

**IMPACT OF A PRIOR CRIMINAL CONVICTION ON
PRIVATE EMPLOYMENT OPPORTUNITIES IN NEW JERSEY**

Prepared by
Division of Labor Market and Demographic Research
New Jersey Department of Labor and Workforce Development

July 18, 2008



State of New Jersey

DEPARTMENT OF LABOR AND WORKFORCE DEVELOPMENT
PO BOX 110
TRENTON, NEW JERSEY 08625-0110

JON S. CORZINE
GOVERNOR

DAVID J. SOCOLOW
Commissioner

July 18, 2008

Albert Porroni, Executive Director
Office of Legislative Services
State House Annex, Room 210
Trenton NJ 08625

2008 JUL 18 A 10:19
OFFICE OF
LEGISLATIVE
SERVICES

Dear Executive Director Porroni:

The New Jersey Department of Labor and Workforce Development has prepared the attached report detailing the impact of a prior criminal conviction on private employment opportunities for ex-offenders.

This report was prepared pursuant to N.J.S.A. 2A:168A-14, as established under P.L. 2007, c. 327, section 8, which took effect on January 13, 2008.

My staff and I will be happy to respond to any questions you may have regarding this matter.

Sincerely,

COMMISSIONER

New Jersey Is An Equal Opportunity Employer



OFFICE OF THE COMMISSIONER
(609) 292-2323 • FAX (609) 633-9271

Printed on Recycled and Recyclable Paper

AD-18A (R-7-06)

INTRODUCTION..... 3

OVERVIEW OF PRISONER RE-ENTRY IN NEW JERSEY..... 4

ANALYSIS OF EMPLOYMENT OUTCOMES FOR RE-ENTRANTS..... 5

 OVERVIEW AND MITHODOLOGY..... 6

 DEMOGRAPHICS..... 6

 OVERVIEW OF EMPLOYMENT AND INCOME BY QUARTER..... 7

 REENTRANT EMPLOYMENT BY INDUSTRY..... 10

 Distribution by Industry..... 10

 Average quarterly income and weeks employment by industry..... 11

 EMPLOYMENT STABILITY..... 12

EMPLOYER SURVEY..... 13

 PORTRAIT OF SAMPLE..... 14

 Distribution of Industries..... 14

 Company Sizes..... 15

 EXPERIENCES HIRING EX-OFFENDERS IN THE PAST FIVE YEARS..... 16

 Education level of Existing workforce..... 17

 Importance of various factors in the decision of whether to hire an ex-offender..... 18

 Potential issues of concerning employers when considering an ex-offender for hire... 20

 Evaluation of the experience in hiring an ex-offender..... 21

 RESTRICTIONS AND BARRIERS..... 22

 Restrictions on hiring ex-offenders..... 22

 Additional barriers..... 23

 CONDITIONS THAT WOULD INCREASE THE EMPLOYERS’ LIKELIHOOD OF HIRING AN EX-OFFENDER..... 24

 EMPLOYERS’ RECOMMENDATIONS..... 25

SURVEY OF RE-ENTRY SPECIALISTS AT ONE-STOP CAREERCENTERS..... 26

 BACKGROUND AND METHODOLOGY..... 26

 WORKING WITH EMPLOYERS..... 26

 OVERALL SUCCESS IN ASSISTING EX-OFFENDERS TO BECOME RE-EMPLOYED..... 27

 Greatest barriers when trying to match ex-offenders to employers..... 27

 Feedback from employers when assisting ex-offenders..... 27

 RECOMMENDATIONS FOR EMPLOYERS..... 28

 CONCLUSIONS..... 29

APPENDIX A: SUPPLEMENTAL DATA TABLES..... 32

APPENDIX B: LEGAL BARRIERS TO EMPLOYMENT: STATUTORY REFERENCES..... 42

Introduction

In January 2008, legislation (P.L. 2007, Ch. 327) was enacted requiring the New Jersey Department of Labor and Workforce Development (LWD) to “prepare a report detailing the impact of a prior criminal conviction on private employment opportunities for ex-offenders.” The following report was prepared to fulfill the legislative requirement.

Re-entry is the term given to the transition from incarceration back into the community. This report provides a general overview of what is currently known about re-entrants in New Jersey, including historical data and policy considerations. The first analytical section focuses on analysis of employment outcomes for re-entrants. Data from the 2005 cohort of prison releasees from the New Jersey Department of Corrections (DOC) were merged with wage data from employers covered under the New Jersey Unemployment Compensation Law. The results were used to provide a picture of re-entrant employment through an analysis of employment stability, earnings, and career progress.

The report also presents an analysis of data gathered through the implementation of two LWD-designed surveys; one of employers and one of job counselors specializing in re-entry. An employer survey was conducted to gain a better understanding of the perspectives of both companies who had hired ex-offenders and those that chose not to. The survey of re-entry specialists was used to draw out insights from LWD One-Stop Career Center counselors who are uniquely qualified to report based on their experiences as an intermediary between re-entrants and potential employers.

Overview of prisoner re-entry in New Jersey:

Prisoner re-entry is an important issue for New Jersey, where virtually all state prisoners (96%) are released back into the community.¹ The state prison population increased more than fourfold between the 1970s and 2002 - from 6,017 to 27,891. In June 2008, nearly 27,000 prisoners were under state jurisdiction in New Jersey. In the past five years, it is estimated that 70,500 state prisoners have returned to communities. The population is mostly African American (61%), male (95%), and in their mid-30s (average age was 34). A relatively small proportion of prisoners receive education or training while incarcerated. For example, in fiscal year 2008 the Department of Corrections Office of Educational Services provided 11 percent of inmates with academic programming and six percent with vocational programming. The other inmate work programs have the capacity to serve up to 17 percent of the total prison population.²

Given both the sizable number of annual re-entrants and the limited resources available to assist them with employment while still incarcerated, this report seeks to identify the types of barriers they face and how they actually fare in private employment.

Legal barriers to re-entry:

Ex-offenders face many types of obstacles to employment, some of which are legal and regulatory in nature. Certain jobs have statutory restrictions barring employment of persons with criminal convictions. Also, a great number of jobs require disclosure of criminal convictions and mandatory background checks on the part of employers. There are approximately 18 categories of jobs for which certain criminal convictions serve as an absolute bar, most under state law, some under federal law. With a few exceptions, these are lifetime prohibitions. The convictions from which the statutory bars arise are specified in some cases, but are in many cases grouped under the broad heading of “crimes of moral turpitude.” (See Appendix B)

The job categories include:

¹ Urban Institute Justice Policy Center, “A Portrait of Prisoner Reentry in New Jersey,” (November 2003) http://www.njisj.org/reports/portrait_report.pdf

² Data provided by the New Jersey Department of Corrections

- Aircraft/airport employees
- School bus drivers
- School crossing guards
- Bank employees
- Bartenders
- Waiters in establishments where liquor is served
- New Jersey Turnpike Authority employees
- Liquor retail
- Wholesale, manufacturing or distributing employees
- Child care center employees
- Community residences for individuals with developmental disabilities
- Armored car crew members
- Racetrack employees
- Employees of a benefits plan
- Firearms purchasers
- Private detectives
- Limousine drivers
- Securities agents, brokers, and investment advisors

The types of jobs covered by the laws requiring disclosure include:

- Alcohol and drug counselors
- Casino employees
- Residential child care staff
- Children's group home staff
- Domestic violence shelter staff
- Home health aides
- Nursing home staff
- Nurse's aides and personal care assistants
- Insurance adjusters
- Social workers
- Real estate sales personnel and appraisers
- Solid and hazardous waste disposal personnel

(See Appendix B)

Analysis of Employment Outcomes For Re-Entrants

This study seeks to understand the obstacles to private employment that re-entrants face upon release. While other sections of the study will focus directly on that question, this section will

provide context by examining the proportion of the re-entrant population that had successful outcomes when seeking employment. Additionally, it will present industry and wage data that can identify other important factors such as job stability, employment patterns and career growth.

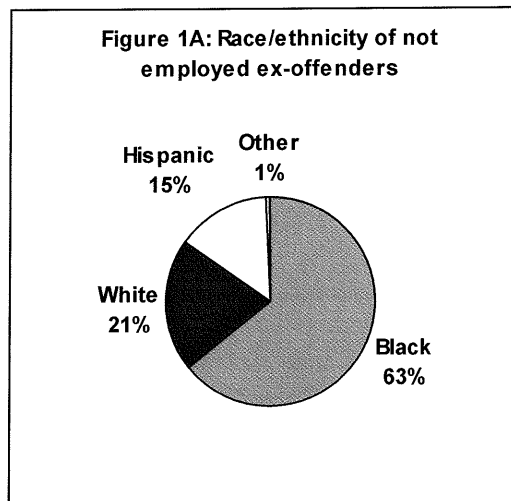
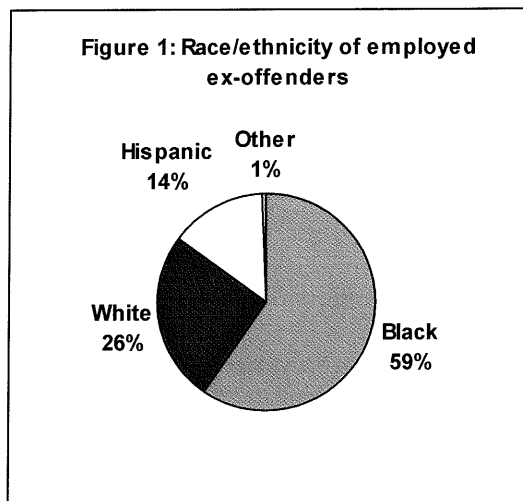
Overview and Methodology

The analysis presented in this section merges data from the Department of Corrections (DOC) and the Department of Labor and Workforce Development (LWD), specifically the Unemployment Insurance (UI) database. The Department of Corrections file contained information about the 2005 cohort of releasees (all ex-offenders who were released in 2005 and were not currently incarcerated as of the date of the data download), including dates of incarceration, demographic information (date of birth, race, gender), as well as limited educational attainment data.³ The UI database provided quarterly income, weeks worked, industry, and firm information. Data was available for all four quarters of 2006 and the first three quarters of 2007. Individuals in the two databases were matched to analyze the employment trends of ex-offenders. Overall, more than one-third (37%) of 2005 releasees were employed by companies covered by Unemployment Insurance at some point during the seven quarters spanning 2006-2007. The 37 percent estimate should be seen as a minimum, because it does not include re-entrants who were employed outside of New Jersey, or who worked as sole proprietors of their own businesses.

Demographics

There were some differences in the demographic characteristics of those who found jobs in New Jersey compared to those who did not. A higher proportion of white reentrants found jobs in New Jersey compared to those who did not find jobs: (26% compared to 21%). The opposite was true for the African American population, where more ex-offenders did not find jobs. There were no significant differences among the Hispanic population. (Figure 1)

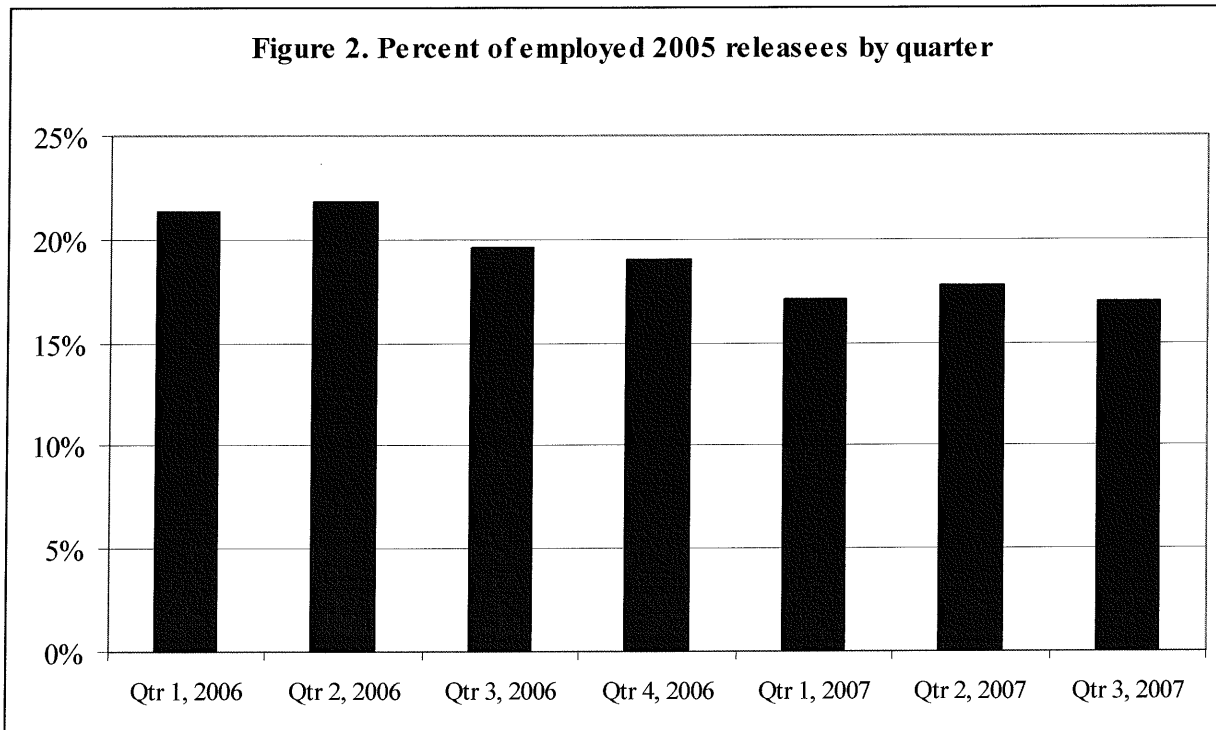
³ Educational attainment data was available for less than 20 percent of the cohort; analysis is not included here because of the likely bias due to the sample size and sample representation.



