

“It’s a start”: Formerly incarcerated adults’ perceptions of second-chance employers and policies

Megan Denver¹  | Rod K. Brunson² | Oscar Navarro¹

¹School of Criminology and Criminal Justice, Northeastern University, Boston, Massachusetts, USA

²Department of Criminology and Criminal Justice, University of Maryland, College Park, Maryland, USA

Correspondence

Megan Denver, School of Criminology and Criminal Justice, Northeastern University, 421 Churchill Hall, 360 Huntington Ave, Boston, MA 02115, USA.
Email: m.denver@northeastern.edu

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Abstract

Research Summary: Second-chance hiring, or an employer’s commitment to hiring (at least some) people with criminal records, is simultaneously an ongoing public movement and an opaque process. To examine perceptions of second-chance policies and employers, we analyzed interview data from formerly incarcerated adults in the Greater Boston area. We find that a small portion was familiar with Ban-the-Box (BTB), a policy that had been in effect locally for more than a decade; after learning about the policy, participants indicated that it was a promising start but could unintentionally provide false hope if employers conduct criminal background checks soon thereafter. We then asked for definitions of criminal record (or in our study context, “CORI”) friendly employers. Participant descriptions fell into three categories: exclusionary, CORI-friendly under certain circumstances, and fully inclusive. Descriptions of the sometimes-friendly employers reflected individualized assessments, where the criminal history and context seemed to matter. Although partial exclusion was not ideal to participants, even the most well-reputed inclusive jobs—those connected to labor unions—carried cautions from union-member participants. Finally, we explored whether submitting evidence of rehabilitation is feasible. Most participants

indicated they could readily provide a recommendation letter and/or accomplishments to an employer if provided the opportunity—but few reported having this experience.

Policy implications: Examining the perceptions of job applicants with criminal records can provide insight into both problems and possibilities. Existing counter-intuitive empirical findings on BTB may be driven, in part, by job applicants with criminal records not being aware of (and therefore not responding to) policy changes. Even after being informed, skepticism of BTB points to the importance of employer responses throughout the decision process. We recommend four policy pathways: increasing awareness of existing policies, expanding CORI-friendliness through employer engagement, promoting broader culture change, and incorporating positive credentials into individualized assessments through formalized processes.

KEYWORDS

Ban-the-Box, criminal record, employment, felon-friendly, individualized assessment, second-chance hiring

Second-chance (or fair chance) hiring policies, which are designed to increase employment for individuals with criminal records, have become increasingly visible in recent years (e.g., Korzenik, 2021; Second Chance Business Coalition [SCBC], n.d.). Various laws and policies fall under the umbrella of fair chance hiring initiatives, which can include externally driven change from policy makers and internal policy-setting within companies. Examples include delaying criminal record inquiries past the application stage of the hiring process (Ban-the-Box, or BTB); training employers under a fair chance hiring framework (e.g., Corporate Coalition of Chicago et al., 2024); and incorporating evidence of rehabilitation into individualized assessments to provide more complete narratives about applicants (Avery, 2023).

Limited research on second-chance hiring behaviors suggests both employers and applicants with criminal records may respond unpredictably to changes in employment policies. In the BTB context, even well-intended policies are moot if employers ignore the law (e.g., ask about criminal records on applications or run premature criminal background checks) or job applicants anticipate hiring barriers and avoid applying (Herring & Smith, 2022). BTB effects can also be difficult to observe if applicants pass on readily attainable jobs and seek higher quality jobs—that is, potentially beneficial delays—because of the policy change (Jackson & Zhao, 2017). Fair chance hiring is also challenging to track. With the launch of the national SCBC (n.d.) in 2021, 50 large, well-known companies have joined to publicly champion second-chance hiring. However, as Seiffert & McGrath (2024, p. 20) note, even public commitments for second-chance hiring provide little

insight on “how effective those efforts have been, or... what steps SCBC members are taking to achieve those goals.”

Employment audit studies, a popular and useful type of field experiment, focus on employer behaviors by design, where researchers test which (randomly assigned) applicant characteristics influence employer decision making (but see Vuolo et al., 2025). However, successful fair chance hiring relies on buy-in from both employers and prospective employees. Just as employers can rarely be forced to fully comply with second-chance hiring, it is equally important to carefully examine how people with convictions react to policies designed to improve their lives. If targeted beneficiaries of existing policies are unaware or skeptical, they may not engage as policy makers intend. Asking people about their experiences and perceptions is a useful way to unpack existing counterintuitive quantitative findings on BTB, where researchers have only been able to speculate about the underlying mechanisms (e.g., Jackson & Zhao, 2017; Rose, 2021). Furthermore, past research focuses disproportionately on BTB policies, and inquiring about perceptions of criminal record “friendly” employers and the feasibility of alternative policies can generate opportunities for successful policy implementation and expansion.

In the current study, we analyzed data derived from 97 in-depth, face-to-face interviews with formerly incarcerated adults in the Greater Boston area. Our research goal was to examine how this population experiences and perceives three employment strategies. First, we asked our participants to explain and reflect on how BTB works in practice. We also asked what it means for a company to be criminal record friendly and which companies fit that definition. Finally, we inquired about which types of accomplishments, if any, participants have submitted—or could submit—to a prospective employer. Our study participants’ insights can provide guidance for legislators interested or already invested in fair chance policies, employers curious about or actively committed to fair chance hiring, and current or prospective job seekers with criminal records.

1 | SECOND-CHANCE EMPLOYMENT POLICIES

In federal guidance issued more than a decade ago, the Equal Employment Opportunity Commission (EEOC) recommended employers conduct individualized assessments of applicants with criminal records. This includes informing job applicants of potential criminal record-related exclusions and enabling candidates to contest these potential exclusions by providing additional information (EEOC, 2012). Such assessments involve a comprehensive review of the criminal record, job position, and broader context. This approach contrasted existing “blanket ban” hiring strategies; rather than criminal records simply sorting applicants in or out, employers were encouraged to use various data points to fully assess the applicant. BTB and evidence of rehabilitation are two key strategies designed to improve employment outcomes for individuals with criminal records by altering the exchange of information in individualized assessments.

1.1 | Ban-the-Box (BTB)

BTB is a popular and nationally recognized employment policy. BTB prohibits employers from inquiring about criminal records on job applications; instead, informal inquiries or formal reviews are (in theory) delayed until a later stage of the hiring process, such as after an initial offer is made. The goal is to enable job applicants with criminal records to get their “foot in the door”

and introduce their qualifications before key decision points (Agan & Starr, 2018; Rodriguez & Christman, 2015).

Research tends to support this front-end goal. People with criminal records describe opting out of the application process when they anticipate stigma and discrimination (including from certain jobs or industries) and/or are exhausted by the application-denial process (Sugie, 2018; Vuolo et al., 2022). Experimental research finds viewing a criminal background check question or statement (relative to seeing no references to criminal background inquiries or future checks) reduces formerly incarcerated adults' interest in applying for a job (Vuolo et al., 2022). However, although the level of criminal background check restrictions in an area may shape how job applicants sort themselves in the labor market (McElhattan, 2024),¹ the limited existing research indicates BTB policy awareness may be low. Herring and Smith (2022) surveyed 351 adults on probation in the San Francisco Bay Area, finding that only 20% had knowledge of BTB.² Among those applying for a job within the past 5 years, more than half reported initial job offers were withdrawn after employers conducted a criminal background check (Herring & Smith, 2022). Interviews with around 40 of those surveyed revealed a lack of BTB enforcement, with the policy described as ineffective and "a waste of [the employer's] time, my time..." (p. 7).

