW-TO-
HIRE RATIO OF
NON-JUSTICE-
INVOLVED
PARTICIPANTS**

**IMPACT OF THE
LEADERSUP
HIRING FAIR
MODEL**



EXAMINING THE SOCIAL & ECONOMIC COSTS OF JUSTICE-INVOLVEMENT

Social Inequities of Incarceration

While over 90% of juvenile cases do not result in incarceration or being placed in a residential detention facility, America still imprisons more young people at a higher rate than

any other nation in the world (Aizer & Doyle, 2013). In the United States 335 per 1,000 youth are incarcerated, almost five times the rate of 69 and 68 per 1,000 incarcerated youth in South Africa and New Zealand, respectively. (Aizer & Doyle, 2013). Although the annual number of youth arrested and total number of cases processed by U. S. juvenile courts have sharply declined over the previous decade, the United States continues to lead the world in youth incarceration rates, thereby making the U.S. the largest jailer of youth in the industrialized world (Annie E. Casey Foundation, 2011).

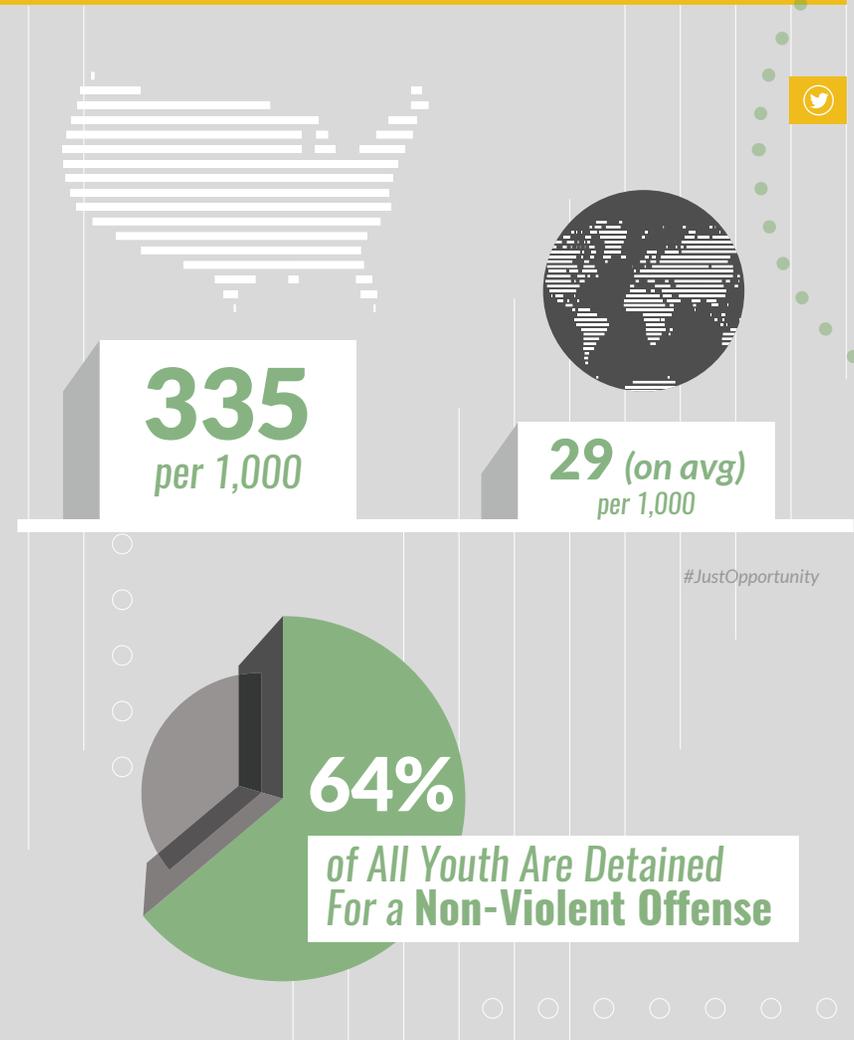
Unfortunately, most incarcerated youth are serving time for committing nonviolent offenses; and it is estimated that nearly two-thirds (64%) of all youth are detained for a non-violent offense, including serving time for property crimes (24%), technical violations (17%), public order (11%), drugs (7%), or status offenses (5%) (Hockenberry, *Juveniles in Residential Placement*, 2016). Over the past decade and a half, the number of incarcerated youth has declined by more than half; however, the proportion of delinquent youth detained and committed to secure residential facilities for non-violent offenses has remained relatively unchanged, slightly down from 67% reported in 2001 (National Center for Juvenile Justice, 2018). Therefore, it is safe to say that incarcerating youth is not a function of personal or community safety, and calls into question the use of juvenile incarceration.

