



Employment of Ex-Offenders:
A Survey of Employers' Policies and Practices
SFWORKS

Employers Group
Research Services

4/12/2002

REPORT

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Executive Summary

SFWORKS, a San Francisco not-for-profit employment training community agency, contracted Employers Group to conduct a poll regarding companies' pre-employment practices as they relate to ex-offenders. Participation requests were made via e-mails to 2,200 California employers. The companies that were targeted are member firms of Employers Group, a statewide employers association. Although the firms were not randomly selected or stratified for industry, size, type of ownership, or location, it is proposed that the makeup of the firms that were contacted and those who subsequently answered the survey parallel California's labor market relative to size (employment), industry, and type of ownership. The assumption is based on past studies that have determined that EG's membership mirrors California's labor market.

Survey results come from 122 firms or 5.6% of the 2,200 companies that were invited to participate. Page 4 of this report profiles participants based on their industry, employment size, and type of ownership. Generally, the proportion of participants parallels the actual proportion of California firms relative to industry and type of ownership. However, compared to all California firms, survey respondents were more likely to be large-size employers: 55% of the participating firms have at least 100 employees, whereas in California, only 2.5% or 19,445 firms have at least 100 employees.

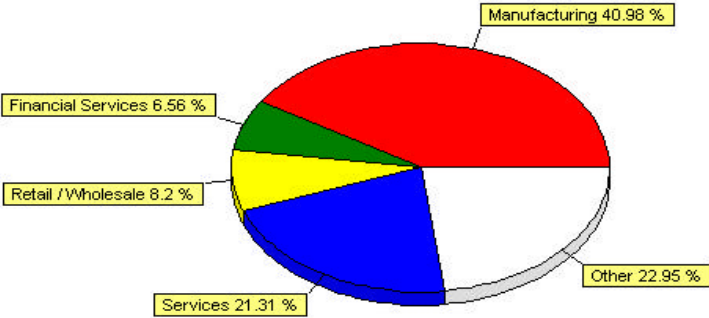
Results of the survey suggest that a majority of employers (44%) have previously hired individuals with a criminal record (ICR). Other companies have never hired an ICR (35%) or are not sure (21%) of their companies' past practices. Regarding their pre-employment practices, most firms ask applicants about convictions (83%), the type of offense (59%), how long ago the offense took place (80%), conduct background checks (61%), and base their employment offers to ICRs based on the severity of the offense. For example, 85% of firms said that they would consider hiring an individual who has been convicted of a misdemeanor offense; however, data suggests that employers are very unlikely to hire individuals who have been convicted of more severe offenses (i.e., felony violent crime, <1%, or felony sex offense, 1.6%). Factors that have persuaded employers to hire ICRs include the applicant's skill level (55%), previous work experience (55%), attitudinal issues (55%), and concerns over safety (51%). Finally, the top three programs that would boost employers' consideration to hire an ICR are a third party counselor responsible for the applicant (32%), government support preventing the employer from legal and financial liability stemming from hiring an ICR (31%), and a recommendation by a family member, friend, or a colleague (31%).

Variations

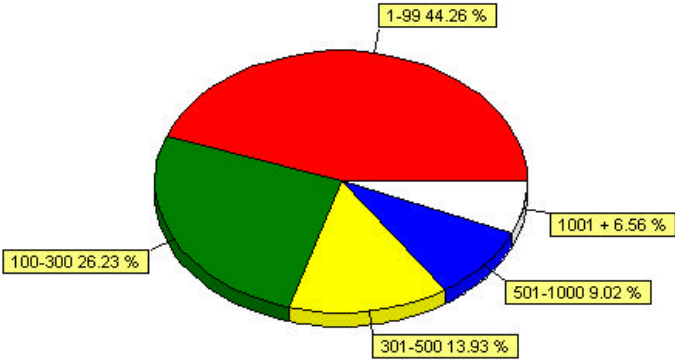
When comparing the data by the size of the firms, the survey found that mid-size firms, those whose employment levels were between 100 and 1,000, are more likely to hire ICRs (56%) than small-size firms, <100 employees, (35%). Also, companies whose employment levels range between 100 and 500 were more likely than any of the other groups to consider how long ago the offense took place (95% vs. 70%). Regarding the type of offense, larger firms are more likely than smaller firms to consider the applicant for employment if the offense was a misdemeanor (92% vs. 82%); however, for the other types of offenses, the differences due to company size, were inconclusive.