When considering employment outcomes, BTB studies have mixed results. The bulk of the evidence indicates the policy does not meaningfully improve employment in the private sector, and researchers often point to harmful unintended consequences for Black male applicants when BTB is in effect (Agan & Starr, 2018; see Raphael, 2021 for a review). It is difficult to explore underlying mechanisms in administrative or secondary data sets (e.g., Jackson & Zhao, 2017), and the finding that employment levels do not always meaningfully improve after BTB is implemented can be explained by several possibilities. As Rose (2021, p. 110) summarizes, this includes the following: The box not being widely used by some employers before BTB took effect; applicants "strategically apply[ing]" to employers that are open (or indifferent) to hiring applicants with records; and/or consistent discriminatory employer behavior before and after BTB.

Similar employer behavior before and after BTB could result from employer noncompliance with the law or employers following the law but signaling an interest in conducting later criminal background checks, both of which could discourage job applicants upfront (Oselin et al., 2024; Schneider et al., 2022; but see Agan & Starr, 2018). Applicants may also become discouraged after undergoing the hiring process in a BTB context. For example, researchers recently examined unique applicant data before and after an organization opted to adopt the most extensive version of BTB, which prohibits inquiries until after a conditional offer. Weiss et al. (2025) concluded that "most of the positive effect of the screening ban may be undone during the candidate assessment process" (pp. 3–4). Augustine (2019, p. 747) was similarly skeptical, noting that while BTB can reduce initial "gatekeeping," the policy "in no way guarantees an offer of hire" as job candidates advance through the hiring process. Negative direct or indirect experiences with the full hiring process could potentially not only impede BTB policies but also shape applicants' perceptions of BTB.

1.2 | Evidence of rehabilitation

Another individualized assessment strategy enables applicants to provide evidence of rehabilitation or positive credentials³ during the hiring process, which can help to differentiate low- and high-risk job applicants (Denver, 2020). A positive credential could involve in-prison education courses, successfully completing a job training program or acquiring a favorable work

history, state-issued certificates, and letters of recommendation from trusted community members, among other possibilities (Ballou, 2024; Bushway & Apel, 2012; Leasure & Andersen, 2020; Lindsay, 2022; Santos et al., 2023). Although the person submitting the information is central to this policy option, most research examines how employers react to positive credentials. A notable exception is Lindsay's (2022) examination of how formerly incarcerated men navigate presenting credentials earned in prison to employers, where strategies include concealing the prison as the granting institution and crafting redemption narratives. As Lindsay (2022, p. 20) noted, examining how people present positive credentials can also give insight into BTB limitations, as "applicants may inadvertently reveal their criminal histories via the institutional affiliations of prison credentials."

1.3 | How applicants with criminal records navigate stigma and manage impressions

When considering second-chance hiring initiatives, how job applicants with criminal records respond and react to stigmatizing environments is key. Although job seeking immediately after release is common, the experience can be anxiety-inducing (Augustine, 2019), and individuals routinely encountering challenges tend to drop out of the search after several weeks, particularly if post-release optimism fades (Sugie, 2018; Visser & O'Connell, 2012). When actively seeking work, applicants adopt strategies to navigate the hiring process. This can include not disclosing the criminal record, especially after negative experiences, or strategically sharing information after building rapport (e.g., Augustine, 2019; Harding, 2003). It can also involve narrative techniques with redemption or desistance scripts (e.g., Halushka, 2016; Hlavka et al., 2015). Managing stigmatized identities is a type of performance (Goffman, 1959), and decision makers appear to be responsive to narratives that convey honesty, change, and "moral redemption" (Denver & Ewald, 2018; Harding et al., 2025; Lageson et al., 2015).

At their core, policies that promote individualized assessments, including BTB and evidence of rehabilitation, are designed to shape narratives. BTB could enable the conditional disclosure strategies that Harding (2003) described to unfold naturally, which can help applicants build rapport, and positive credentials can be introduced to further mitigate stigma. However, BTB and evidence of rehabilitation rely on an assumption that the employer and the job applicant respond in a way that enhances each policy's effect. The current study examines experiences with—and perceptions of—both policies, along with insights into what makes employers "criminal record friendly" (known as "CORI-friendly" in Massachusetts) to better understand policy strengths and shortfalls from the perspective of those who stand to benefit the most from such reforms.

2 | DATA AND METHODS

As part of a broader project, our research team conducted 97 in-person interviews with formerly incarcerated adults residing in the Greater Boston area between July 2021 and October 2022. The semi-structured interviews included questions specific to fair chance hiring policies in Massachusetts to understand how people perceive and experience navigating the local labor market with an incarceration record.⁴ Our interview team was diverse in gender, race/ethnicity, and age, and we typically conducted interviews in teams of two. Most of the interviews were conducted in English, but four participants preferred to have the discussion in Spanish; our bilingual

interviewer conducted those interviews. The average interview was slightly more than 90 minutes, and participants received \$50 Visa gift cards and transportation or parking vouchers. We received university IRB approval in July of 2021.

We purposely sought to recruit from the broader population of formerly incarcerated adults rather than people newly released from prison. Prison release cohorts have higher recidivism rates because people tend to “churn” in and out of the system more quickly, whereas sampling from formerly incarcerated populations is better suited for reintegration research questions like ours and acknowledges that most people desist from criminal justice system involvement (Bushway & Denver, 2025; Rhodes et al., 2016). As a result, we used a combination of purposive and snowball sampling techniques to recruit study participants. We started with rosters of active clients through the Boston Office of Returning Citizens (ORC), a city agency that provides reentry services and referrals to formerly incarcerated individuals. In addition to asking interviewees for referrals, we also widely distributed a study flyer and attended local reentry events to publicize the study. We interviewed 42 people through the ORC and 55 people using other methods.

Our participants’ characteristics are presented in Table 1. We interviewed 89 men and eight women, including two people who identified as transgender. The median age was 45 years old and ranged from 22 to 69. Slightly more than a third of our sample self-identified as Black, 32% as White, and 23% as Hispanic. The self-reported time since release ranged from a few months to 27 years (mean = 2.9 years), and slightly more than half reported a violent conviction.

One unexpected characteristic of our sample is the level of education. Close to a quarter (21%) of the sample had less than a high-school diploma, 41% had a high-school degree or General Educational Development (GED), and 4% reported an associate degree. The remaining third of our participants had some college or higher, making our sample more comparable to U.S. people more broadly (38%) than to typical prison release cohorts (United States Census Bureau, 2023). This could partially be attributable to our site location, since adult residents in Massachusetts have a higher proportion of bachelor’s degrees than the national average (47% vs. 35%; U.S. Census Bureau, QuickFacts, n.d.) or could be a feature of sampling older individuals living in the community rather than only those just released from prison. As recent comparison points, the third of our sample with some college or higher falls between Fader’s (2023) sample recruited from the community (24%) and Ewald’s (2024) participants recruited through a reentry organization (44%).⁵ However, this population also often enrolls with higher risk institutions (Harding & Harris, 2020), and incomplete degrees may not give a notable competitive advantage on the labor market (Santos et al., 2023).

2.1 | Study setting

Massachusetts was an early adopter of BTB. The Commonwealth adopted CORI reform in 2010–2012 under then-Governor Deval Patrick, which included adopting BTB in late 2010. Most public and private employers (i.e., those without regulatory requirements) in the Commonwealth are not permitted to ask job applicants about a criminal record on job applications, although they can conduct formal background checks later in the hiring process.⁶ We included questions on BTB⁷ because there is growing policy awareness at the national level. BTB was also in the news in 2018, after the Attorney General cited or warned more than 20 Boston businesses for violations of the BTB law (Office of Attorney General Maura Healey, 2018). If people with convictions are aware of the policy existing anywhere, Massachusetts is a viable possibility. Given the long-standing focus on CORI reforms and local language like “CORI-friendly” to describe second-chance

TABLE 1 Participant characteristics (*n* = 97).