Sources: New Jersey Department of Corrections and New Jersey Department of Labor and Workforce Development

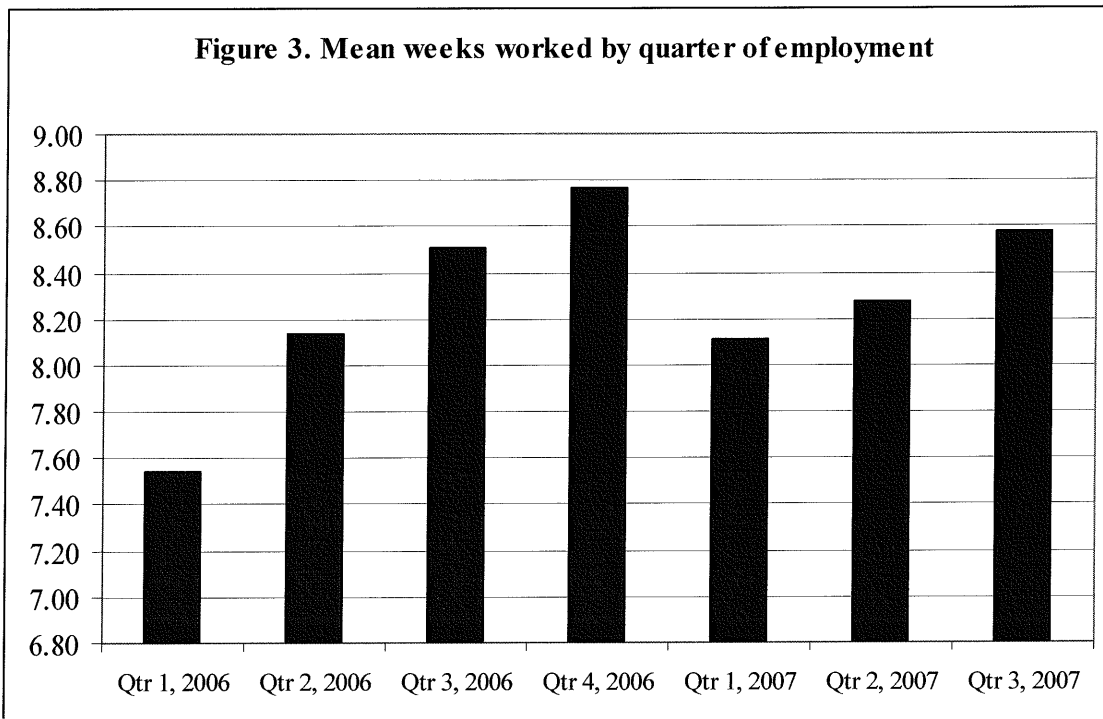
Overview of employment and income by quarter

The following section analyzes income and employment outcomes for the re-entrants who were employed in a UI covered company in New Jersey between the first quarter of 2006 and the third quarter of 2007. The goal was to determine whether the employment patterns of those who found jobs were stable and whether there were any indications of career advancement. As stated above, 37 percent of ex-offenders found UI covered employment during at least one of the seven quarters included in this study. However, in any one quarter this ranged between 17-22 percent. The highest proportion (21-22%) of releasees was employed in the first and second quarters of 2006. By the final quarter only 17 percent of the 2005 releasee cohort was employed. (Figure 2)



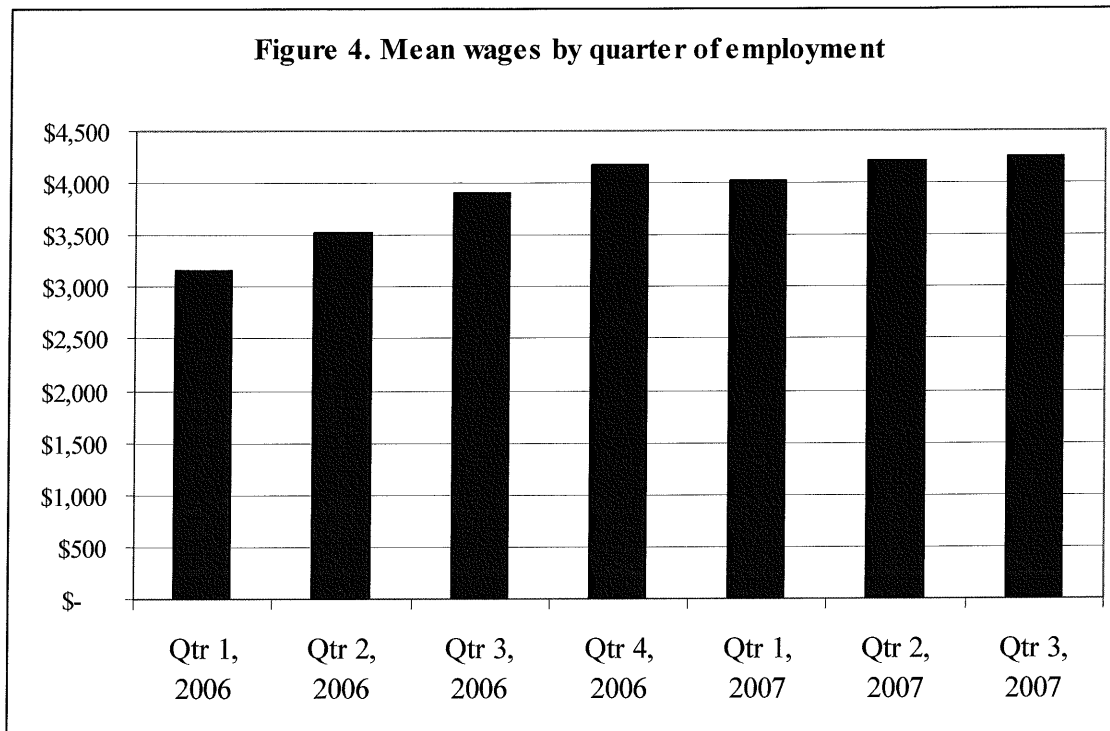
Sources: New Jersey Department of Corrections and New Jersey Department of Labor and Workforce Development

Another indicator of overall stability of employment is average weeks worked in each quarter. Overall, the number of weeks worked increased over the course of the year. Employed re-entrants worked an average of 7.5 weeks during the first quarter of 2006, compared to 8.8 weeks in the fourth quarter of the same year. Although the weeks worked dipped in the first quarter of 2007, the three quarters of data also show an upward trend. (Figure 3)



Sources: New Jersey Department of Corrections and New Jersey Department of Labor and Workforce Development

The average quarterly income was also calculated as an indicator of stability and advancement for employed re-entrants. The average quarterly income increased by about one-third between first quarter 2006 (\$3,151) and third quarter 2007 (\$4,248). Quarterly income increased sharply in the second two quarters, before leveling off close to \$4,200 in the fourth quarter of 2006. Overall, there was an upward trend in income for employed re-entrants. (Figure 4)

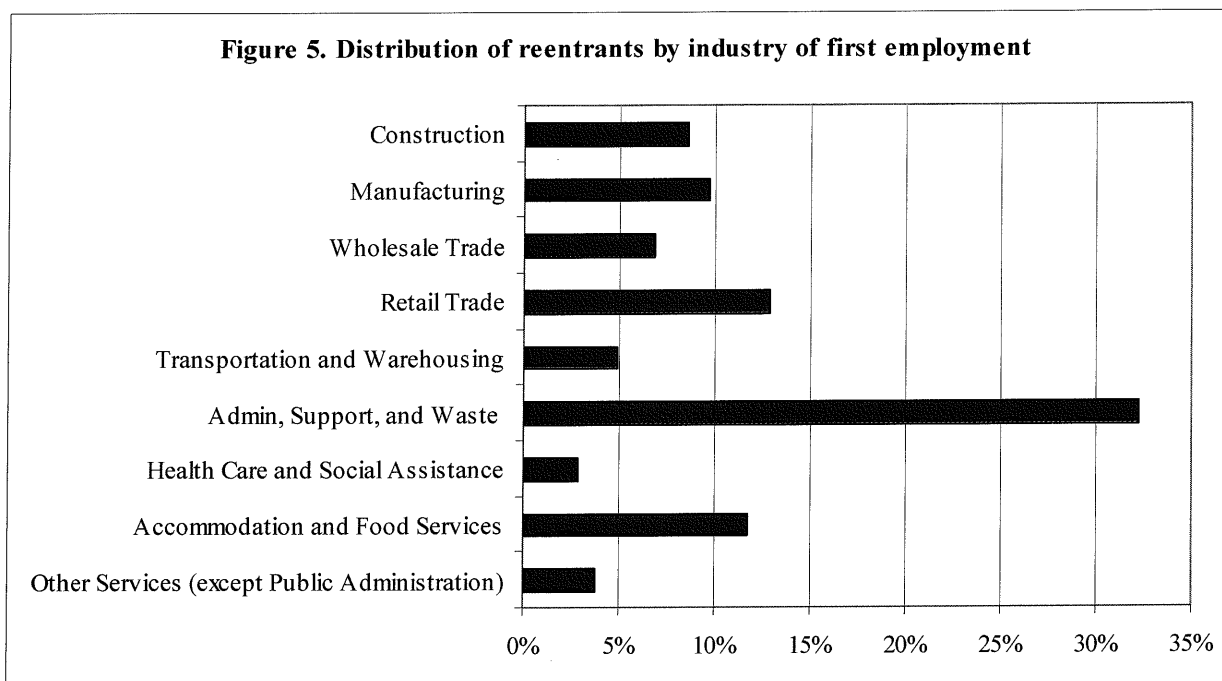


Sources: New Jersey Department of Corrections and New Jersey Department of Labor and Workforce Development

Reentrant employment by industry

Distribution by industry

Re-entrants were distributed across a variety of industries; however, most were clustered in administrative, support, waste management and remediation services. This was the first industry of employment for about one-third of the cohort released in 2005. No other industries had more than 13 percent of the employed re-entrants (or over 1,670 people). Among employed re-entrants, retail trade, accommodation and food services, and manufacturing reported the next highest proportions (between 9.7% and 12.9 %). (Figure 5)

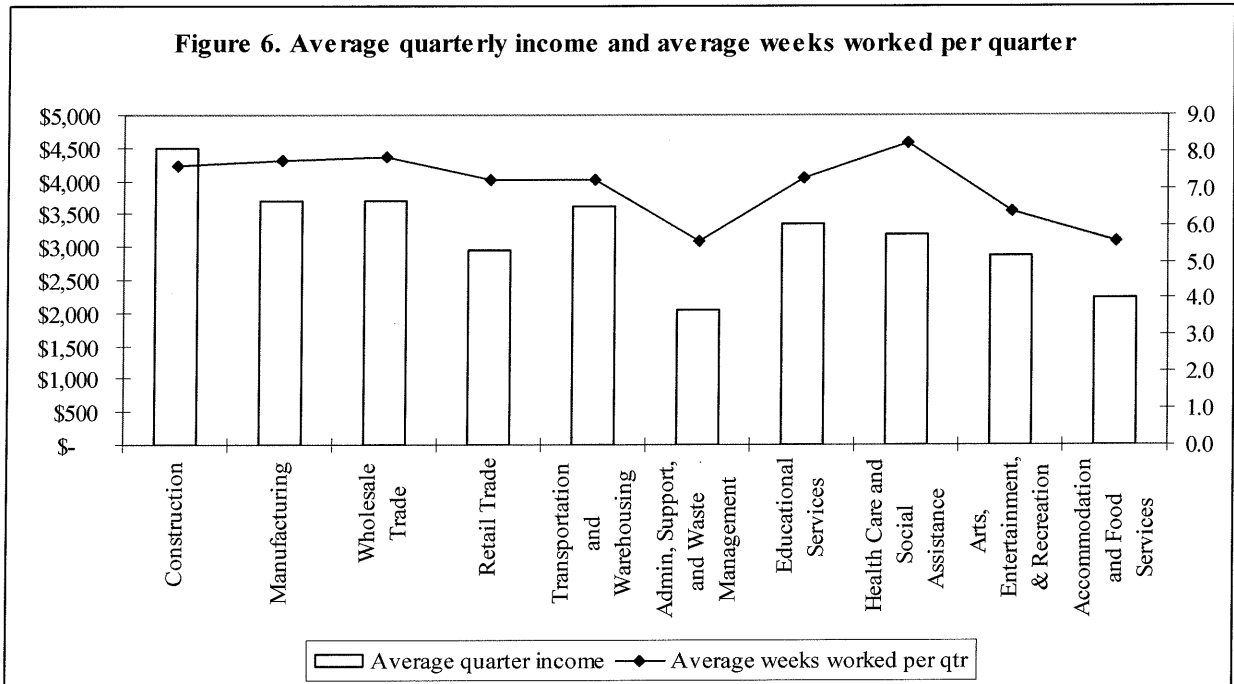


Sources: New Jersey Department of Corrections and New Jersey Department of Labor and Workforce Development

