



Breaking Barriers for Fairer Workplaces

The Case for Beyond the Box's Mission & the movement for Second Chance Hiring



A Staggering Growth in Criminal Justice Involvement

- As of 2016, the U.S. prison population is the largest in the world.
- The U.S. accounts for less than 5 percent of the world's population, but nearly 25 percent of its inmates.
- Annually, over 600,000 people leave state and federal prisons and reenter society.
- From 1973 to 2014, the average state and federal prison population in the U.S. rose steadily from about 200,000 to slightly over 1.5 million.
- Local jails hold another 700,000 people, bringing the total number of inmates across the country to approximately 2.2 million.

The Impact of Criminal Records

Criminal records create serious challenges to employment, even for those with minor offenses or errors on their records. The most common problem is hiring discrimination, but it also affects pay and the quality of jobs available.

Even with recent reforms, laws often reinforce these challenges. For example, many professions exclude people with criminal records through licensing rules.

Since so many people are affected, these penalties contribute to broader social and economic inequality.

Who Is Affected Most?

- Prison populations are disproportionately black, so black workers are more likely to have criminal records.
- Incarceration is linked to mental health conditions and disabilities, making reentry into the workforce even harder.
- Beyond jobs, criminal records can block access to housing, public benefits, and other resources needed to rebuild lives.

Legal Reforms and Progress

Efforts to support individuals with criminal records are gaining momentum. In New York State, people with criminal records are recognized as a “protected class,” meaning discrimination against them is often illegal.

Other reforms include:



Second Chance Hiring Initiatives

- The "**Work for Success**" program aims to reduce recidivism, promote economic development, and improve public safety by assisting people with prior criminal convictions in finding employment.
- Organizations like the **Second Chance Business Coalition** empower employers with resources to hire people with criminal records, promoting the benefits of second chance employment.
- This broad movement in support of second chance hiring **recognizes the economic and social benefits** of integrating formerly incarcerated individuals into the workforce.
- In 2012, the Equal Employment Opportunity Commission (EEOC) mandated employers to conduct individualized assessments rather than blanket exclusions. These assessments evaluate the nature and relevance of a candidate’s criminal history, encouraging fairer hiring practices.





Ban the Box Policies

- Introduced in the late 1990s, "Ban the Box" (BTB) policies aimed to prevent employers from asking about criminal histories on initial job applications. (Employers could still conduct a background check at later stages of the hiring process).
- Research found that employers who cannot access criminal history may use race as a proxy for presumed criminality for Black and Latino applicants, particularly young men.
- While BTB policies were well-intentioned, they have not universally improved employment outcomes for individuals with criminal records. Addressing systemic racial biases and fostering equitable hiring practices through additional measures like individualized assessments is critical to ensuring fair opportunities for all job applicants.



Clean Slate Law

- The Clean Slate Act was passed in New York State in November 2024, help individuals with past convictions access employment, housing, and education opportunities by preventing these records from appearing in civil background checks.
- It mandates the **automatic sealing** of certain **criminal records** after a specified waiting period—three years after sentencing for misdemeanors and eight years for felonies—**provided individuals maintain a clean record and are no longer on probation or parole.**
- Research shows that **sealing criminal records reduces the chance of reoffending and improves job opportunities.**

Challenges in Practice

- Legal reforms are only part of the solution. Implementation varies across regions, and many people don't know their rights or how to access relief like record sealing.
- Employers struggle with unclear laws, leading to continued discrimination.
- A low-paying or unstable job doesn't help prevent reoffending the way a stable, well-paying job does.



How Reentry Programs Help

Re-entry programs aim to bridge the gap between legal rights and real-world practices. Beyond the Box focuses on making workplaces supportive for people with criminal records. This includes improving workplace policies, ensuring fair and equitable management practices, and fostering inclusive workplace cultures.

By addressing these issues, Beyond the Box helps create a fairer, more equitable job market—one where everyone has the chance to thrive.



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