Demographics	
Male	92%
Age (mean)	45.9
Race/Ethnicity	–
Black	35%
White	32%
Hispanic	23%
Multi-racial/ethnic or other	10%
Education	–
Less than HS degree	21%
HS/GED degree	41%
Associate's degree	4%
Some college or higher	34%
Criminal record	
Offense type	–
Violent	51%
Property	7%
Drug	25%
Other	18%
Time since release (mean years)	2.9
<6 months	21%
6–11.9 months	19%
1–1.9 years	11%
2–2.9 years	12%
3–3.9 years	14%
4–4.9 years	6%
Over 5 years	17%
Number of total convictions	–
1	18%
2	13%
3	16%
4	10%
5+	42%
Currently on supervision	59%

Note: Categories may not sum to 100% due to rounding. Time since release is missing seven observations. Abbreviation: HS, High School; GED, General Educational Development.

employers, this is also a suitable setting to examine how formerly incarcerated people interpret criminal record friendliness.

However, a recent national survey of rights restoration laws, consisting of sealing and expungement, deferred adjudication, voting, pardons, BTB, occupational licensure, and certificates of rehabilitation, ranked Massachusetts in about the middle of the pack (Love, 2022). When considering policies connected to individualized assessments, less than half of states offered formal

certificates of rehabilitation as of 2022, and Massachusetts was not one of them (Love, 2022). More broadly, researchers have wondered if job applicants with records can readily access various types of successful rehabilitative evidence, such as recommendation letters and program completion certificates (e.g., DeWitt & Denver, 2020). We asked our participants what they could share with a prospective employer as evidence of their “accomplishments”—a term less formal and restrictive than “credentials” or “rehabilitation”—to try to improve their employment prospects.

2.2 | Analysis plan

Given the volume of data, we used NVivo as an organizational tool for coding the verbatim transcripts and used a flexible coding approach (Deterding & Waters, 2021). We developed three main index codes (or “large chunks of text” at the topic level) in advance: BTB, evidence of rehabilitation, and CORI-friendly (Deterding & Waters, 2021, p. 726). In our initial coding, one or two authors⁸ explored how participants defined and perceived each of these topics, followed by a more specific round of coding.

For BTB, we created codes for whether the definition was correct (or very close), inaccurate, or the person was unfamiliar with the policy. We also coded for perceptions of the policy. This included BTB as meaningful for social justice reasons (e.g., “second chances”), as a tool to motivate people to apply, and as a policy that provides false hope because employers can conduct criminal background checks later. Similarly, the CORI-friendly coding included whether participants provided a definition for the term or were unfamiliar with it,⁹ along with examining their definitions (e.g., “second chances”). We also coded for contextual factors that were connected to individual perception (e.g., industry type, job position, crime type), which were typically caveats to responses (e.g., “unless” or “except for...”). For evidence of rehabilitation, we separated codes by whether the person reported being unable or able to provide evidence. Within the latter, we coded for the type of evidence they described. We subsequently added codes for positive and negative perceptions of unions (a commonly described inclusive job) that emerged for those reporting past personal experiences and those hoping to join a union (e.g., good pay, good benefits, and scheduling challenges).

3 | RESULTS

We present results based on awareness and perceptions of three policy ideas: BTB, employer criminal record (or CORI) friendliness, and evidence of rehabilitation. We created pseudonyms¹⁰ to align with our participants’ race, gender, and ethnic backgrounds and condensed direct quotes for clarity when the text was not central to their response (e.g., removing repeat instances of “You know what I mean?”).

3.1 | BTB policy awareness

When asked, only around a quarter of our participants reported being familiar with the BTB policy in Massachusetts. Social media studies indicate BTB messaging often seems to target companies (rather than those with criminal records) to encourage compliance after new policies take effect (Morzenti & Gonzalez-Pons, 2020), and the lack of awareness aligns with prior work examining

perceptions of adults on probation in San Francisco (Herring & Smith, 2022). We also explored patterns in awareness by educational attainment (see Herring & Smith, 2022), but we did not detect notable differences.¹¹

3.2 | The limited benefits and potential false hope of BTB

Although there was a range in levels of confidence and accuracy in describing BTB within the subset of aware participants, most understood the basic premise that people cannot be asked about a criminal record on job applications. A few people also remembered specific details, comprising the timing and legislators leading the policy change. For example, Willy, a Black man in his early 50s, had a handful of drug-related convictions that led to “three state sentences and one Fed bid,” but he still secured several jobs post-release. He gave an exacerbated response, “Yeah, of course (eyeroll). That was back in 2010-11 when the whole initiative was Ban-the-Box thing. C’mon, brother yes... I’m very aware.” Lucas, a Black man around the same age, similarly recalled the policy origins and goal (to “get in the door”), but was not familiar with the name:

...the Patrick administration did several commissions, not only for the incarcerated but for cats who were coming out... I think one of the best things that he did for those who were coming out is that... I don’t remember if it was legislation or not, but [employers] could no longer put, ‘were you previously convicted’ or ‘are you a felon’ on applications.

After the interviewer used the term “Ban-the-Box,” Lucas replied, “Boom. That’s to get in the door.” Although he described BTB as “one of the best things” to happen in local reentry policy, when directly asked if he believes it will help people get a job, Lucas paused. Then he stated, “It’s a start. How about we say that, it’s a start.”

Lucas recounted a personal experience where he secured a job that he lost due to his CORI. Interchanging between the employer’s voice and his, he reenacted the conversation: “Then we got to the point... ‘Oh, one last thing before you come in tomorrow for the training, are you a felon? Do you have a conviction?’ ‘Yes.’ ‘Oh, I’m so sorry. We thought you could help us.’” Still, he seemed cautiously optimistic, noting that the experience “had me fooled... But, you know, it inspires you to keep going until you get to that part but it’s a foot in the door.” Others we spoke with—who are initially unaware of BTB—overwhelmingly echoed Lucas’ sentiment that this type of policy seems both advantageous and limited.

3.2.1 | Intended benefits of BTB

The intention behind the policy seemed sound to our participants: More than 15% of our sample commented that BTB was important for broader social justice reasons, including a “second chance” and an opportunity to secure employment. Within the second-chance group, when participants added detail, they often described mistakes in the past, change, and/or the need for a “fresh start.” For example, we spoke with Carl, a Black man in his early 50s who reported 10 prior convictions involving burglaries. He believed the policy could be helpful: “I feel like every person deserves a chance... I made... some mistakes in my life, you know? But that don’t reflects (*sic*)

who I am today.” Bruce, also a Black man in his 50s, agreed. He described BTB as “real,” and connected the policy idea to opportunities after people change:

I’ve seen people make some serious changes in their life... [other people are] so hypocritical sometimes because people change, and people want a chance. But we got a bad habit in this country of reminding people of their past, shaming people....

In this sense, BTB seemed like a promising detour from common stigmatizing assumptions about people with criminal records.

Reducing barriers to applying was also appealing. As Jack, a White middle-aged man described, “I’m going to generalize and say that when you check off [the box]...the story’s almost over and everything else can be a formality of sorts. You can see in someone’s demeanor, how it changes.” When we asked Rafael, a Latino man in his late 50s, to elaborate on why he “absolutely” believes BTB helps people secure jobs, he pointed to increased motivation to apply:

...first of all, a person such as myself would not be afraid or intimidated to fill out an application, knowing that they’re not going to ask about your criminal background. So that would increase a person’s just motivation to go fill out a job application. That’s why I’m going to go to Home Depot – because they didn’t ask me that.