Regarding industry differences, the survey found no consistent patterns and thus it appears not to be a significant factor in how companies pre-screen their applicants relative to ICRs.

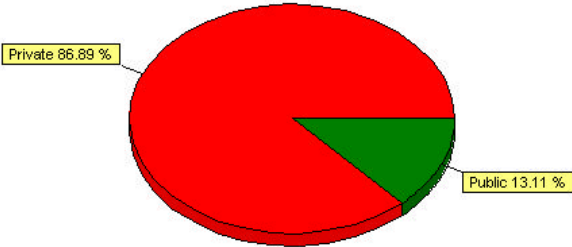
PROFILE – PARTICIPATING FIRMS
By Industry



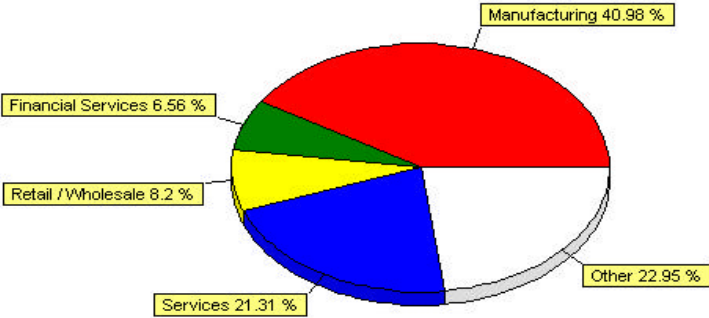
By Employment Size



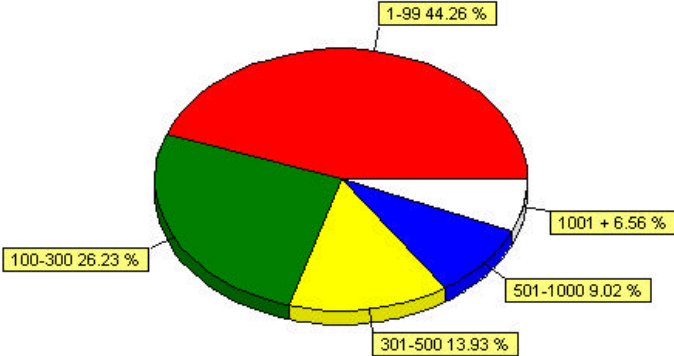
By Type, Public vs. Private



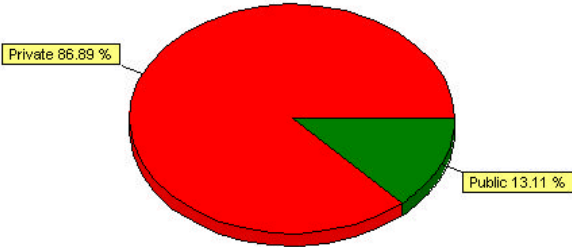
PROFILE – PARTICIPATING FIRMS
By Industry