Juvenile Detention Consistently Guarantees Adult Incarceration

One MIT study found that incarcerated juveniles are 23% more likely to end up in jail as an adult—when compared to juveniles who avoided incarceration. Studies

“America still imprisons more young people at a higher rate than any other nation in the world.”

Aizer & Doyle, 2013



show that 50% of youth who went into juvenile detention ended up in prison by the age 25, and between 60% to 75% of adolescents who have spent time in juvenile detention centers—will be incarcerated at some point later in life (Child Trends Data Bank, 2015). One report suggests that youth who are incarcerated as juveniles are 39% less likely to graduate from high school (Aizer & Doyle, 2013). In general, justice-involved youth are more likely to end up in jail as adults and less likely to complete high school if they are incarcerated at some point in time prior to reaching their 18th birthday. Therefore, the research on the effects of youth incarceration seems to further exacerbate youth outcomes, particularly in terms of predicting likelihood of being incarcerated at some point in time as an adult.

Economic Cost of Incarcerating Youth

The Justice Policy Institute (JPI) surveyed 46 states to understand state spending on detaining and committing youth. In their 2014 report, *Sticker Shock*, JPI found that the average cost of the most expensive confinement option for juveniles was approximately \$407.58 per day, or \$148,767 per year (Justice Policy Institute, 2014), or more than four times the total cost of attending a private college (National Center for Education Statistics, 2016) and 12 times more expensive than attending a private high school (National Center for Education Statistics, 2015).

Contributing to the high cost of incarceration is the declining number of detained or committed youth; a mandate to provide supplemental education and various treatment services; limited placement options relative to the distance from a youth's home community; and the need to provide aftercare and reentry support services following release.

According to the Justice Policy Institute's detailed cost analysis, confining young people costs the U.S. billions more when considering the long-term impact of juvenile incarceration. It is estimated that the U.S. annually incurs an estimated \$8 - \$21 billion in long-term costs for the confinement of young people (Justice Policy Institute, 2014), including the cost of recidivism, lost earnings and tax revenue, increase in public health care spending, and the impact of sexual assault on confined youth. (Justice Policy Institute, 2014).

MOST COSTLY STATES		LEAST COSTLY STATES	
	<i>Cost per year</i>		
	\$352,663		\$46,662
	\$295,285		\$55,407
	\$277,765		\$58,035
	\$260,019		\$75,712
	\$224,960		\$77,427
	\$224,475		\$77,953
	\$221,705		\$78,154
	\$214,620		\$89,170
	\$208,338		\$91,126
	\$202,502		\$91,433

CONCLUSION

By spending upwards of \$80 billion dollars each year to manage the world's largest criminal justice system, America remains the global leader in incarceration. Though it is often difficult to estimate in real-time how many young adults actually interact with our robust criminal

justice system, studies report that as many as 1 in 3 Americans will have acquired some form of criminal record in their lifetime. The implications of this pervasive trend on employment is far-reaching, as lifelong barriers to economic mobility for individuals and their families result in insurmountable levels of poverty and disconnection. LeadersUp has partnered with forward-thinking employer partners to address this problem head-on, and we are able to showcase that young adults who are justice-involved are much more than how they appear on paper. Through our hiring fairs - that effectuate access, exposure, and a bi-directional exchange between employers and young adults, our firm position is on the need to identify new sources of talent potential in order to meet our national labor shortage. LeadersUp has been on the cutting edge of connecting the dots for employers and justice-involved young adults to achieve mutually beneficial wins in employment.