Average quarterly income and weeks of employment by industry

It is also possible to analyze the income and employment of re-entrants by their first industry of employment after release. For the 2005 releasee cohort, although most re-entrants were employed in administrative, support, waste management and remediation services, this industry by far provided the lowest income of any that employed more than just a dozen cohort members. The average quarterly income for all employed reentrants was about \$2,900 across all industries. However, it was just \$2,000 for those employed in administrative support, waste management, and remediation. In fact, the other two industries (retail trade and accommodation and food services) also reported relatively low incomes (about \$2,900 and \$2,200, respectively). (Figure 6)

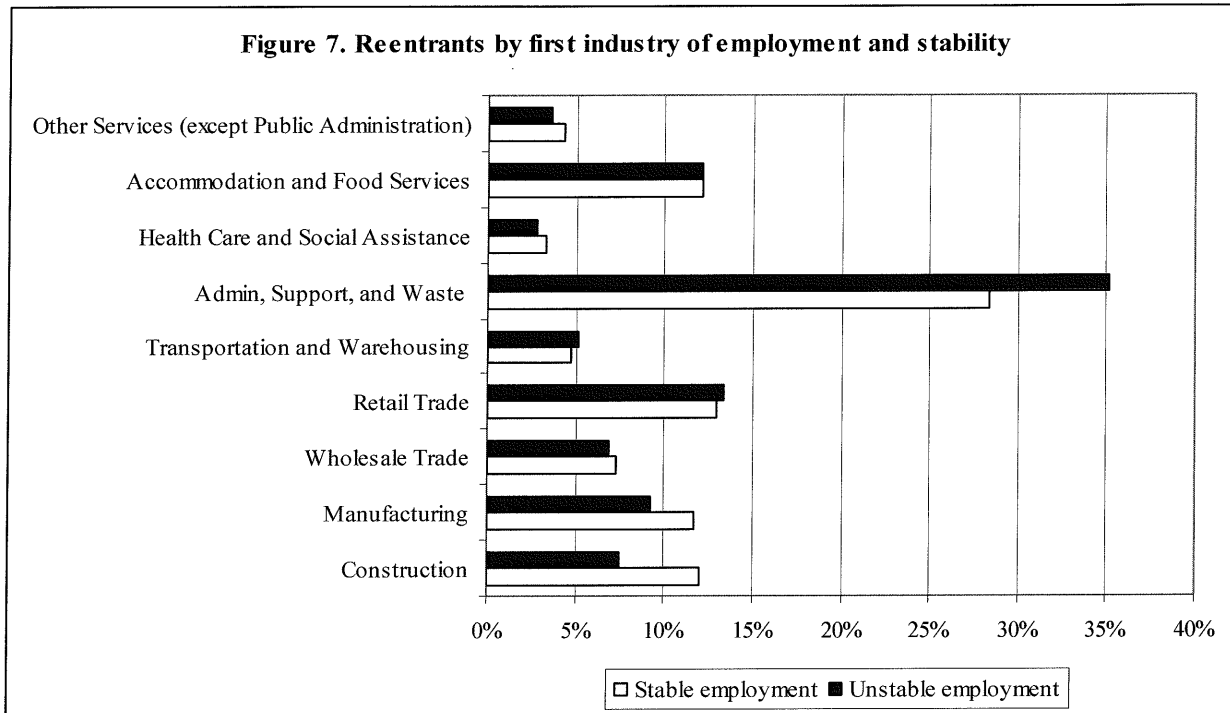
Among all employed reentrants in the 2005 releasee cohort, the average weeks worked per quarter was about 6.8. As with income, the administration, support, waste, management and remediation industry had one of the lowest average weeks (5.6) of work. Only those employed in accommodation and food services firms had slightly lower average weeks worked (5.6 weeks). (Figure 6)



Sources: New Jersey Department of Corrections and New Jersey Department of Labor and Workforce Development

Employment stability

An additional measure of stability is whether an ex-offender remained in the same industry or changed to a job in a new industry. Just 29 percent of employed re-entrants started 2007 in the same industry they first entered in 2006. This stability enabled them to earn more than their counterparts who changed industries (or who were not employed in 2006): their average 2007 income was over \$11,600 compared to just \$6,700 for the employees who changed industries. Furthermore, they worked an average of 8.9 weeks per quarter during 2006-2007, compared to just 5.9 weeks for their counterparts who changed industries. Stability of employment also varied by industry. Reentrants who remained employed in the same industry at the start of 2007 were more likely to be in manufacturing or construction (about 12% each). Those who changed industries were most likely to have started out in administration, support, and waste remediation (35% compared to 28%). (Figure 7)



Sources: New Jersey Department of Corrections and New Jersey Department of Labor and Workforce Development

The analysis of employment outcomes section identified the magnitude of the roadblocks to employment facing re-entrants. Only 22 percent of releasees were employed at any point in time, and only 36% found employment at any time after release over a two-year period. The next section will focus on the perspectives of employers and employment service professionals.

Employer survey

Over 1,200 employers were asked to complete an email survey about their experiences with ex-offenders. The pool was drawn from the firms who had been recipients of Department of Labor and Workforce Development customized training and/or literacy grants during the previous three years. This diverse pool was chosen because their preexisting relationship with the department made it more likely that they would produce a relatively high response rate given the short time schedule and lack of incentives for participation.⁴ A letter with a link to the online survey was emailed to respondents in early April, with a thank you/reminder email sent one week later. The

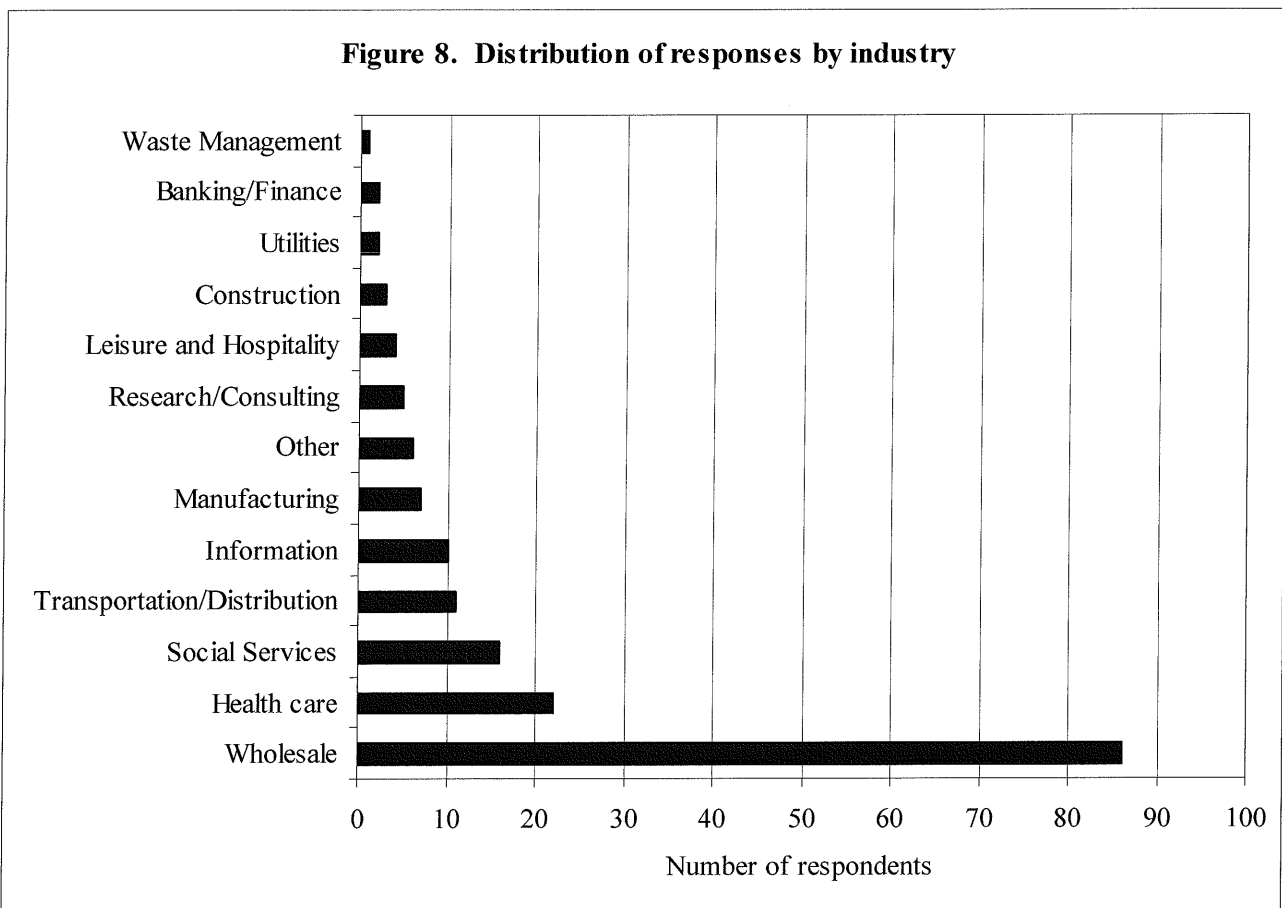
⁴ Although the legislation calls for an analysis of employers with more than 100 employees, the sample used here represented the best available data for the timely completion (within 180 days of the new law) of this report.

final number of completed surveys received was 175. After taking into account the 20 percent of email addresses that were incorrect, the overall response rate was about 17 percent.

Portrait of sample

Distribution of industries

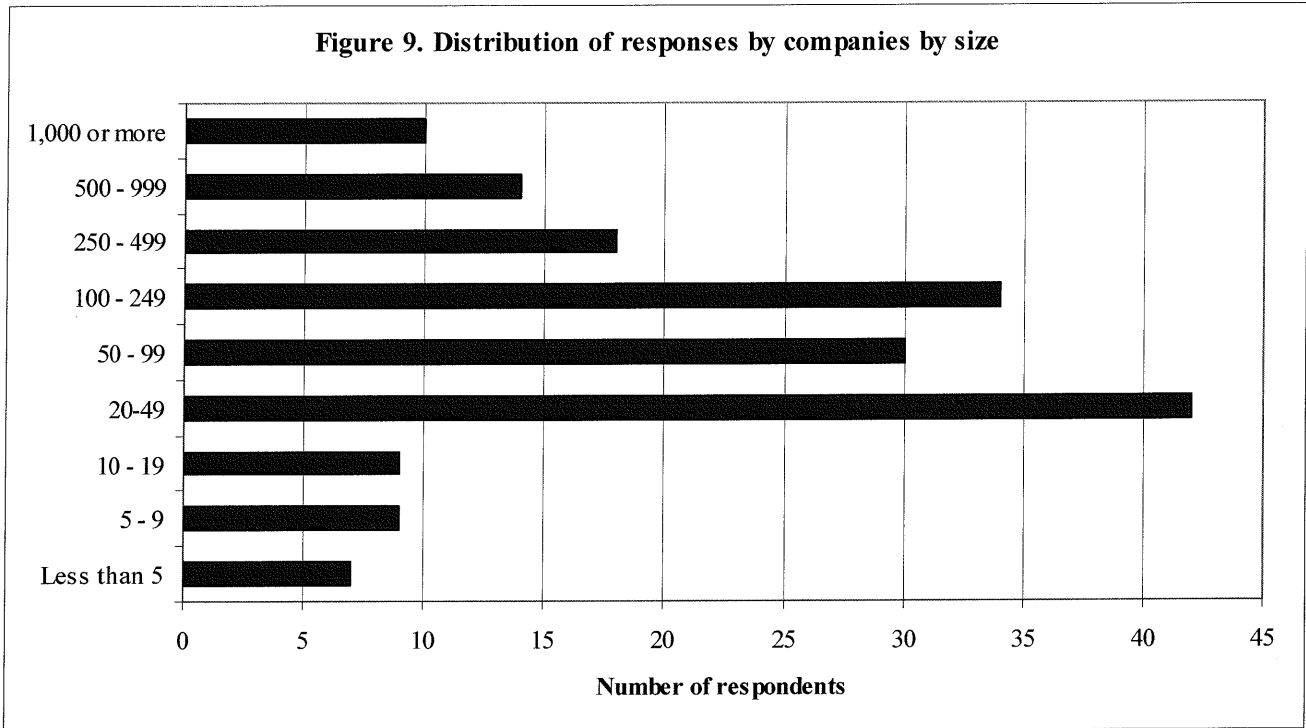
As noted above, 175 firms responded to the survey. Almost half (49.5%) were in the wholesale industry. The next two largest industries comprised less than a quarter of the respondents: health care (12.6%; 22 firms) and social services (9.1%; 16 firms). (Figure 8)