By Employment Size



By Type, Public vs. Private



Detail Report

	Count	Percent	
1. Has your company ever knowingly hired a person with a criminal record?	Respondents:	121	
Yes	53	43.8	
No	43	35.54	
Not Sure	25	20.66	
Total Responses	121	100	%
2. Does your company's formal application ask applicants whether they have been convicted of a criminal offense?	Respondents:	122	
Yes	101	82.79	
No	21	17.21	
Total Responses	122	100	%
3. If yes, does it specify the type of offense?	Respondents:	107	
Yes	63	58.88	
No	44	41.12	
Total Responses	107	100	%
4. If you answered yes to question 2, do you consider how long ago the offense took place?	Respondents:	104	
Yes	83	79.81	
No	21	20.19	
Total Responses	104	100	%
5. If you answered yes to question 2, do you ask applicants about arrests as well as convictions?	Respondents:	102	
Yes	23	22.55	
No	79	77.45	
Total Responses	102	100	%
6. Does your company conduct background checks on all applicants for positions?	Respondents:	121	
Yes	74	61.16	
No	47	38.84	
Total Responses	121	100	%
7. If yes, do you conduct them through:	Respondents:	83	
Private Companies	68	81.93	
Credit Agencies	3	3.61	
Other (please specify)	12	14.46	
Total Responses	83	100	%

Detail Report

8. Would you consider hiring someone with a criminal record if they had been convicted of:

A misdemeanor offense	Respondents:	122	
Yes	103	84.43	
No	4	3.28	
Not Sure	15	12.3	
Total Responses	122	100	%

Multiple misdemeanor offenses	Respondents:	121	
Yes	29	23.97	
No	36	29.75	
Not Sure	56	46.28	
Total Responses	121	100	%

Felony financial or white collar crime	Respondents:	122	
Yes	8	6.56	
No	83	68.03	
Not Sure	31	25.41	
Total Responses	122	100	%

Felony property crime	Respondents:	122	
Yes	8	6.56	
No	80	65.57	
Not Sure	34	27.87	
Total Responses	122	100	%

Felony drug conviction - sales/possession	Respondents:	122	
Yes	16	13.11	
No	72	59.02	
Not Sure	34	27.87	
Total Responses	122	100	%

Felony drug conviction - use	Respondents:	121	
Yes	28	23.14	
No	58	47.93	
Not Sure	35	28.93	
Total Responses	121	100	%

Felony violent crime	Respondents:	122	
Yes	1	0.82	
No	106	86.89	
Not Sure	15	12.3	
Total Responses	122	100	%

Felony sex offense	Respondents:	122	
Yes	2	1.64	
No	103	84.43	
Not Sure	17	13.93	
Total Responses	122	100	%

Detail Report

9. Would your answers change if the crime occurred:

5 years ago		Respondents:	114	
Yes		7	6.14	
No		79	69.3	
Not Sure		28	24.56	
	Total Responses	114	100	%
 15 years ago		 Respondents:	 115	
Yes		39	33.91	
No		37	32.17	
Not Sure		39	33.91	
	Total Responses	115	100	%
 20 years ago		 Respondents:	 115	
Yes		48	41.74	
No		28	24.35	
Not Sure		39	33.91	
	Total Responses	115	100	%

10. In the past, what issues have affected your company's decision(s) on whether on not to hire an individual with a criminal record? (Check as Applicable)

	Respondents:	105	
Skill level	58	55.24	
Educational level achieved	33	31.43	
Previous work experience	58	55.24	
Attitudinal issues	58	55.24	
Safety	53	50.48	
Occupational bar / legal barriers	34	32.38	
Other (please specify)	21	20	
	Total Responses	315	100 %

11. Which of the following circumstances, if any at all, would make you more likely to consider hiring someone with a criminal record? (Check as Applicable)

	Respondents:	118	
A third-party intermediary or case manager would be responsible for counseling and working with the new hire to help avert any problems	38	32.2	
The government would insure you against any financial loss and / or legal liability caused by this new employee	37	31.36	
Your company could receive tax credits for hiring ex-offenders	30	25.42	
The crime in question has been sealed or expunged	33	27.97	
The applicant has a Certificate of Rehabilitation	36	30.51	
The applicant has completed an industry-specific training program	31	26.27	
The applicant has been recommended by a friend, family member, or colleague	37	31.36	
None of the above	16	13.56	
Not sure	29	24.58	
	Total Responses	287	100 %