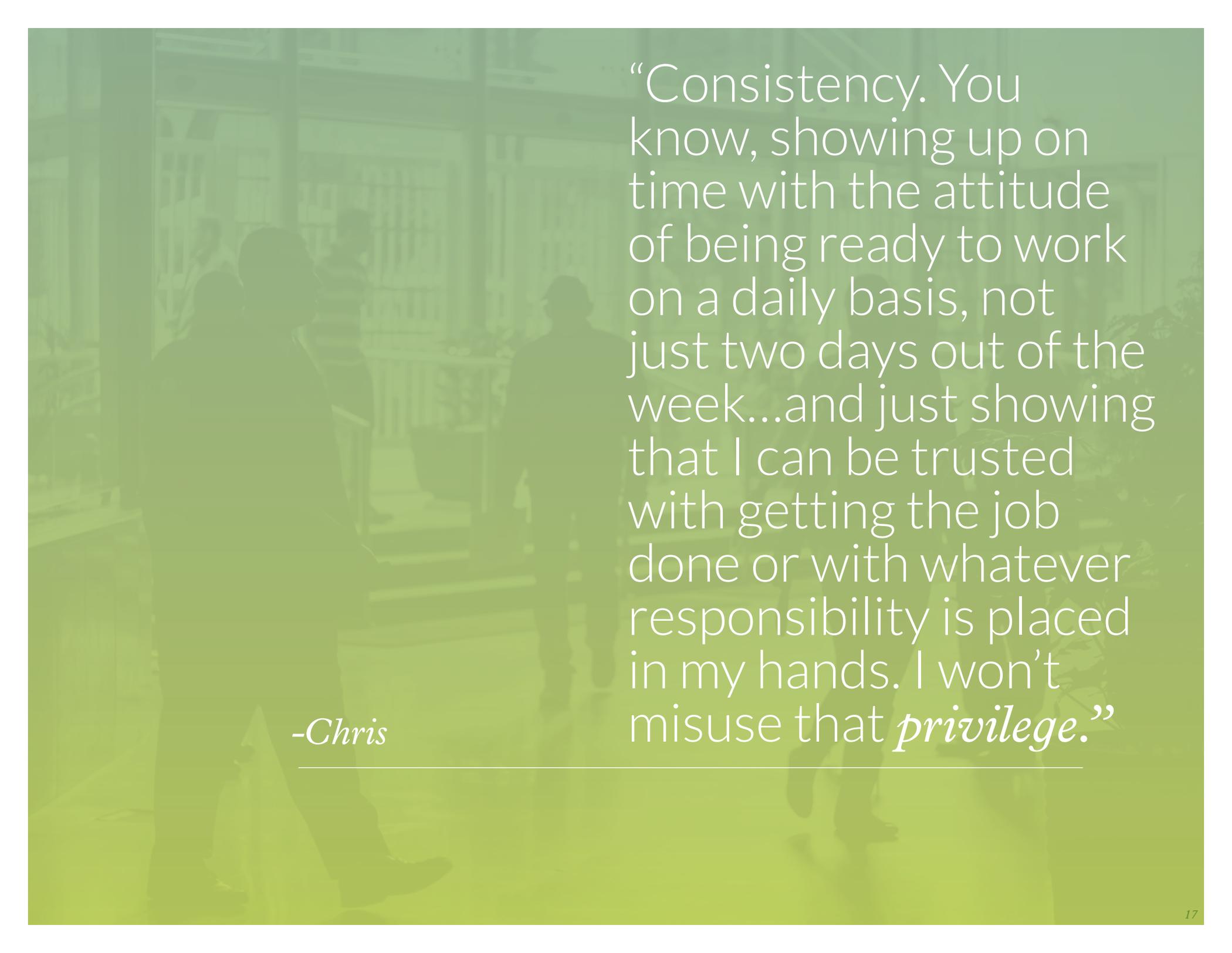
We author this report to highlight how negative perception and bias impact those most susceptible to repeated and systematic interaction with the criminal justice system and the role it has on their lifelong employment (and education) outcomes. **In fact, some data indicates that without mass incarceration—especially pronounced in California where LeadersUp is headquartered—the U.S. poverty rate would have dropped by 20% between 1980 and 2014 (Schanzenbach, 2016).**