This may be particularly salient for Rafael because he reported a hefty criminal record, with five convictions and two incarceration stays. A reported increased willingness to apply for jobs when BTB is in place supports the idea that upfront criminal record inquiries create a discouraging or “chilling” effect (Rodriguez & Christman, 2015; Vuolo et al., 2022).

A small subset of participants also suggested that getting past the application stage is critical because some employers may not conduct criminal background checks, or if they do, they might hire the person anyway. As Arthur, a White man in his late 50s, advocated, “...give it a shot. You know there’s really nothing to lose. Sometimes it [the criminal background check] might come back saying, okay.” We did not ask (and our participants would almost certainly not know) the specifics of the criminal background checks being conducted, but a record may be inconsequential due to time restrictions in viewing conviction records (Massachusetts Executive Office of Public Safety & Security, 2019; Mass. Gen. Laws, ch.93 §52), employers not conducting a criminal background check, data errors (Lageson & Stewart, 2024), or because the employer finds the record acceptable for the position—a point we return to later.

The idea that BTB can provide an opportunity for people to connect interpersonally with the employer—and in doing so, get a foot in the door—is at the heart of BTB policy intentions. Kevin, a White man in his late 30s, exemplifies someone who believed that BTB could serve this purpose. Without being prompted, Kevin brought up BTB and advanced the idea that the policy can help tell a more rounded story about a person:

Because it might give the person a little bit of time to get to know the actual person themselves and not determine who they are off of a piece of paper... we’re not... all shit bags. ...some of the smartest people I’ve ever met have been ... recovering drug addicts.

Melvin, who spent more than a decade in prison for manslaughter and armed robbery convictions, also thought BTB could help mitigate the stigmatizing gut-reaction criminal records carry. A Black man in his mid-30s at the time of the interview, Melvin explained,

...sometimes people will hear that you have a[n] incarceration history and won't... even [allow] themselves to see anything else beyond that. ...if they see other qualities first, they might be able to look beyond the incarceration. As long as they don't, they're not hit in the face with... [the criminal record].

Despite the goal of providing second chances and perceived benefits of delaying criminal record inquiries, a recurring finding was that BTB also provides “false hope.” We turn to this next.

3.2.2 | The false hope of BTB

Although our participants generally confirmed that the policy was a step in the right direction, BTB was commonly viewed as insufficient in practice. Several participants suggested that employer discretion later in the process was a major barrier. As Timothy explained, “I don't know...I think the whole thing is bullshit...They either run the CORI or they don't.” Timothy, a White man in his late-40s who was unemployed at the time of the interview, explained that because criminal records are readily available, “I don't think any...reform is going to help that out whatsoever.” Sebastian, a Puerto Rican man in his early 30s at the time of the interview, also noted that employers can later deny applicants because of CORIs but not disclose the reason. When the interviewer probed about BTB policies, Sebastian quipped,

Like they can't [see the CORI] during the interview, but they do it after. Like once they interview everybody, they can probably go search your records, and that's when they're like “thank you, we have what we need.” They don't have to specify, they're never going to tell you that you're not hired because of your record, cause that's when the lawsuits come... That's like me saying... I can't hire you because you're Black or because you're Spanish, but I can find a different reason...

As a result of this perceived inevitability, some people decided to self-disclose their criminal histories to avoid “wasting time.” When the interviewer asked Robert, a White man in his late 40s, if he thought BTB is a helpful policy, he responded,

I guess. I don't know – if they run a background check, you're screwed anyway, so it doesn't matter. No sense in giving you a job and then run a background and they have to get rid of yah. It's a waste of time and resources.

As Brian, a White man in his late 50s, similarly summarized, BTB is “just putting off the inevitable.” This idea aligns with the preemptive or full disclosure strategy that people facing stigma sometimes prefer (e.g., Harding, 2003).

3.2.3 | BTB as a “step in the right direction”

Still, for those desperately seeking reform, any effort seemed to be better than nothing. For example, Garrett, a Haitian U.S. man in his mid-30s, mostly held side gigs and jobs under the table until he was lined up to start a new job (post-interview). He was unfamiliar with BTB until we mentioned it, but he had a positive reaction, noting, “at least it’s doing some type of dent into tackling jobs for convicts.” Herbert, a Black man in his 50s who was also unfamiliar with the policy, agreed. He noted that “If they can get rid of that question all together, it would help a lot of people coming home from prison, but yes it’s a step in the right direction...” However, our participants aptly identified a key limitation of BTB: this upfront policy does not prevent employers from conducting formal checks later. Therefore, whether people were optimistic about the success of such a policy typically revolved around perceived employer reactions. A related second interest in this study focused on what it means to be a “CORI-friendly” employer, and the next section explores this set of results.

3.3 | “Criminal record friendly” employment

Researchers have used the term criminal record (also known as CORI- or felon-) friendly employers to describe an openness to hiring people with records, creating positions to support this population, or flexibly working with the unique needs of those on parole (Opsal, 2015; Ricciardelli & Mooney, 2018; Rucks-Ahidiana et al., 2021). These positions are often—although not always—synonymous with “bad jobs” (Bumiller, 2015). We examined our participants’ perceptions by directly asking what it means for an employer to be “CORI-friendly.”

Unlike BTB, around 85% of our participants were familiar with the term CORI-friendly when we mentioned it or they organically brought it up before we did. The most common description (40%) invoked second chances or job opportunities. As Alfonso, a 44-year-old White man, described, “...we’re not going to discriminate against you ‘cause you’ve been incarcerated.” Darrel, a 56-year-old Black man, defined it as “employers that will hire you. They’re willing to hire you and give you a chance, even though you do have a record.” However, within these descriptions, the level of perceived employer willingness to hire varied. Our participants described jobs and industries that they felt fully excluded this population, that were open to certain criminal records, and that were widely available (with a perceived employer indifference to criminal records). The next subsections take each in turn.

3.3.1 | CORI-unfriendly employers and perceived exclusion

Ramiro, a Cape Verdean man in his late 30s, described CORI-friendly jobs as “versatile,” but noted there were “red flags”: “A doctor, you definitely can’t be that. A lawyer, you definitely can’t be that. A police [officer], you definitely can’t be that. I guess you...could be a security officer, in an arcade or something [like] the mall cop ...” When we asked Ramiro if there are certain jobs that he is unable to access or feels like he is not welcome to apply to, he replied, “Yeah, absolutely ... Not many, but the good jobs. Let’s just put it like that. All the good ones.” Even external to licensing-restricted occupations, there was a shared understanding of what CORI-friendly jobs typically entailed—physically taxing work, low pay, weak worker protections—and the notion that exclusive industries had opposite characteristics.

When other participants weighed in on professions or industries they felt excluded from, top categories similarly included financial, medical, and security/law enforcement, with a few also mentioning working in schools or with children. Positions involving trust, vulnerable populations, or high security levels often require an intensive screening, but many do not have full blanket bans—instead, individualized assessments selectively allow entrance (e.g., Denver, 2020; Denver & Behlendorf, 2022; Denver & Binnall, 2024). However, cultural narratives and norms about which jobs are even possible dominate, and the “good jobs” were often immediately ruled out—with one recurring exception that we return to at the end of this section.