Source: New Jersey Department of Labor and Workforce Development

Company Sizes

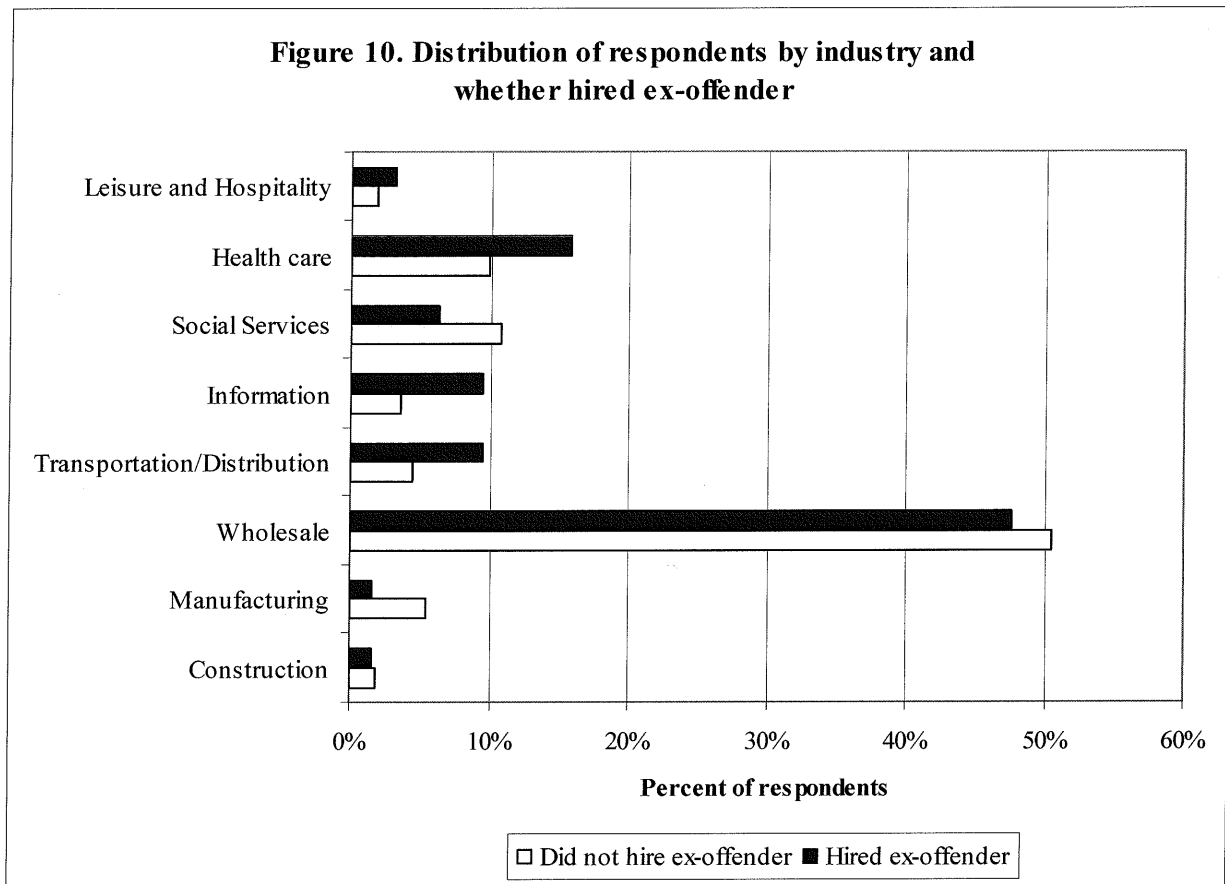
Over two-fifths (76 or 43.9%) of firms reported that they had 100 or more employees. Another large group (41.6%) was clustered in the middle range of 20 to 99 employees. Just 14.4 percent of the sample employed fewer than 20 people. (Figure 9)



Source: New Jersey Department of Labor and Workforce Development

Experiences hiring ex-offenders in the past five years

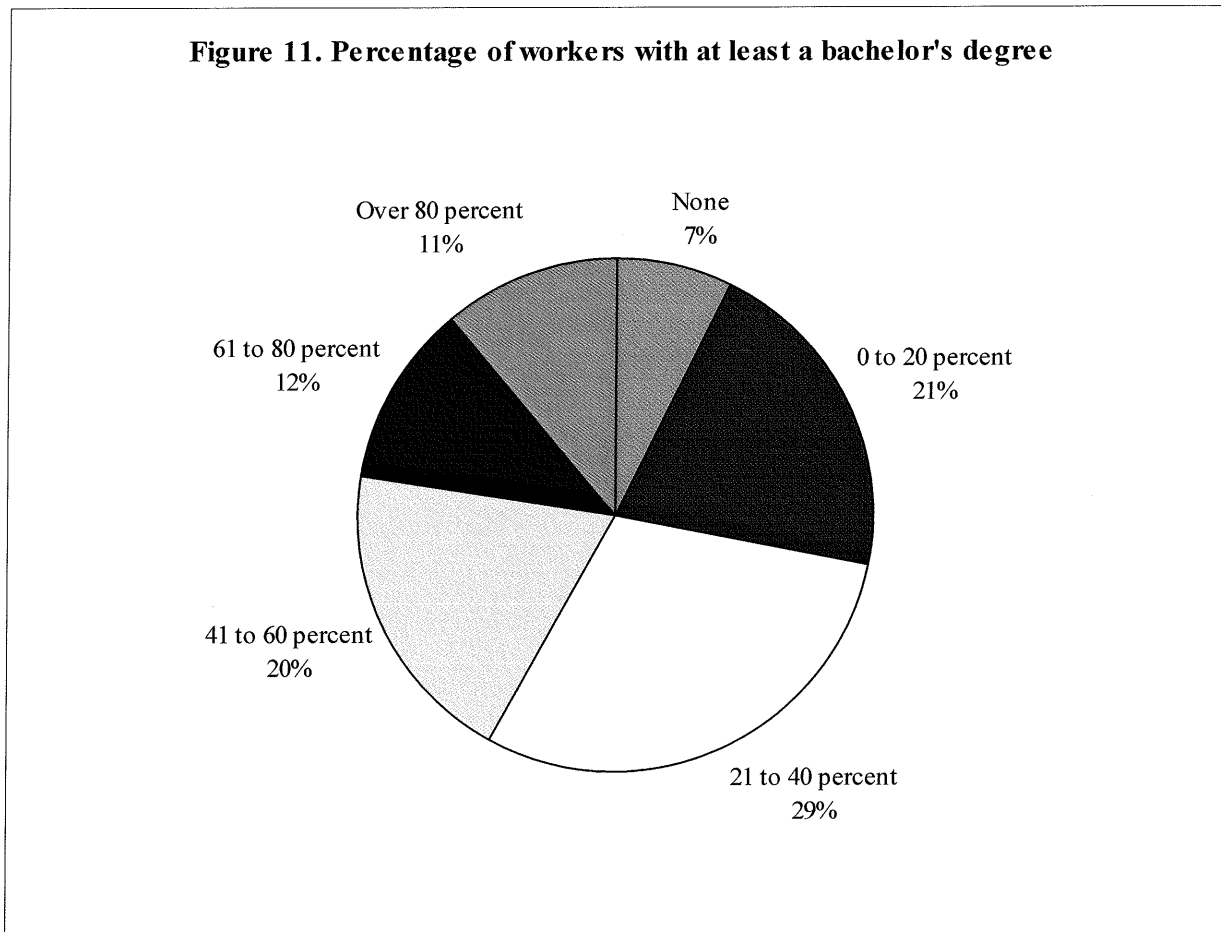
More than one-third of respondents (36.2%; 63 firms) hired an ex-offender in the last three years. The distribution of industries was more or less similar across response types. Those who responded from healthcare, transportation, and information were slightly more likely to have hired ex-offenders. Respondents from manufacturing and social services were slightly less likely to have hired ex-offenders (due to the sample size, the differences were not statistically significant). (Figure 10)



Source: New Jersey Department of Labor and Workforce Development

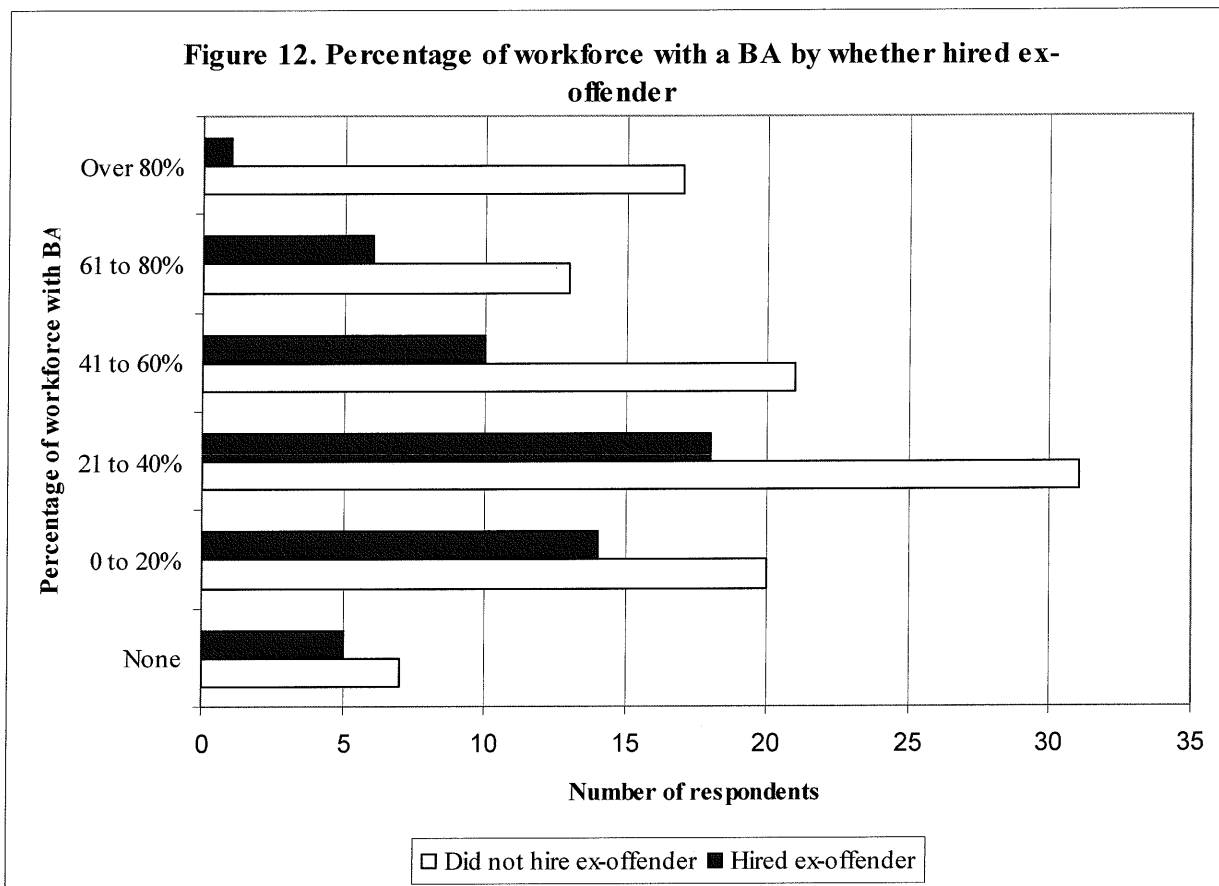
Education level of existing workforce

Firms were asked about the educational level of their current workforce. This is an important consideration given that half of re-entrants have less than a high school diploma or equivalency (this will be discussed in more detail, below). The vast majority of firms that participated in the study had a highly-skilled workforce, with employees with at least bachelor's degrees or beyond making up more than three-quarters of the total employment. For almost one-quarter of the respondents (23%), most of their workforce (more than 60 percent) possessed at least a bachelor's degree. Another 49% of the employers responding to the survey employ a workforce where between 21 and 60 percent of the employees have at least a bachelor's degree. Only 7 percent did not have any employees with at least a bachelor's degree. (Figure 11)



Source: New Jersey Department of Labor and Workforce Development

Results from the survey revealed a correlation between the levels of education of the majority of the workforce of a company and whether it has hired an ex-offender in the past three years or not. This is especially true in New Jersey, where the overall workforce is highly educated. It appears then that the first and foremost obstacle that an ex-offender faces in finding a job is his/her educational attainment and skill level. (Figure 12)