Overwhelmingly, this has broad implications for our nation's ability to compete effectively in a 21st Century economy where there is a widening talent divide that continues to hurt businesses. Finally, though the conversation often begins with incarceration, this report highlights that arresting youth, especially youth of color, can lead to profound disconnection: this is where perception change must begin and we invite employers to be a part of a coalition to advance fair chance practices for this untapped source of talent potential.

LeadersUp has convened employers in the SF Bay Area, Chicago, and Los Angeles, to work together in connecting with justice-involved young adults, and has launched the Fair Chance Coalition to embrace justice-involved individuals as a new and reliable source of talent potential. In California, state and local legislation has suggested a growing appetite to create greater opportunity for formerly incarcerated individuals to more successfully re-enter as productive contributors to the workforce and society as a whole. Annually, there are over 600,000 people being released from state prisons and another 11 million from jails. At least 95% of all state prisoners will be released from prison at some point (Office of Bureau Justice, 2018). In 2014, California approved Proposition 47, and this legislation has significantly contributed to the number of young adults that were able to re-petition their sentences by reducing the classification of most “non-serious and nonviolent property and drug crimes” from a felony down to a misdemeanor (Ballotpedia, 2014).

A year later, President Barack Obama and his administration led the national charge to launch the Fair Chance Business Pledge, a call-to-action for all members of the private sector to improve their communities by eliminating barriers for those with a criminal record and creating a pathway for a second chance (The White House, 2016). California adopted Fair Chance legislation in early 2018 and its businesses can leverage this legislation as an opportunity to better tap into an underutilized segment of America's talent force. In Los Angeles, Mayor, Eric Garcetti, signed into law the “Fair Chance Initiative” – an ordinance that restricts employers from asking job applicants about criminal convictions until after a conditional offer of employment has been made (Office of LA Mayor Eric Garcetti, 2016). Los Angeles County has also adopted this practice by establishing an ordinance and protocols that eliminate appropriate restrictions for potential applicants pursuing county employment opportunities. Los Angeles is just one of 150 cities and counties advancing progressive legislation to ensure a fair chance, and California is one of 31 states committed to the same cause (NELP, 2018).

In light of an unprecedented labor shortage and historically low unemployment rates, we can no longer afford to bypass swaths of talent potential and jeopardize local business success and global economic competitiveness. We invite you to partner with LeadersUp to join the movement in connecting with justice-involved young adults. Through our Fair Chance Coalition, you'll be a part of a collaborative network to advance local and enterprise-level practice change, interface and connect to a pipeline of trained talent, and gain access to tools, resources and professional development opportunities to better understand and support justice-involved young adults in their career pathways. This report provides a deeper analysis of the relationship between arrest and employment, and highlights the promising gains that progressive companies can experience in working with LeadersUp to advance diversity, equity and inclusion goals that include an often-overlooked population for everyone's mutual benefit.



“Consistency. You know, showing up on time with the attitude of being ready to work on a daily basis, not just two days out of the week...and just showing that I can be trusted with getting the job done or with whatever responsibility is placed in my hands. I won't misuse that *privilege.*”

-Chris

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