3.3.2 | Common CORI-friendly employers and individualized assessments

The industries and jobs that were perceived as CORI-friendly aligned with prior research findings, and included sales jobs (e.g., Walmart, Target, Home Depot), regional grocery stores, and warehouses (e.g., Amazon). For example, when Russell, a Black man in his 20s, first returned home from prison, he was on parole and needed employment quickly. As he described, “The quickest thing to find was Home Depot, ‘cause they was hiring anybody at the time’.” When we later asked if he had heard the term CORI-friendly, he replied, “I did. So I think that’s how... [a friend] found Home Depot for me. I think they were a CORI-friendly job.” Home Depot was the most named CORI-friendly employer in our interviews, with a quarter of participants mentioning it. However, including Home Depot, we only heard references to six of the 54 companies listed publicly as second-chance employers (SCBC, n.d.).¹²

There were three main reasons participants identified an employer as CORI-friendly: The participant had a *direct or indirect experience* (i.e., secured a job at that company personally or knew a formerly incarcerated person who had), it was *publicized* on a “CORI-friendly list” (either on a physical sheet of paper or shared verbally), and/or they *made an assumption* based on company characteristics. Participants mentioned hearing about a list from various sources: online (through self-directed searches), the ORC and other reentry-focused organizations, shelters, and friends. Some major companies, including Amazon, came up for all three reasons. As an example of the third (assumption) explanation, Ramiro immediately pointed to large corporations when we asked for example employers:

...like Amazon, fucking big companies... like Walmart probably ...shit like that, man. Shit like that where they can just hire a bunch of cattle...like I don’t want to say it like that because a job is a job, but Amazon, Walmart, like big industries, Target.

However, a common characteristic of many CORI-friendly employers is that they fall somewhere in between; they are not fully exclusive but also do not hire every (or any) applicant with a criminal record. Individualized assessments, which are designed to incorporate contextual information about the position and applicant’s record, are encouraged to avoid widespread exclusions and increase hiring (EEOC, 2012). However, perceived selective hiring was met with mixed enthusiasm and skepticism by our participants. Around a tenth of our sample was explicitly skeptical of the term CORI-friendly, indicating that the notion of CORI-friendly employers is “bullshit” and meaningless because employers can deny people under the guise of another reason. William, a Black man in his 40s, described it this way:

[The hiring decision is] at their discretion. It's always at their discretion whether they saying they're CORI-friendly or don't mind guys' records...I just think [CORI-friendly is] a saying, you know, they're going to pick and choose who they want...

When we asked Garrett, the interviewee who was soon to start a new job, he replied,

I think it's cap (a lie). ...I think it's all, it's fake. What I learned is that...I talked to a bunch of employers, and they kept it real with me. These employers were like... 'Yo, listen, we have a quota. We are CORI-friendly, but all we have to do is grab one or two [applicants] that's criminal and then hire them. We don't have to grab a bunch.' I think that's the problem, where [applicants are] like, 'Oh [the company is] CORI-friendly, they're going to take me.' No.

We then asked Garrett what kind of employers at least advertise themselves as CORI-friendly. He mentioned Home Depot, and then explained,

They denied me mad [many] times, but it's so funny, like it's weird...they'll hire somebody [sentenced to] life...who did 25 [years] who just got out. They'll hire that person...if you went in jail one time, they could deal, they could work with you. Like you just did one thing, that was it. Compared to...you see my record, you got a track history of things. That's a red flag. But they'll tell you like, we're CORI-friendly. But no, you're not CORI-friendly.

Our participants' contradicting opinions about which employers are CORI-friendly or not, such as Home Depot being easily placed in both groups, seemed to involve personal and vicarious experiences with acceptance and rejection. If being CORI-friendly meant job opportunities and second chances, encountering barriers—especially from companies that regularly appeared on CORI-friendly lists—understandably went against their expectations. Although Garrett perceived Home Depot as “not CORI-friendly,” his description could also align with an individualized assessment approach, where the employer was differentiating between applicants' records.

Although Garrett was the only one who mentioned an employer quota, others similarly suggested that CORI-friendliness was restricted. James, a Black man in his late 40s who was well versed in local reentry issues, described this limitation well. When asked about the term, he responded, “I think the term, is ‘CORI-friendly, except.’” The interviewer repeated “Except?”, and James clarified, “[that word, except] is missing. Because you can say that you're CORI-friendly all you want. But there is an exception to what they're friendly to.”

Although Garrett observed that Home Depot seemed open to a serious violent conviction if it was a one-off, violent crimes seemed difficult for employers to overcome. Sex offenses and other violent crimes are often perceived as connected to a person's character or ongoing behaviors, and therefore, as likely to reoccur (Denver et al., 2017; Harris & Socia, 2016). This could pose a challenge for our sample, given that around half reported a violent conviction as their most recent incarceration offense type (Table 1). Irving, a man in his 60s who self-described as multi-ethnic, illustrates this restriction well. Irving was sentenced to life in prison for serious violent crimes, and chose to self-disclose in an interview because he was on parole. Even in the case of Target, which others told him was “con-friendly”: “...they wasn't that friendly because of what I was convicted for. They wasn't that friendly.” As Irving describes, the hiring manager “had to go see the bigger

boss and the bigger boss came and said, 'Yeah, yeah, we can't hire you.' Perhaps Grace, an Italian woman in her 50s, summarized it best when she explained that CORI-friendliness "depends on the CORI...[and] every CORI's different."

A common hiring myth is that applicants with a violent conviction record are likely to recommit a similar violent crime on the job (Bushway & Korzenik, 2023), which speaks to a real employer concern about negligent hiring lawsuits (McElhattan, 2022). Our participants also observed this connection. As Steve, a White man in his late 20s explained, for many violent crimes, "You become a liability for that company. Like if you did any kind of violent behavior while working for them... they could be sued because they knew that you had a violent behavior tendency." Charles, a White man in his 30s, saw a clear crime type/job link: "I robbed a store, a retail store. So, it's going to be hard getting a job with retail." Speaking as a hypothetical employer, Aaron, who was demographically like Charles, elaborated,

I'm not going to let you sell cars if you have motor vehicle theft... I might not want you working security if you got a couple of assault [and] batteries, but that shouldn't exempt you from getting a job bagging groceries... So I think it's particular to the job that you're applying [for].

A description that Errol, a Black man in his mid-30s, provided for CORI-friendly employers also stuck with us: "There's CORI-friendly places that will, for all. And there's some that is for some." Although this subsection explored individualized assessments (or places for "some"), widespread CORI-friendly employment (or inclusive "places for all") was also discussed by our participants. Inclusive employers fell into two main groups: "bad jobs" and union-affiliated jobs. Although there is a growing literature on the precariousness of temp agency work and other bad jobs (e.g., Bumiller, 2015; Purser, 2012; Ravenelle, 2023), unions are less well understood but unusually common in the Greater Boston area. Examining union perceptions and experiences can provide further insight into this type of employment, given the associated characteristics are commonly depicted as more advantageous than other entry-level work (Smith & Simon, 2020; Western & Siros, 2019).

3.3.3 | Unions as an inclusive CORI-friendly option: "A great job... [but] it's really not"

Although we did not specifically ask, almost a third of our participants mentioned unions. Within this subgroup, around 40% reported past or current experiences as a member. The nonunion participants typically described the positive things they had heard, which overwhelmingly included higher wages and good benefits, and their desire or plans to join. Although pay rates varied by the type of union and the worker's level of experience, participants consistently noted they could be paid at higher rates than nonunion jobs, with one person reporting making up to \$80/hour on Sundays (when he received time and a half).

That unions were widely recognized as CORI-friendly also seemed to provide a sense of protection and relief to some of our union participants. As Bruce explained,

it's, for lack of [a] better word, a little comforting knowing that I don't have to worry about that... Nobody can come and say, 'This guy's] got a criminal record'.... I'm in a union, you know, and I'm about to be certified to run that hi-lo [machinery]....

Owen, a White man in his late 30s delivered materials to construction sites at the time of the interview. He observed that most employers seemed to conduct criminal background checks, but it did not pose a barrier. As Owen explained, "...it's so funny that you can go to a place and apply for a job, and you can see... who has criminal records [by] the way they walk and talk.....you already know half this company came from prison."