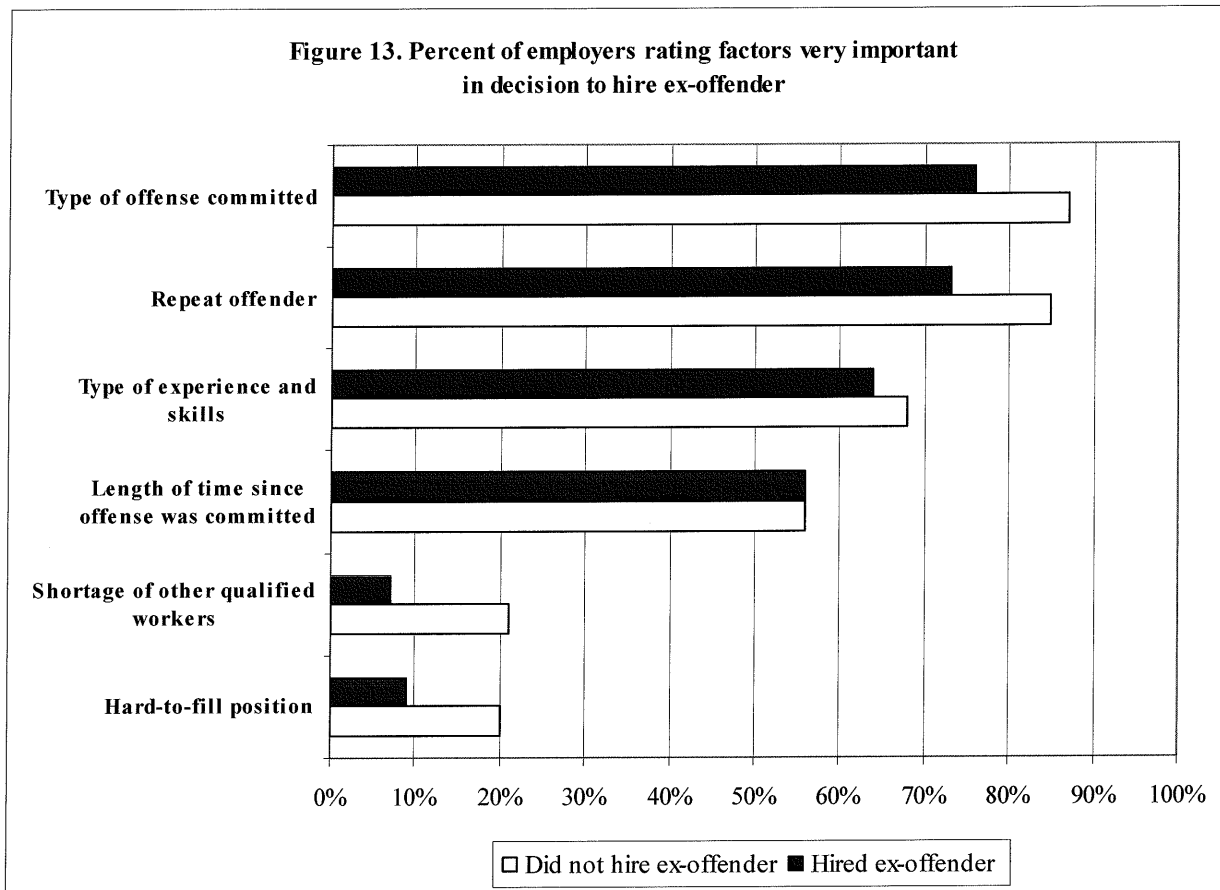


Source: New Jersey Department of Labor and Workforce Development

Importance of various factors in the decision of whether to hire an ex-offender

All respondents were asked to rate the importance of various factors in their decision whether to hire an ex-offender (regardless of their actual experiences with ex-offenders). The type of offense committed and the applicant’s status as a repeat offender were the most important factors. Over 81 percent of respondents gave these a rating of very important (Figure 13). Two factors related to the demand for a particular type of worker were the least important. Only 16

percent of respondents indicated that a shortage of other qualified workers or a position that was hard to fill were very important factors in their decision making about hiring an ex-offender.

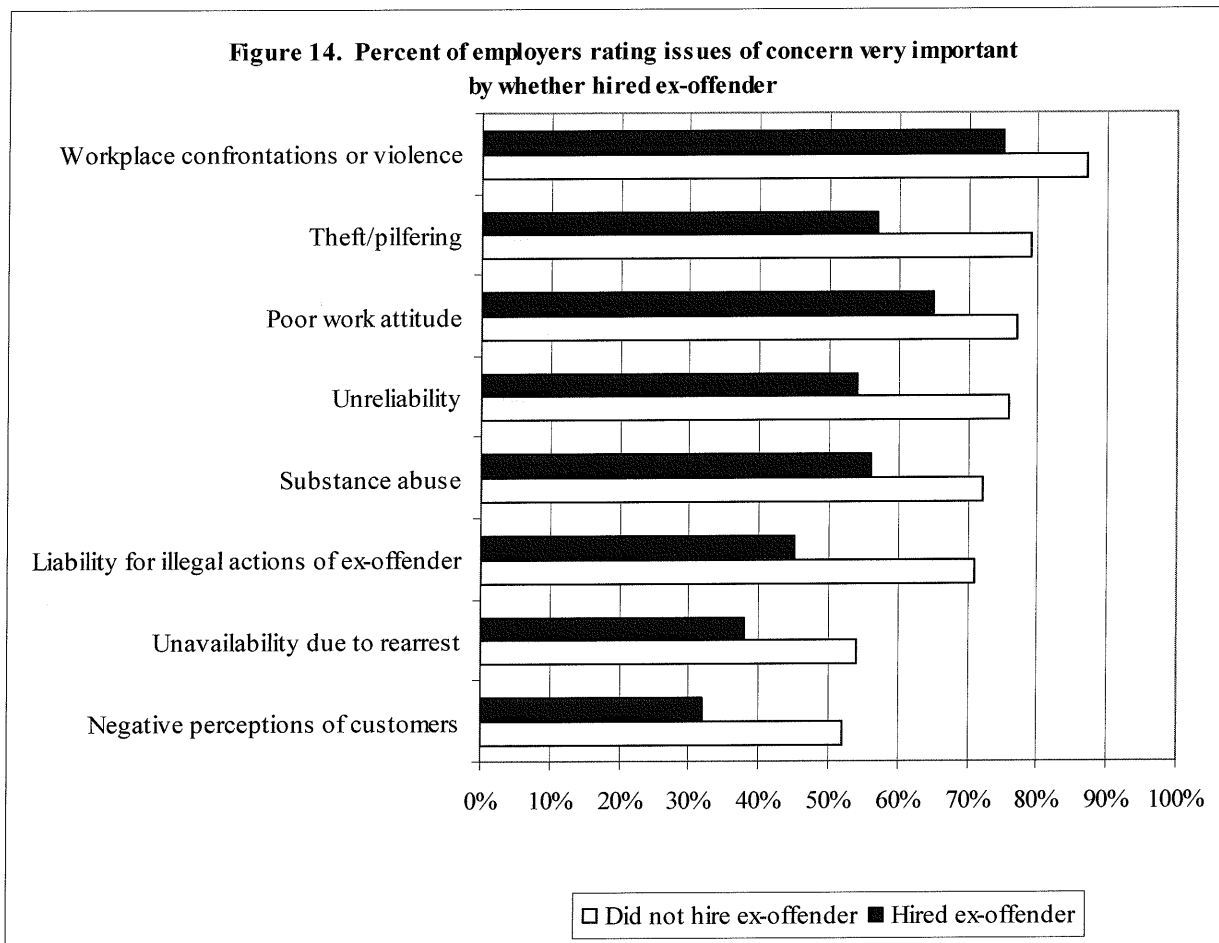


Source: New Jersey Department of Labor and Workforce Development

Survey responses were also analyzed by hiring status: did firms with actual experience hiring ex-offenders rate factors differently than those who had not hired ex-offenders? Overall, the factors were ranked similarly for both groups. However, in almost every case (the one exception was the length of time since last offense) respondents from companies that had hired ex-offenders in the past were less likely to rate factors as very important. For example, while 87 percent of companies who had not hired ex-offenders rated the type of offense as very important, just 76 percent of the respondents who had hired an ex-offender used the highest importance level for their rating. This indicates that having hired an ex-offender significantly reduces (but does not totally eliminate) certain fears of hiring ex-offenders. (Figure 13)

Potential issues concerning employers when considering an ex-offender for hire

The survey also asked employers about specific issues they might consider when hiring an ex-offender. The largest concern was workplace confrontations or violence – 83 percent of respondents rated this as very important. The next two most important issues (each received over 70 percent in the very important category) were theft and a poor work attitude. The two least important issues were “unavailability due to re-arrest” and “negative perceptions of customers.” Less than half of all respondents (49% and 45%, respectively) rated these two issues as very important. (Figure 14)

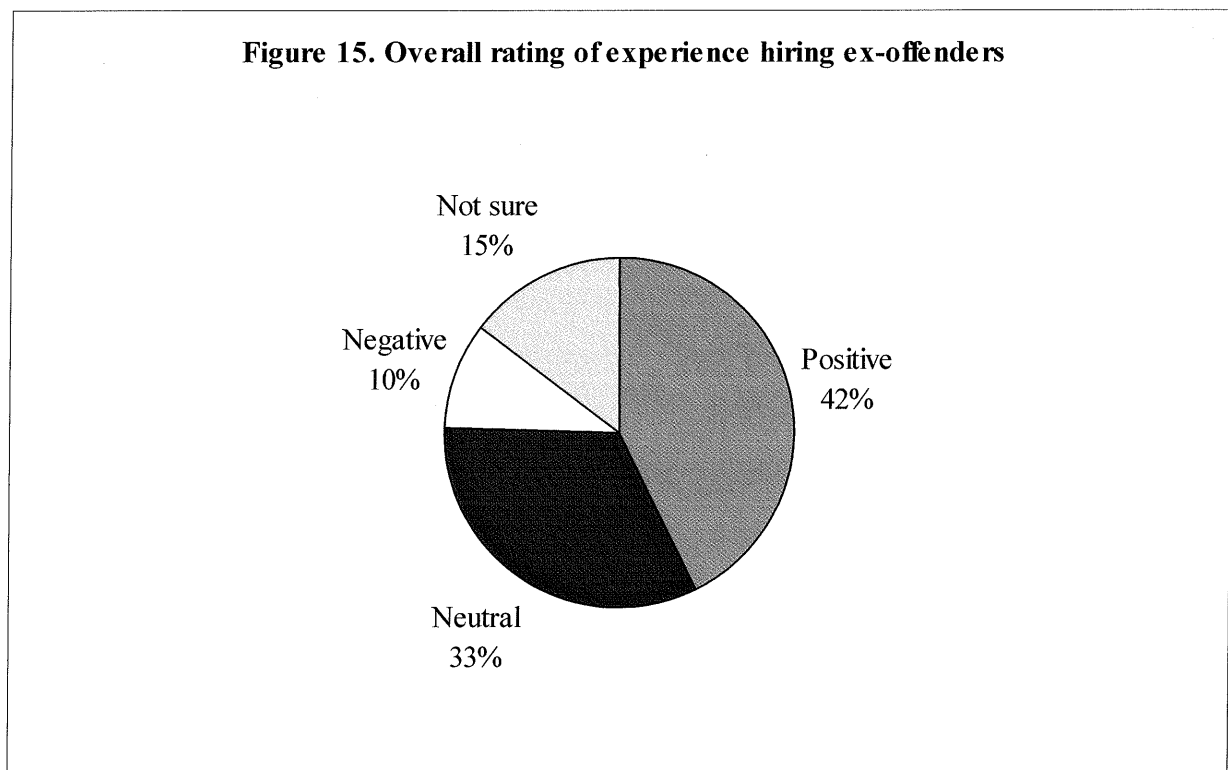


Source: New Jersey Department of Labor and Workforce Development

As with the issues analyzed in the previous section, respondents whose companies had hired ex-offenders were less likely to rate issues as very important, or even somewhat important. Furthermore, although the concerns were generally ranked similarly⁵, these issues were rated as important far more often by employers who had not hired an ex-offender than by firms who had experience hiring ex-offenders. For example, 71 percent of non-hiring firms rated liability for illegal actions of the ex-offenders, compared to just 45 percent of hiring firms, a difference of over 26 percentage points. Three other categories (unreliability, theft, negative customer perceptions) had a 20 or more percentage point difference between the two groups, with the non-hiring firms rating items as more important.

Evaluation of the experience in hiring an ex-offender

About three-quarters of the companies that had hired re-entrants reported that their experience was either positive or neutral – over two fifths (42.6%) gave a positive rating. Only six firms



Source: New Jersey Department of Labor and Workforce Development

⁵ Poor work attitude was most notable exception – it was ranked third by respondents who had not hired an ex-offender and second by those with hiring experience

rated their experience as negative while the remaining nine were not sure what type of rating to give for the evaluation. (Figure 15)

Survey respondents were also given the opportunity to explain their answer to the question described above. People reporting a positive experience made comments that the employee was a good worker and some noted that it is not actually possible to distinguish between a reentrant and an employee without a criminal history. Neutral ratings were often given by respondents who had had varied experiences in hiring ex-offenders, but chose not to give an overall negative rating. For example, one wrote “Some work out, others do not; [it is] similar to the rest of the workforce.” In other cases, a neutral evaluation was given when there had been no specific problems with their reentrant or when the employee’s ex-offender status was not revealed during the hiring process. Respondents who characterized their experience as negative typically had specific issues with the employee. In some cases, workers had non-work issues that interfered with their job performance. In other cases, the employee committed thefts or relapsed into drug use. The last group of ratings was from respondents who were unsure about how to evaluate their overall experience. The comments that accompanied these ratings actually overlapped with those in each of the other three categories. Some had not known about workers’ criminal histories, while others noted that it there had been no problems thus far.