However, those in unions also noted various disadvantages, such as sporadic work or scheduling challenges, injuries on the job, and union-imposed requirements. When the interviewer later referenced Owen's description of construction as CORI-friendly, he clarified,

... people think that the union is a great job. It's really not. It's a lot of bullshit that goes with it. Like keeping up all your certifications and night classes... to do a freaking construction job... it's not worth it when you balance out everything. When it comes to a balanced aspect, whether it be like financial, your personal time and personal output for what you're getting paid, it's really not worth it. People think it's great, it's not.

Thomas, a White middle-aged man, similarly noted that "the money's good" and "they have good benefits, great benefits" but "sometimes it's feast or famine also with that type of work. And it's very tough to prepare, as far as financially." Brandon, a White man in his 40s, described his frustrations with the construction union after he "blew out" his back on the job. Obtaining a letter of recommendation to pursue other employment proved difficult and burdensome for Brandon because "the union's not like—I didn't work for one company. I worked for 500 companies. That's the fucked part about a union is you don't have that one person."

Overall, perceptions of unions from nonunion participants were almost always positive and aspirational. Our participants' actual union experiences were more mixed and—at least for the specific types of union jobs our participants held—sometimes shared the precarious characteristics of temp agency work. Given the social networks often required to secure a union spot and racial disparities in access (see Western & Sirois, 2019; similarly, two-thirds of our union members were white), even this well-regarded "inclusive" option does not appear to be a viable widescale policy replacement to the individualized assessment path to employment. Another option is to consider whether existing BTB policy structures might be enhanced to enable "whole person" reviews. For this, we turned to perceptions of and exposure to evidence of rehabilitation.

3.4 | Signaling change and growth through evidence of rehabilitation

Most participants reported that they could show a prospective employer evidence of an accomplishment. More than 60% reported they could provide a letter of recommendation, an often-influential type of evidence of rehabilitation, and a similar proportion suggested they would be able to submit another form of evidence.¹³ There was notable overlap between the two groups, with 84% of our interviewees reporting being able to share one or both if given the opportunity.

Participants often weaved narratives of change and growth with their accomplishments in a way that aligns with signaling theory: people can share observable credentials to reveal unobservable traits about themselves that can enable employers to identify low (or no) risk prospective employees (Bushway & Apel, 2012). Charles, a White man in his 30s, and Alfred, a White man in his 60s, illustrated how narratives naturally arose as they described the change they experienced through in-prison programming. For Charles, he was "taking charge and trying to change" through programming, and Alfred mentioned "doing positive stuff" while

incarcerated, although he “could have sat there and [done] nothing.” Alfred then compares his experiences doing “all these programs” with “everybody else... getting high as shit.” This type of differentiation is a key element of signaling.

Although certificates and program completion were the most common types of self-nominated evidence, participants also highlighted work history—sometimes linking it to letters of recommendation and other times describing the experiences as standing on their own. For Errol, his work history exemplified trustworthiness, reliability, and the skills needed to do the job. As he explained,

I would utilize my job—my work history since being home. I would utilize all that I’ve done... I can narrow it down and just give prime examples of... me being trustworthy and reliable, independent, and skilled, and I could break that down in words to them.

Darrel, a Black man in his mid-50s, pointed to consistency and the absence of negative performance as a meaningful factor: “Honestly, I don’t have anything to show, but... I mean, I’ve had three years of consistent work history. I wasn’t fired, you know?” In both cases, our participants pointed to work histories as revealing otherwise unobservable information about their trustworthiness, reliability, and skillsets.

Although access to evidence of accomplishments was widespread in this sample of formerly incarcerated adults, it was uncommon to report submitting documentation to employers. Only a handful had this experience; as Errol succinctly summarized, “I haven’t had to.” For the rare cases where an employer had a clear individualized assessment in place, two people were vague on the details, one shared the context surrounding the crime with the employer, another had an employer help them apply for a state certificate of rehabilitation, and the last person went through a federal background check to work beyond the screening part of an airport. Brian, a White man in his late 50s and the participant who experienced the federal screening, was also the one who described BTB as “putting off the inevitable.” He described the process like this:

...I put all that [paperwork] in and they rejected everything. But they send a thing back when they reject you. They say hey... if you think you’re self-rehabilitated you got to get letters from recommendations of people you know. You got to get [something] from your probation officer, you got a thing on your crime saying it’s all closed. You got to do all these things. I did all these things, I made all the copies and sent it to them.

The Transportation Security Administration had 60 days to respond, and Brian was waiting on a final decision at the time of the interview. But by “doing all of the things,” particularly given the tasks were time consuming and challenging to acquire, Brian was signaling that he was serious about the job and had likely desisted from criminal justice system involvement. An interesting aspect of positive credentials as a policy strategy is the flexibility; there could be narrow and well-defined criteria, as in Brian’s case, or a range of possibilities suggested by a decision maker (see Denver, 2020). In either case, most of the people we spoke with were able to easily identify evidence that reflected a deeply personalized narrative. When asked why his recommended evidence—a driver’s license, GED, and regular negative drug tests—would be important, Owen explained, “Because they show stability... and also value.” In sum, although not a commonly reported experience as part of the hiring process for our participants, positive credentials could be a promising addition to individualized assessments.

4 | DISCUSSION

In the current study, we had three key aims. First, we considered participants' experiences with and perceptions of the BTB initiative. Although BTB is the most popular national policy for job applicants with criminal records and was implemented in Massachusetts 15 years ago, the bulk of our participants did not recognize the phrase or underlying policy. Although BTB might motivate some people to apply, the policy was seen as a starting point because employers ultimately have discretion to deny the applicant a job following a criminal background check (Weiss et al., 2025). Understanding applicant awareness and policy reactions can provide insight into quantitative assessments of hiring decisions and job placements among applicants with criminal records (Jackson & Zhao, 2017; Rose, 2021; Weiss et al., 2025; see also Sampson et al., 2013).

Next, we explored perceptions of employers as "CORI-friendly," a widely recognized term, and we identified three employer categories: exclusionary, sometimes CORI-friendly, and inclusive. Although the middle category can reflect the use of individualized assessments, a recommended strategy to improve hiring decisions (EEOC, 2012), our participants were skeptical. Yet even the most revered inclusive jobs—those affiliated with unions—came with warnings from participants with direct union experiences.

Understanding access to employment has typically been conceptualized as inclusive (bad jobs) or exclusive (good jobs). In these discussions, accessible positions offer a trade-off for stigmatized workforces: In exchange for easier entry—such as not having to undergo a criminal background check, lower criminal record barriers, or not needing advanced experience or credentials—workers often encounter manual work with low pay, meager benefits, and limited upward mobility (Augustine, 2019; Bumiller, 2015; Rucks-Ahidiana et al., 2021).¹⁴ Although our participants shared these general perceptions, the current study also expands our understanding of labor market inclusion in two ways: by directing us to a potentially large group of employers that are "sometimes" criminal record friendly (and appear to use individualized assessments in the decision process; see also Lageson et al., 2015), and by complicating the notion of union jobs, which are typically accompanied by high pay and good benefits (e.g., Western & Sirois, 2019), as inherently desirable.

Our final study component examined whether evidence of rehabilitation could serve as a viable strategy to enhance the goals of BTB and individualized assessments. Our results suggest sharing evidence of accomplishments with employers is largely accessible and conveys positive information about who they are (or have become). However, very few submitted such evidence to employers. Further incorporating evidence of accomplishments into individualized assessments is a potential policy path forward (Denver & DeWitt, 2023).