Restrictions and barriers

Restrictions on hiring ex-offenders

All employers in the sample were asked if they face any restrictions in hiring ex-offenders. Forty percent (64 firms) reported restrictions; these respondents were also asked to explain their answers in more detail. In most cases employers reported that the type of work or specific factors related to the employer’s industry made hiring restrictions necessary for ex-offenders. The industries cited included health and child care, as well as industries cited to be serving “vulnerable clients.” Others responded that it depended on the type of work the employee would be doing at the firm.

The next most common set of restrictions cited by respondents was related to the type of offense the reentrant had committed. Specific offenses that were restricted included violent offenders, drug and sex offenders, theft and felonies.

Most of the remaining responses fell into two general themes. First, some respondents said that employees must undergo a background check. The final group referred to either company or government restrictions or regulations on their hiring practices. Some noted specifics, including the federal Drug Enforcement Agency, Food and Drug Administration, Occupational Health and Safety Administration, and the Environmental Protection Agency. Just two respondents specifically noted that ex-offenders would only be hired if at least seven years had passed since their conviction.

Additional barriers

Employers were also asked about any additional barriers that they might face when hiring ex-offenders. Although several responses reiterated issues discussed elsewhere (e.g., regulations, background checks, and the type of offense), many new barriers were also described. Two of the largest themes that emerged concerned customers and existing employees. Respondents expressed that customer safety and trust could be an issue, especially in cases where they worked with a vulnerable population (e.g., children or the elderly) or did work at customers' homes. With respect to current employees, companies were uncertain about their attitudes towards reentrants and did not know how it might impact them. There was also concern about the safety of the current workforce. Several respondents were also concerned about personal issues facing reentrants including reliable transportation, probation appointments during work hours, and childcare. Lastly, employers reported either that they had never received applications from ex-offenders or that their work was too specialized for this population to pursue.

Conditions that would increase the employers' likelihood of hiring an ex-offender

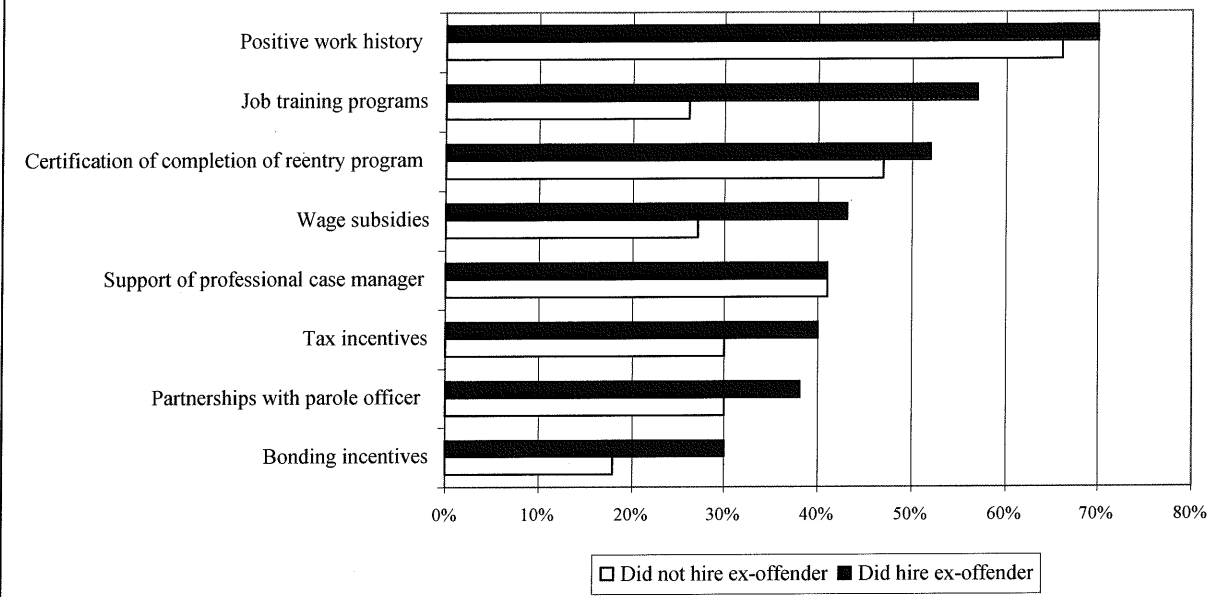
Respondents were asked about policies or programs that would increase their likelihood of hiring an ex-offender. Possible answers included:

- Worker training and certifications
- Financial incentives
- Outside support
- Positive work history for the ex-offender

The last condition was by far the most significant incentive for employers to hire an ex-offender. In fact, two-thirds of respondents reported that this would increase their company's likelihood of hiring an ex-offender. About half of respondents said that if an ex-offender showed certification of completion of some sort of re-entry program then they would be more inclined to hire them. None of the other alternatives were persuasive to more than about two-fifths of the respondents. Job training and the support of a case manager would increase the probability of hire of 38 percent and 42 percent of respondents, respectively. Financial incentives fared the poorest among all of the alternatives. A third of employers reported that tax incentives or wages subsidies would increase the likelihood of hiring an ex-offender, while just 22 percent stated that bonding incentives would impact hiring practices.

Analysis of the responses by whether the respondent's company had hired an ex-offender was also conducted. As with the previous analysis, in almost all cases (support from case manager, which both group rated the same, was the one exception) those respondents who had hired a reentrant in the past were more likely to rate the possible alternatives as having a positive impact on their likelihood of hiring an ex-offender. The percentage point difference ranged from just four points (positive work history) to more than 30 points. In the case of job training programs, 57 percent of respondents who had hired ex-offenders reported that these programs would increase their likelihood of future hires, compared to just 26 percent of those who had not hired them in the past. Bonding incentives, which were rated most poorly by both groups overall, would actually increase the likelihood of hiring an ex-offender for 30 percent of those with prior experience with reentrant workers. (Figure 16) The analysis thus reveals that the employers who have hired ex-offenders in the past are receptive to workforce programs to enhance ex-offenders' employability.

Figure 16. Conditions that would increase employers' likelihood of hiring an ex-offender by whether hired ex-offender



Source: New Jersey Department of Labor and Workforce Development

Employers' recommendations

The final survey question asked employers if they had any additional comments, suggestions, or concerns about re-entrants. Many of the additional recommendations were issues that had not been addressed in other parts of the survey. For example, several respondents reported that there was a need for resources to assist them with hiring from the reentrant population. This included wanting to know more about opportunities to hire ex-offenders, as well as specialized training for those who already do this type of hiring. Some employers focused on the need for resources to assist re-entrants while they worked, including support services that helped promote their reintegration to society. Others called for legal changes, such as pardons for those who have not had additional convictions for ten years.

Survey of re-entry specialists at One-Stop Career Centers

Background and methodology

In addition to surveying employers, surveys were also sent to the re-entry specialists at the One-Stop Career Centers. The One-Stop Career Centers, funded through the Department of Labor and Workforce Development (LWD) and staffed by state and local partner agencies, provide free services to help New Jerseyans with their employment and training needs. They also offer educational training programs in vocational and trade schools or on-site at the One-Stop Career Center, on-the-job training with local employers and apprenticeships in many fields. In addition, Job Search Readiness Workshops provide information on how to successfully look for a job, proper interview conduct, and resume writing skills. Many One-Stop Career Centers have staff specializing in assisting and placing ex-offenders. Because of their unique expertise, they were sent an eight-question short answer survey as a Microsoft Word document. Twenty-four completed surveys were returned and analyzed for recurrent themes in the placement of ex-offenders.

Working with employers

The types of employers who use the services provided by One-Stop Career Center staff who specialize in working with ex-offenders seem to be concentrated in smaller companies offering jobs in service, construction, landscaping, maintenance, and warehousing. Those employers who provide labor-intense employment, such as the fast-food establishments, large scale bakeries, packaging companies, moving and storage companies, and landscaping companies, have opportunities for the ex-offenders. Other employers to which job-referral services are most frequently provided include: federal, state and municipal government; and temporary services agencies.

The One-Stop Career Center offices have worked with both recruitment firms and private employers while assisting ex-offenders in re-employment activities. Employers provide job openings; often the One-Stop office facilitates employers' use of the Federal Bonding Program when assisting ex-offenders. Writing about working with recruiters, one respondent said, "I will call staffing agencies to inquire about open positions, letting them know of the felony

convictions of the prospective employee and asking which companies are willing to hire from this pool.”

Overall success in assisting ex-offenders to become re-employed

Respondents were asked to rate their success in placing ex-offenders in employment. They were provided with a scale of “poor” to “excellent,” and responses were evaluated on a 1-4 rating system. The average rating was 2.96, or slightly less than “good” (on a scale of 3). Although the respondents reported general success with job placement, One-Stop Career Center staff also noted barriers to placement, which are discussed in the next section.

Greatest barriers when trying to match ex-offenders to employers

According to the survey of re-entry specialists in the One-Stop Career Centers, the greatest barriers faced when trying to match ex-offenders with employers fell into the following categories:

- Employers’ reluctance to give the ex-offender a second chance
- Employers’ pre-screening applicants with a “yes/no” question about being convicted of a felony
- Ex-offenders’ lack of transportation
- Ex-offenders’ spotty work history and poor attitude.

Lack of transportation was a dominant theme in many responses from these counselors.

Feedback from employers when assisting ex-offenders

The One-Stop Career Center respondents reported hearing a variety of feedback from employers regarding ex-offenders. While a few responded that they receive little or no feedback (in part due to low placements) others mentioned generally positive feedback. Even among the successful placements there can still be challenges. One respondent noted that “the few employers that we were successful in placing ex-offenders said that they would consider each on a case by case basis.” Some would hire others if the initial hire worked out well. Most companies do not want to be labeled ex-offender friendly, they want their hire practices quiet. They do not want to be inundated with phone calls and applications from ex-offenders. Some

noted the unique difficulties faced by re-entry employees, such as visits from parole officers and transportation/MVC issues. A few respondents also noted that employers had negative experiences with the ex-offenders that they had hired.

Recommendations for employers

The recommendations offered by the One-Stop Career Center employees ranged from the most general plea “to basically give them a chance,” to very specific suggested employer incentives. Many mentioned the need for employers to know about the Federal Bonding Program (FBP), the Work Opportunity Tax Credit (WOTC), and On the Job Training (OJT) grants, to reduce the upfront cost and risk of hiring an ex-offender. A few also noted that they tried to appeal to the emotions or sympathy of potential employers. This comment is illustrative: “Depending upon the conviction, I would advise employers to hire ex-offenders. I would encourage the thought that they need a chance to raise their families. I would dwell on the fact that they need a second chance to prove their worth in society.”

Responses to an open-ended question for comments or suggestions included everything from calls for changes in larger arenas (e.g., prison reform) to specific suggestions for workshops for potential employers. For example “DOL Business Services or other entity could regularly provide potential and existing employers with information regarding special programs and incentives available when hiring, maintaining and training ex-offenders” and “The counseling and assistance that is now provided by the Department of Labor and Workforce Development in conjunction with the Department of Education and the Department of Human Services should begin while the offender is still in prison, rather than upon release. Once the offender is released it is too late to offer beneficial assistance.” Not surprisingly, many counselors emphasized the importance of letting employers know about incentives that are currently available. At one One-Stop Career Center, they are contacting every county employer to determine whether they would hire ex-offenders.

Conclusions

Using both survey results and anecdotal information gleaned from employers, one overarching impediment to the employment of ex-offenders became obvious — employers' negative predisposition towards ex-offenders. It is clear that a large segment of employers dismiss the possibility of hiring ex-offenders based solely on this factor. This stereotyping of potential employees deprives employers of a pool of untapped available labor. This barrier to employment also comes with a societal cost, as ex-offenders without employment will find the re-entry process much more difficult. Moreover, the results show that employers who were able to overcome this obstacle realized a generally favorable experience when they hired an ex-offender. Employer's initial apprehensions, such as those regarding theft, workplace violence or substance abuse, were found to be far less than feared.

Summary of Findings

Misperceptions and lack of first hand knowledge influence employer perceptions of ex-offenders.

One of the most important findings that emerged from the employer survey is that respondents with actual experience hiring re-entrants generally rated various potential negative factors and issues as less important to the hiring process than those respondents with no experience hiring ex-offenders. For example, the type of offense committed and whether a re-entrant was a repeat offender were less likely to be rated as very important by employers, who had hired ex-offenders in the past. They were also less concerned about workplace violence, theft, and substance abuse. Hiring firms still considered these factors important, but the differences across respondent groups suggests that concerns are exaggerated when compared to actual experiences. This is especially notable given there were a number of cases where employers reported less favorable experience with their hires, yet continued to assert that potential employees with criminal records should be evaluated on a case-by-case basis.