4.1 | Limitations

Although the current study captured novel data on perceptions of employment policies for a large group of formerly incarcerated adults, we were restricted to data collection in one jurisdiction due to resource constraints. In addition, the sampling frame is unknown in this context; as a result, we are unable to access a representative sample. However, recruiting people through various methods—a city agency, community outreach, and snowball sampling—enabled us to identify a generally diverse group of eligible participants. One major exception is that we are unable to provide a comprehensive or comparative analysis for formerly incarcerated women, given the

modest number of women that we interviewed. Given the heightened stigma formerly incarcerated women often face, along with histories of trauma and violent victimization (Chesney-Lind, 2002; Huebner et al., 2010; Richie, 2001), additional research dedicated to this population would be beneficial.¹⁵ On the basis of a comparison of individuals on supervision in Massachusetts and our sample participants on supervision, we are likely also overrepresenting Black (and underrepresenting White) individuals. However, it is important to note that generalizability is not the primary goal; instead, rich qualitative data offer other advantages, including contextual detail and insight into mechanisms. Future quantitative studies could examine correlational relationships with policy awareness and other key demographic, criminal record, and local labor market characteristics. Replicating questions about BTB awareness in other jurisdictions using similar and different recruitment strategies (e.g., social media), along with inquiring how people aware of the policy first learned about it, could extend our understanding of employment policy information gathering and sharing.

4.2 | Policy implications

Our study findings indicate that current reforms, which primarily concentrate on BTB, are insufficient for several reasons. First, individuals with records might select out of the labor market for various reasons (regardless of whether BTB is in place), including feeling discouraged or “chilled” by past experiences or expectations. Second, even after BTB takes effect, employers may be noncompliant (Edelman, 1992; Schneider et al., 2022). Additionally, people may believe employers are noncompliant and/or may be unaware that the policies exist, both of which our participants indicated (see also Herring & Smith, 2022). If employers are not (or perceived as not) changing behaviors, we would not anticipate improved employment outcomes. A third impactful byproduct is that employers comply but still (legally) conduct a criminal background check before the final hiring decision, leading to applicants hitting a dead end when the formal check occurs. The “false hope” our participants described reiterated the theme that front-end policies like BTB are a start, but not enough to make sizable change.

As our participants explained, regardless of whether BTB is in place or not, much emphasis is placed on what people expect employers to do (or perceived criminal record friendliness). Descriptions of some employers as both CORI-friendly and not could be a result of individualized assessments in action (which are designed to differentiate between applicants with criminal records) or symbolic compliance (Edelman, 1992; Shi & Denver, 2025). Individualized assessments do not urge employers to hire every applicant with a record; instead, they ask employers to deeply engage with the applicant’s criminal history, job position/duties, and individualized evidence (EEOC, 2012). However, socio-legal scholars have also effectively demonstrated the limitations of decision-maker discretion (e.g., Lageson et al., 2015) and attempts to regulate discretion. For example, the creation of human resources departments and formal standardized hiring practices can have benefits but can also lead to “symbols of compliance” (Edelman, 1992, p. 1547; Kalev & Dobbin, 2006). As Edelman (1992) described, most claims about compliance with anti-discrimination laws never undergo legal scrutiny; instead, responses to laws are “shaped only at the margins by formal legal institutions.” More widespread enforcement, like expanding penalties to employers who are noncompliant with individualized assessments, could be prohibitively challenging and costly. Furthermore, Bushway & Kalra (2021, p. 182) summarize, “In general, lawsuits are not effective ways of achieving consistent and specific policy outcomes.” Rather than expanding employer mandates, we see four other promising pathways.

4.2.1 | Increasing awareness of existing policies

A notable study finding involved the lack of awareness about BTB. Unfortunately, we did not ask those familiar with the policy where or how they learned about it. On the basis of prior research, we would anticipate that people acquired knowledge through various sources and institutions (Ewald, 2022). However, Ewald (2022, p. 4) also noted that his formerly incarcerated study participants often “knew about laws that took their rights away—but knew far less about policies providing for rights restoration.” Future research could build off the current study by testing whether information notifications (such as text messaging campaigns or mail-based interventions; e.g., Doleac et al., 2022) improve awareness of BTB in places where the policy already exists. Being aware that disclosures through formal background checks may occur automatically after a conditional offer is made might also help reduce the anxiety that can accompany decisions about stigma management and disclosure decisions (Harding, 2023). However, although participants identified some benefits to the removal of upfront barriers on application (see also Vuolo et al., 2022), our study findings indicate that increased awareness of BTB is undoubtedly not enough, given criminal record assessments can occur later. Therefore, without employer engagement, broader culture shifts, and more comprehensive individualized assessments, improved knowledge of BTB alone would be insufficient.

4.2.2 | Expanding CORI-friendliness through employer engagement

The second path is an engagement-based approach to change on employers’ end (Dobbin et al., 2015). Although methods designed to constrain employer choices—e.g., job tests, performance ratings, and grievance systems—can have “adverse effects,” leading to resistance and even counterproductive and retaliatory responses (Dobbin et al., 2015), reforms involving recruitment, training, and transparency have more promising outcomes. As Dobbin et al. (2015, p. 1035) explain, “Reforms designed to control managers evidently activate rebellion, whereas those thought to engage managers seem to motivate them.”

Employer incentives are one way to encourage openness toward hiring applicants with conviction records. Tax credits and federal insurance protection for losses from theft have existed for decades and have employer support in theory (Bushway & Pickett, 2024; Hunt et al., 2018). However, these programs are not widely used in practice, and many employers are seemingly unaware they exist (Holzer et al., 2003; Martin et al., 2020). Other issues include potential threshold effects, where employers only find it worthwhile to pursue these programs if they have a large enough pool of eligible employees. Additionally, the information is not always used to inform future decision making—instead, those who qualify may be kept confidential (Hamersma & Heinrich, 2008). Expanding the types of criminal records eligible for incentives, in combination with recent changes at the federal level to reduce paperwork burdens, could help promote increased use (Bushway & Pickett, 2024). The information could also be added to the notification systems mentioned previously to increase applicants’ awareness of incentives. Even small advances across employers could have a snowball effect; Hjalmarsson et al. (2025) found that employment decision makers with exposure to criminal records, whether personally or through former coworkers, were more likely to hire this population.

4.2.3 | Promoting broader culture change

Addressing structural issues surrounding social acceptance, along with an emphasis on job creation for this population, is also key to creating widespread change (Bumiller, 2015). When considering macro-level structural destigmatization strategies, one way to counter myths and stereotypes is through laws and media (Cook et al., 2014; Harding et al., 2025). Historically marginalized groups have also emphasized shared similarities with the majority group to challenge existing cultural norms and educate the public (Bernstein, 2002). For example, sharing the prevalence of criminal records in U.S. society and that most people desist (e.g., Bushway, 2024) could encourage cultural shifts in understanding criminal records. In addition, expanding employer communities that intentionally predominantly (or only) hire individuals with criminal records could lead to job creation (Augustine, 2019), and funding set-asides could help expand the capacity and scope of second-chance employers (Shi & Denver, 2025). In addition to improving conditions for currently accessible jobs, expanding job pools is also critical for long-term success. Along with these expanded job pools, strengthening communication about an employer's openness to hiring applicants with criminal records (including identifying as "criminal record friendly" to reentry organizations that can serve as intermediaries) could encourage applicant-employer connections.

4.2.4 | Promoting individualized assessments

Apart from temp agencies, unions, and certain types of social justice-focused second-chance employers, many employers are generally open to hiring some (but maybe not all) applicants with criminal records. For example, even Home Depot, the employer most identified by our participants as CORI-friendly, did not universally hire our participants. In our view, this does not necessarily make them "unfriendly" toward applicants with criminal records; the denials could be the result of balanced individualized assessments. Even incremental change in this area, where an employer expands the scope of those hired as they observe the positive benefits of past hires, can be extremely promising, and corporate coaching can open doors for curious employers (e.g., Corporate Coalition of Chicago, n.d.).

Incorporating evidence of rehabilitation into the decision process could further enable applicants to contribute to narratives and provide a more complete story about who they are (Denver & Ewald, 2018). Although evidence of accomplishments was largely accessible to our participants, they rarely reported being afforded an opportunity to share it during the hiring process. One option is to have employers adopt formalized processes. For example, some decision makers share a copy of the applicant's criminal record, along with a list of example types of evidence the applicant can submit, in a letter informing them of their ability to contest (e.g., Office of the State Comptroller, 2017, as cited in Denver, 2021). This model could be adopted by employers. Simultaneously, educating employers about the value of credentials earned in prison (and encouraging applicants to submit this information) could help avoid the prison credential dilemma (Lindsay, 2022). In situations where the employer is aware the person has a criminal record, in-prison credentials could be valuable assets that signal change or low risk.

Another option is to combine policy options with complementary goals. In Ohio, for instance, an influential positive credential is the Certificate of Qualification of Employment (Leasure & Andersen, 2020). This certificate "shall provide immunity for the employer" in addition to removing automatic barriers to employment for certain occupational licenses (Love, 2024, p. 36). Policies

with dual goals could alter employer and applicant behaviors simultaneously if both parties are encouraged to engage, and other policy combinations might be fruitful to explore.

4.3 | Conclusion

BTB has been critiqued for the costly side effects for Black applicants (Agan & Starr, 2018; Doleac & Hansen, 2020) and is perceived as not doing enough to promote meaningful employment gains among formerly incarcerated individuals. As Bushway and Kalra (2021, pp. 179–180) explain, BTB “adds to the employer’s total cost of hiring an individual, but it does not change the employer’s underlying calculus for hiring an individual with a criminal conviction.” In other words, BTB policies provide the *potential* for individualized or holistic assessments to occur (see also Augustine, 2019; Weiss et al., 2025), but the employer’s openness to hiring this population and willingness to engage in individualized assessments are inevitable factors in hiring decisions. However, if strategies to remove front-end gatekeeping were coupled with greater employer willingness to hire this population and the formal inclusion of positive information (e.g., evidence of rehabilitation), applicants could potentially not only get a foot in the door but also fully experience an individualized assessment.

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CONFLICT OF INTEREST STATEMENT

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ORCID

Megan Denver  <https://orcid.org/0000-0003-0362-9819>

ENDNOTES

¹It should also be noted that BTB is not applicable in some employment contexts. For example, some state occupational licensing laws impose permanent mandatory (or “blanket”) bans on those with a felony conviction (Blair & Chung, 2025).

²The authors found higher levels of awareness for those with at least some college compared to lower levels of educational attainment. Although around 7% with some high school were aware, the levels were higher for those completing high school/GED (17%), vocational education (13%), some college (34%), and more than college (40%). The specific sampling or recruitment strategies were not reported in the research brief.

³We use the terms interchangeably here, under the assumption that most types of positive credentials obtained during or after prison could signal evidence of successful rehabilitation or desistance.

- ⁴Per our eligibility criteria, participants needed to have served at least one consecutive year in a prison or House of Correction (HOC). Although those housed in an HOC could serve time for a misdemeanor conviction, our sample overwhelmingly contained people with felony records. We identified 90% as having a felony; most in this subgroup explicitly stated it, whereas a small portion served prison sentences that are only plausible for felony convictions. We strongly suspect several others had felonies based on contextual details (for a total of ~94%). Only 4% were likely incarcerated for only a misdemeanor, and we were unable to confidently classify the status for 2% of cases.
- ⁵Past studies have also revealed interesting variations by subgroups and over time. In a longitudinal study of women living in a halfway house in Chicago, 48% of Leverenz's (2014) overall sample had some college, with variations by current (29%) and former (68%) residential status. Similarly, Harding and Harris (2020) documented "later returns to schooling" in Michigan; fewer than 5% of their formerly incarcerated adult sample reported some college at release, compared to 28% within a decade post-release.
- ⁶Public guidance from the Commonwealth points to individualized assessments for hiring determinations (Mass.Gov, n.d.), which aligns with the EEOC's (2012) guidance.
- ⁷If a participant had not already mentioned BTB, we asked the following: Are you familiar with a policy called "Ban-the-Box"? Could you tell us a little about it? (Interviewer: Provide brief description if not familiar.) We then asked, Do you think this policy helps people with conviction records get jobs? Why or why not? (Note: This language is from our interview protocol, and the exact wording varied slightly by interview.)
- ⁸Initially, two authors separately coded for CORI-friendliness and met regularly to discuss findings and resolve discrepancies. We were strongly aligned on all our coding and categorizations. For the other two topics, one author proceeded to code and another performed systematic spot checks and confirmations.
- ⁹During the interview, we either introduced the term (e.g., "We hear the term 'CORI-friendly' a lot...") or probed after participants' first mention of it. Suggested interview probes included the following: "What does that (phrase/term) mean to you?" and "What types of employers would you say are CORI-friendly, and why do you think that is?"
- ¹⁰We generated names using the New England Historic Genealogical Society (2013), Social Security Administration (2010a, 2010b), Cultural Atlas project (Evason, 2021), and Bertrand and Mullainathan (2004).
- ¹¹Among those familiar with BTB, the group was evenly split between having some college or more and a high-school degree/GED or less. We found no major variations in BTB awareness by recruitment sources or age, although slightly more Black participants reported awareness.
- ¹²For the full list, see SCBC (n.d.). Participants also referenced CVS, Lowes, McDonald's, Target, and Walmart, although even when mentioning certain SCBC companies, they sometimes seemed skeptical. For example, Diego, a 40-year-old Puerto Rican man, noted, "...and I seen even CVS [on a CORI-friendly list], but I don't believe it."
- ¹³Many of our participants also collected character references for court and suggested they could update or apply those letters to the employment context if needed.
- ¹⁴As Purser (2012, p. 404, italics in original) described, "...day labor agencies operate as *employers of last resort* for *employees of last resort*" even as they frame hiring as a display of generosity or good will. In addition to formal employment, inclusive jobs can include informal side gigs, legal hustles, and temp agency positions, all of which are considered precarious work (e.g., Ravenelle, 2023; Sugie, 2018).
- ¹⁵As Maruna (2001, p. 176) aptly stated in his book *Making Good*, "Women's stories have been included in this sample primarily in an effort to uncover the universal, rather than the gender-specific, aspects of making good. It is likely that there are both."

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AUTHOR BIOGRAPHIES



Megan Denver is an associate professor in the School of Criminology and Criminal Justice at Northeastern University. Her research interests include criminal background checks for employment purposes, criminal record stigma, and positive credentials as signals of desistance.



Rod K. Brunson is a professor in the Department of Criminology and Criminal Justice at the University of Maryland, College Park. His expertise centers on police–community relations, youth violence, and evidence-based criminal justice policy. He has consistently called for effective crime reduction strategies that do not result in racially disparate treatment of minority citizens and disadvantaged neighborhoods. Dr. Brunson's scholarship appears in the *Annual Review of Sociology*, *British Journal of Criminology*, *City and Community*, *Criminology*, *Evaluation Review*, the

Journal of Research in Crime and Delinquency, *Justice Quarterly*, *Urban Affairs Review*, and *Urban Health*.



Oscar Navarro is a Ph.D. student in the School of Criminology and Criminal Justice at Northeastern University. His research interests include barriers to reentry and desistance among gangs and other hidden populations.