Employers and career counselors report favorable experiences with ex-offender hiring and placement.

Respondents who completed either the employer survey or the One-Stop Career Center counselor survey rated their experiences with re-entrants as generally favorable. Three-quarters of employers who had hired ex-offenders rated their overall experience as positive or neutral; just ten percent gave a negative rating. Furthermore, the One-Stop Career Center respondents gave a “good” rating to the rate at which they placed ex-offenders in employment. Although some respondents reported specific negative experiences, they were in the minority. For those that have had experience with ex-offenders, responses showed a belief that hiring and placement outcomes should be evaluated on a case-by-case basis, instead of making generalizations.

Restrictions and barriers exist within many levels of private employment.

In addition to the barrier of lack of knowledge, there were also specific restrictions that employer survey respondents reported. These restrictions included company, industry, and government restrictions. Some companies reported that they do not hire ex-offenders because they serve youth, elderly, or other vulnerable populations, often in their homes. Other companies did not hire ex-offenders because they are regulated by the FDA, DEA, or other government agencies. In a smaller number of cases, hiring was barred for specific types of offenses, such as drug offenses. Some of the companies expressed concern for customer or worker safety; however the evidence suggests that these concerns are exaggerated. These concerns might be alleviated if there were opportunities for firms with no re-entrant hiring experience to learn from firms who have hired ex-offenders. In addition, some employer respondents specifically asked for more information about ex-offender hiring programs and One-Stop Career Center counselors suggested that information sessions for employers would improve employment opportunities.

Improving ex-offenders' skills more important than financial incentives for hiring.

Many of the One-Stop Career Center respondents emphasized educating employers about financial safeguards and incentives such as the Federal Bonding Program and the Work Opportunity Tax Credit. However, the findings from the employer survey – especially the responses from firms with experience hiring ex-offenders – suggest that other incentives or

policies are more likely to be effective in increasing employment opportunities for ex-offenders. Employers stated that three conditions would increase the likelihood of hiring ex-offenders in the future: positive work history, job training program completion, and completion of a re-entry program. Tax and bonding incentives were not seen as favorably as the other skill-related improvements. Furthermore, some of the written comments suggested that training needed to begin before release from incarceration. Lastly, One-Stop Career Center respondents also emphasized the availability of On the Job Training. Taken together, these findings offer concrete changes that could impact current hiring practices.

Appendix A: Supplemental data tables

Table 1. Reentrant demographics by presence in Unemployment Insurance (UI) database

	2005 Releasees			
	Did find UI employment		Did not find UI employment	
Total sample size		N 5,261		N 9,092
Age	Mean 34.1	N 5,260	Mean 35.4	N 9,091
Years served	1.8	5,225	2.0	9,009
Gender				
Female	8.8%	462	8.9%	810
Male	91.2%	4,799	91.1%	8,281
	100.0%	5,261	100.0%	9,091
Race				
Black	59.3%	3,099	63.9%	5,738
White	25.7%	1,340	20.9%	1,878
Hispanic	14.4%	753	14.6%	1,312
Asian or Pacific Islander	0.3%	17	0.4%	33
American Indian/Alaskan Native	0.1%	3	0.0%	4
Not entered/Unknown	0.2%	11	0.2%	17
	100.0%	5,223	100.0%	8,982

Note: All others includes Asian/Pacific Islander, American Indian/Alaskan Native, and Unknown

Sources: New Jersey Department of Corrections and New Jersey Department of Labor and Workforce Development

Table 2. Percent of employed 2005 releasees by quarter

	<u>Percent</u>	<u>N</u>
Qtr 1, 2006	21.3%	3,059
Qtr 2, 2006	21.8%	3,130
Qtr 3, 2006	19.6%	2,817
Qtr 4, 2006	19.0%	2,730
Qtr 1, 2007	17.1%	2,457
Qtr 2, 2007	17.7%	2,547
Qtr 3, 2007	17.0%	2,436

Sources: New Jersey Department of Corrections and New Jersey Department of Labor and Workforce Development

Table 3. Mean ex-offender weeks worked by quarter of employment

	<u>Average weeks</u>	<u>N</u>
Qtr 1, 2006	7.54	3,059
Qtr 2, 2006	8.14	3,130
Qtr 3, 2006	8.50	2,817
Qtr 4, 2006	8.77	2,730
Qtr 1, 2007	8.11	2,457
Qtr 2, 2007	8.27	2,547
Qtr 3, 2007	8.58	2,436

Sources: New Jersey Department of Corrections and New Jersey Department of Labor and Workforce Development

Table 4. Mean ex-offender wages by quarter of employment

	<u>Average wages</u>	<u>N</u>
Qtr 1, 2006	\$ 3,151	3,059
Qtr 2, 2006	\$ 3,525	3,130
Qtr 3, 2006	\$ 3,909	2,817
Qtr 4, 2006	\$ 4,169	2,730
Qtr 1, 2007	\$ 4,023	2,457
Qtr 2, 2007	\$ 4,222	2,547
Qtr 3, 2007	\$ 4,248	2,436

Sources: New Jersey Department of Corrections and New Jersey Department of Labor and Workforce Development

Table 5. Reentrants by first industry of employment

NAICS code	Industry	2006		2007		2006-2007	
		Percent	N	Percent	N	Percent	N
11	Agriculture, Forestry, Fishing and Hunting	0.3%	12	0.3%	10	0.3%	14
23	Construction	8.7%	397	9.4%	319	8.5%	444
31-33	Manufacturing	9.7%	444	11.4%	386	9.7%	506
42	Wholesale Trade	7.0%	319	7.2%	244	6.8%	354
44-45	Retail Trade	12.8%	586	14.3%	485	12.9%	669
48-49	Transportation and Warehousing	4.9%	224	5.6%	190	4.9%	253
51	Information	0.5%	25	0.4%	14	0.5%	25
52	Finance and Insurance	0.5%	23	0.7%	23	0.6%	29
53	Real Estate and Rental and Leasing	1.1%	52	1.2%	39	1.1%	58
54	Professional, Scientific, and Technical Services	1.8%	81	2.3%	79	1.9%	98
56	Admin, Support, and Waste	31.9%	1,457	25.9%	878	32.2%	1,676
61	Educational Services	0.5%	24	0.5%	16	0.6%	30
62	Health Care and Social Assistance	3.0%	135	3.7%	124	2.9%	149
71	Arts, Entertainment, and Recreation	0.5%	25	0.9%	32	0.6%	32
72	Accommodation and Food Services	11.7%	534	11.0%	374	11.8%	612
81	Other Services (except Public Administration)	3.8%	174	4.1%	140	3.7%	194
92	Public Administration	0.8%	37	0.8%	26	0.8%	39
		100.0%	4,566	100.0%	3,391	100.0%	5,199

Note: Only includes industries with at least ten observations

Sources: New Jersey Department of Corrections and New Jersey Department of Labor and Workforce Development

Table 6. Average income and weeks worked by industry of first employment

<u>NAICS code</u>	<u>Industry</u>	<u>Average quarterly income</u>	<u>Average weeks worked</u>	<u>N</u>
11	Agriculture, Forestry, Fishing and Hunting	\$ 2,045	6.66	14
23	Construction	\$ 4,508	7.60	444
31-33	Manufacturing	\$ 3,697	7.76	506
42	Wholesale Trade	\$ 3,710	7.83	354
44-45	Retail Trade	\$ 2,959	7.24	669
48-49	Transportation and Warehousing	\$ 3,606	7.22	253
51	Information	\$ 3,005	7.70	25
52	Finance and Insurance	\$ 4,343	7.45	29
53	Real Estate and Rental and Leasing	\$ 4,602	8.35	58
54	Prof, Scientific, and Tech	\$ 3,543	7.19	98
55	Management of Companies and Enterprises	\$ 3,553	7.61	14
56	Admin, Support, and Waste Management	\$ 2,044	5.57	1,676
61	Educational Services	\$ 3,352	7.28	30
62	Health Care and Social Assistance	\$ 3,188	8.24	149
71	Arts, Entertainment, & Recreation	\$ 2,861	6.35	32
72	Accommodation and Food Services	\$ 2,223	5.54	612
81	Other Services	\$ 3,008	7.19	194
92	Public Administration	\$ 3,273	7.93	39

Note: Only shows industries with at least ten reentrants; only first three quarters of data available for 2007

Sources: New Jersey Department of Corrections and New Jersey Department of Labor and Workforce Development

Table 7. Reentrants by first industry of employment and stability

<u>NAICS code</u>	<u>Industry</u>	<u>stable</u>		<u>not stable</u>	
		<u>Percent</u>	<u>N</u>	<u>Percent</u>	<u>N</u>
23	Construction	12.0%	177	7.5%	267
31-33	Manufacturing	11.7%	173	9.3%	333
42	Wholesale Trade	7.3%	107	6.9%	247
44-45	Retail Trade	13.0%	191	13.4%	478
48-49	Transportation and Warehousing	4.7%	69	5.1%	184
53	Real Estate and Rental and Leasing	1.2%	17	1.1%	41
54	Professional, Scientific, and Technical Services	1.2%	18	2.2%	80
56	Admin, Support, and Waste	28.4%	418	35.1%	1,258
62	Health Care and Social Assistance	3.3%	48	2.8%	101
72	Accommodation and Food Services	12.2%	179	12.1%	433
81	Other Services (except Public Administration)	4.3%	64	3.6%	130
92	Public Administration	0.8%	12	0.8%	27
		100.0%	1,473	100.0%	3,579

Notes: Stable is defined as working in the same industry in first quarter of employment of 2006 and 2007.

Only includes industries with at least ten observations

Sources: New Jersey Department of Corrections and New Jersey Department of Labor and Workforce Development

Table 8. Distribution of responses by industry

	<u>Percent</u>	<u>N</u>
Wholesale	49.1%	86
Health care	12.6%	22
Social Services	9.1%	16
Transportation/Distribution	6.3%	11
Information	5.7%	10
Manufacturing	4.0%	7
Other	3.4%	6
Research/Consulting	2.9%	5
Leisure and Hospitality	2.3%	4
Construction	1.7%	3
Utilities	1.1%	2
Banking/Finance	1.1%	2
Waste Management	0.6%	1
<i>Total</i>	<i>100%</i>	<i>175</i>

Source: New Jersey Department of Labor and Workforce Development

Table 9. Distribution of responses by company size

	<u>Percent</u>	<u>N</u>
Less than 5	4.0%	7
5 - 9	5.2%	9
10 - 19	5.2%	9
20-49	24.3%	42
50 - 99	17.3%	30
100 - 249	19.7%	34
250 - 499	10.4%	18
500 - 999	8.1%	14
1,000 or more	5.8%	10
<i>Total</i>	<i>100%</i>	<i>173</i>

Source: New Jersey Department of Labor and Workforce Development

Table 10. Distribution of respondents by industry and whether hired ex-offender

	Hired Ex-Offender		Did Not Hire Ex-Offender	
	<u>Percent</u>	<u>N</u>	<u>Percent</u>	<u>N</u>
Construction	1.6%	1	1.8%	2
Manufacturing	1.6%	1	5.4%	6
Wholesale	47.6%	30	50.5%	56
Transportation/Distribution	9.5%	6	4.5%	5
Information	9.5%	6	3.6%	4
Social Services	6.3%	4	10.8%	12
Health care	15.9%	10	9.9%	11
Leisure and Hospitality	3.2%	2	1.8%	2
<i>Total</i>	<i>100%</i>	<i>63</i>	<i>100%</i>	<i>111</i>

Source: New Jersey Department of Labor and Workforce Development

Table 11. Percentage of workers with at least a bachelor's degree

	<u>Percent</u>	<u>N</u>
None	7.3%	12
0 to 20 percent	20.7%	34
21 to 40 percent	29.9%	49
41 to 60 percent	19.5%	32
61 to 80 percent	11.6%	19
Over 80 percent	11.0%	18
<i>Total</i>	<i>100%</i>	<i>164</i>

Source: New Jersey Department of Labor and Workforce Development

Table 12. Percentage of workforce with bachelors degree by whether hired ex-offender

	<u>Hired ex-offender</u>		<u>Did not hire ex-offender</u>	
	<u>Proportion</u>	<u>N</u>	<u>Proportion</u>	<u>N</u>
None	9.3%	5	6.4%	7
0 to 20%	25.9%	14	18.4%	20
21 to 40%	33.3%	18	28.4%	31
41 to 60%	18.5%	10	19.3%	21
61 to 80%	11.1%	6	11.9%	13
Over 80%	1.9%	1	15.6%	17

Source: New Jersey Department of Labor and Workforce Development

Table 13. Importance of various factors in decision to hire an ex-offender by whether hired an ex-offender

	Very	Somewhat	Not very	Not at all	N
<i>Type of offense committed</i>					
Did not hire ex-offender	86.9%	11.2%	0.9%	0.9%	107
Hired ex-offender	76.4%	20.0%	1.8%	1.8%	55
All	83.4%	14.1%	2.0%	1.2%	162
<i>Repeat offender</i>					
Did not hire ex-offender	84.6%	11.5%	1.9%	1.9%	104
Hired ex-offender	72.7%	23.6%	1.8%	1.8%	55
All	80.6%	15.6%	1.9%	1.9%	159
<i>Type of experience and skills</i>					
Did not hire ex-offender	67.9%	25.5%	2.8%	3.8%	106
Hired ex-offender	63.6%	27.3%	7.3%	1.8%	55
All	66.7%	25.9%	4.3%	4.3%	161
<i>Length of time since offense was committed</i>					
Did not hire ex-offender	56.5%	35.2%	6.5%	1.9%	108
Hired ex-offender	55.6%	38.9%	3.7%	1.9%	54
All	55.8%	36.8%	5.5%	1.8%	162
<i>Shortage of other qualified workers</i>					
Did not hire ex-offender	20.8%	38.7%	20.8%	19.8%	106
Hired ex-offender	7.3%	36.4%	36.4%	20.0%	55
All	16.0%	38.3%	25.9%	19.8%	161
<i>Hard-to-fill position</i>					
Did not hire ex-offender	20.0%	36.2%	23.8%	20.0%	105
Hired ex-offender	9.1%	23.6%	45.5%	21.8%	55
All	16.1%	31.7%	31.7%	20.5%	160

Source: New Jersey Department of Labor and Workforce Development

Table 14. Potential issues of concern when considering whether to hire an ex-offender

	Very	Somewhat	Not very	Not at all	N
<i>Workplace confrontations or violence</i>					
Did not hire ex-offender	87.4%	7.2%	4.5%	0.9%	111
Hired ex-offender	75.0%	10.7%	10.7%	3.6%	56
All	83.3%	8.3%	6.5%	1.8%	167
<i>Theft/pilfering</i>					
Did not hire ex-offender	79.3%	15.3%	4.5%	0.9%	111
Hired ex-offender	57.1%	32.1%	8.9%	1.8%	56
All	72.0%	20.8%	6.0%	1.2%	167
<i>Poor work attitude</i>					
Did not hire ex-offender	76.6%	18.0%	3.6%	1.8%	111
Hired ex-offender	65.5%	23.6%	10.9%	0.0%	55
All	72.5%	20.4%	6.0%	1.2%	166
<i>Unreliability</i>					
Did not hire ex-offender	76.4%	19.1%	3.6%	0.9%	110
Hired ex-offender	53.6%	35.7%	8.9%	1.8%	56
All	68.9%	24.6%	5.4%	1.2%	166
<i>Substance abuse</i>					
Did not hire ex-offender	71.8%	20.0%	6.4%	1.8%	110
Hired ex-offender	56.4%	27.3%	14.6%	1.8%	55
All	66.9%	22.3%	9.0%	1.8%	165
<i>Liability for illegal actions of ex-offender</i>					
Did not hire ex-offender	70.6%	22.9%	3.7%	2.8%	109
Hired ex-offender	45.3%	34.0%	15.1%	5.7%	53
All	62.6%	26.4%	7.4%	3.7%	162
<i>Unavailability due to rearrest</i>					
Did not hire ex-offender	54.1%	29.7%	11.7%	4.5%	111
Hired ex-offender	37.5%	28.6%	21.4%	12.5%	56
All	48.8%	29.2%	14.9%	7.1%	167
<i>Negative perceptions of customers</i>					
Did not hire ex-offender	52.3%	18.0%	23.4%	6.3%	111
Hired ex-offender	32.1%	33.9%	25.0%	8.9%	56
All	45.2%	23.8%	23.8%	7.1%	167

Source: New Jersey Department of Labor and Workforce Development

Table 15. Overall rating of experience hiring an ex-offender

	<u>Percent</u>	<u>N</u>
Positive	42.6%	26
Neutral	32.8%	20
Negative	9.8%	6
Not sure	14.8%	9

Source: New Jersey Department of Labor and Workforce Development

Table 16. Conditions that would increase firm's likelihood of hiring an ex-offender

	<u>Percent</u>	<u>N</u>
<i>Positive work history</i>		
Did not hire	65.8%	73
Did hire	69.8%	44
All	67.4%	118
<i>Certification of completion of reentry program</i>		
Did not hire	46.8%	52
Did hire	52.4%	33
All	49.1%	86
<i>Support of professional case manager</i>		
Did not hire	41.4%	46
Did hire	41.3%	26
All	41.7%	73
<i>Job training programs</i>		
Did not hire	26.1%	29
Did hire	57.1%	36
All	37.7%	66
<i>Tax incentives</i>		
Did not hire	29.7%	33
Did hire	39.7%	25
All	33.7%	59
<i>Wage subsidies</i>		
Did not hire	27.0%	30
Did hire	42.9%	27
All	32.6%	57
<i>Partnerships with parole officer</i>		
Did not hire	29.7%	33
Did hire	38.1%	24
All	32.6%	57
<i>Bonding incentives</i>		
Did not hire	18.0%	20
Did hire	30.2%	19
All	22.3%	39

Source: New Jersey Department of Labor and Workforce Development

APPENDIX B

LEGAL BARRIERS TO PRISONER REENTRY

STATUTORY REFERENCES⁶

STATUTE OR REGULATION	CONVICTION OR OFFENSE	CONSEQUENCES	REMEDIES
49 U.S.C. §44936 and N.J.S.A. §6:1-100	Most felonies and indictable offenses.	Disqualified from being aircraft/airport employees. Mandatory background check under both state and federal law.	Prohibition lasts for 10 years.
15 U.S.C. §5902	Any conviction preventing individual from getting a license to carry a firearm.	Disqualified from being armored car crew members. Mandatory background check.	None.
N.J.S.A §33:1-31.2; N.J.A.C. §13:2-14.5 N.J.S.A. §33:1-26	Conviction of a crime of moral turpitude.	Disqualified from being a bartender. (A liquor licensee of the Alcohol and Beverage Commission cannot hire anyone convicted of a crime of moral turpitude).	May after 5 years from the date of conviction apply to the commissioner for an order removing the resulting statutory disqualification. Expungement of conviction may be available.
N.J.S.A. §40A:14-146.2a	Conviction of a crime of moral turpitude.	Prohibited from being a housing guard or patrolman.	Expungement may be available.
N.J.S.A. §40A:14-81.2	Conviction of a crime of moral turpitude.	Disqualified from working as a paid firefighter.	Relief pursuant to the Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.

⁶ The information on private sector occupations in this table was extracted from a briefing paper conducted by Nancy Fishman of the New Jersey Institute of Social Justice entitled, "Legal Barriers to Prisoner Reentry in New Jersey: Employment." The Briefing paper was prepared for Session 3 of the New Jersey Reentry Roundtable in April 2003. The information in this table was reviewed and updated by the New Jersey Attorney General's Office in June 2008.

N.J.S.A. §33:1-31.2; N.J.A.C. §13:2-14.5	Conviction of a crime of moral turpitude.	Disqualified from working in Liquor retail, wholesale, manufacture, or distribution (could encompass warehouse, factory and delivery jobs).	Can be granted permission by the Alcohol and Beverage Commission after 5 years. Expungement may be available.
N.J.S.A. §40A:9-154.1	Conviction of a crime of moral turpitude.	Disqualified from being a School Crossing Guard.	Relief pursuant to the Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.
N.J.S.A. §33:1-31.2; N.J.A.C §13:2-14.5 N.J.S.A. §33:1-26	Conviction of a crime of moral turpitude.	Disqualified from being a waiter in an establishment where liquor is served.	Five years from conviction, special permission can be obtained from ABC. Expungement may be available.
N.J.S.A. §5:5-34 N.J.S.A. §5:5-35	Conviction of a crime of moral turpitude.	Disqualified from being a racetrack employee.	Relief pursuant to the Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.
N.J.S.A. §17:9A-18.1; 12 U.S.C. 1829 (FDIC insured banks) N.J.S.A. §17:11c-18 (addresses employees of loan businesses, building and loan associations, and credit unions)	Crimes involving breach of trust or dishonesty that person is prohibited from serving or continuing to serve in such capacity pursuant to 12 U.S.C. §1829.	Disqualified from becoming a bank employee.	Minimum 10 year prohibition for certain offenses.
29 U.S.C. §504, 1111	Conviction of certain offenses (robbery, bribery, extortion, embezzlement, grand larceny, burglary, arson, drug violations, murder, assault with intent to kill, rape, and certain labor organization related offenses).	Disqualified from working as employee benefits plan staff for 13 years following conviction or end of imprisonment, which ever is later.	The sentencing court can set a shorter period of disqualification of no less than three years.
N.J.S.A. § 2C:58-3	A person convicted of any crime or disorderly person's offense involving domestic violence.	Disqualified from purchasing or working as a firearms purchaser.	Relief pursuant to the Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.

N.J.S.A. §45:19-16	Conviction for certain crimes and offenses.	Can not be employed by a private detective.	Relief pursuant to the Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.
N.J.S.A. §30:5B-6.14	Conviction for a wide range of violent crimes.	Permanently disqualified from ownership of or employment at a child care center.	None, but applicant has an opportunity to challenge the accuracy of the disqualifying criminal history. Relief pursuant to the Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.
N.J.S.A. §48:16-22.3a	Various crimes.	Disqualified from being a Limousine Driver. Mandatory background check.	Relief pursuant to the Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.
N.J.A.C. §10:44A-2.4	Any person convicted of embezzlement, forgery, obtaining money under false pretenses, extortion, criminal conspiracy to defraud, crimes against the person or other like offenses.	Disqualified from working with individuals with developmental disabilities in community residences for individuals with developmental disabilities.	Disqualification may be mitigated by the Rehabilitated Convicted Offenders Act. N.J.S.A. 2A:168A. Relief pursuant to the Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.
N.J.S.A. §49:3-58	Anyone convicted of crimes involving securities and investments, or crimes of moral turpitude.	Disqualified from working as securities brokers, agents, or investment advisors.	After 10 years good conduct post-conviction can apply for registration. Relief pursuant to the Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.

N.J.S.A. §13:1E-133	Any person required to be listed in the disclosure statement convicted of murder; kidnapping; gambling; robbery; bribery; extortion; criminal usury; arson; burglary; and a host of other crimes.	Licensing disqualification for anyone having a “beneficial interest” in the solid waste management business.	Upon written request applicant has the opportunity for an administrative hearing within 30 days. License can be approved for any applicant or employee who “would not require disqualification” based on information contained in the disclosure statement and investigative report. Relief pursuant to the Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.
N.J.A.C. §13:34C-1.8	Conviction of a crime of moral turpitude.	Disqualified from licensing as a drug/alcohol counselor.	Evidence of rehabilitation submitted to the licensing agency will be considered under the Rehabilitated and Convicted Offender’s Act. (See following section). Relief pursuant to the Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.
N.J.S.A. §5:12-90, 91, 86	Conviction of a crime of the first degree; and a host of other crimes.	Disqualified from licensing as a casino employee or casino service employment.	Evidence of rehabilitation submitted to the licensing agency will be considered under the Rehabilitated and Convicted Offender’s Act. (See following section). Relief pursuant to the

			Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.
N.J.S.A. §45:11-24.3	Conviction of any crime or disorderly persons offense involving danger to the person, against the family, children or incompetents involving theft; or crimes involving a controlled dangerous substance.	Disqualified from licensing as a home health aide.	Evidence of rehabilitation submitted to the licensing agency will be considered under the Rehabilitated and Convicted Offender's Act. (See following section). Relief pursuant to the Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.
N.J.S.A. §26:2H-83	Conviction of any crime or disorderly persons offense involving danger to the person, against the family, children or incompetents involving theft; or crimes involving a controlled dangerous substance.	Disqualified from licensing as a nurse's aide or personal care assistant.	Evidence of rehabilitation submitted to the licensing agency will be considered under the Rehabilitated and Convicted Offender's Act. (See following section). Relief pursuant to the Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.
N.J.S.A. §17:22B-6	Conviction of an indictable offense or crimes involving frauds or dishonesty.	Disqualified from licensing as an insurance adjuster.	Evidence of rehabilitation submitted to the licensing agency will be considered under the Rehabilitated and Convicted Offender's Act. (See following section). Relief

			pursuant to the Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.
N.J.S.A. §5:5-34	Conviction of a crime of moral turpitude.	Disqualified from all jobs requiring a Racing Commission license.	Evidence of rehabilitation submitted to the licensing agency will be considered under the Rehabilitated and Convicted Offender's Act. (See following section). Relief pursuant to the Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.
N.J.S.A. §45:15-9 N.J.S.A. §45:15-12.1 N.J.A.C. §13:40A-7.8	Conviction of any crime or disorderly persons offense involving danger to the person; theft; or controlled dangerous substances.	Disqualified from licensing as a real estate appraiser or real estate sales agent.	Evidence of rehabilitation submitted to the licensing agency will be considered under the Rehabilitated and Convicted Offender's Act. (See following section). Relief pursuant to the Rehabilitation of Convicted Offenders Act may be available. Expungement may be available.