

HANDCUFFED TO PAST MISTAKES

By: Michael L. Diamond (Gannett New Jersey)

People with criminal records find the Path to employment is filled with obstacles

While the average middle class American struggles to land a secure job during insecure times, convicted felons trying to make a new start often can't get through the first interview without being turned away.

Such was the case with Dianna Overton-Ellis of Neptune, who thought her life was back on track when she walked into Wal-Mart in Neptune one recent day, filled out an application for a cashier and discussed the hours she could work.

That's when she said the person interviewing her noticed the answer on the application to the question: Have you ever been convicted of a felony? Yes, she had answered. "They told me I wasn't appropriate for the position I applied for," said Overton-Ellis, a 34-year-old who pleaded guilty in 1999 to felony drug possession with the intent to distribute.

People with criminal histories are running into roadblocks when they try to re-enter the work force. They say they often are out of the running for a job before they even get a chance to explain themselves.

Persistence in addition to being up front about one's past, is what Roger Koppl, a professor of economics at Fairleigh Dickinson University, suggests to felons. Koppel has also done extensive academic research in criminology.

"I think the key is persistence," said Koppl, who has a background in criminology, in an e-mail to The Daily Record. "It is frustrating to be turned down again and again before you even get an interview. But if you're honest, persistent, and land a job, then you won't have to worry that your past will come out later and get you fired.

Hiring a convicted felon is a risk, but experts said the cost to taxpayers can be steep.

People who don't find work put financial and emotional strain on their families, lose self-confidence and can return to the habits that led them into trouble in the first place.

"There's an impact on lots of different levels," said Devah Pager, a Princeton University sociology professor. "Finding steady employment is a big factor in turning away from a life of crime." Conducting research in New York and Milwaukee, Pager found that whites with a criminal record are half as likely and blacks one-third as likely to be called after an interview as those without a criminal record.

As the rejections pile up, their chances diminish; employer's wonder why they have been out of the labor force for so long, Pager said.

"Employers face a difficult problem because criminal conviction and incarceration signals dangerousness and all kinds of negative qualities," she said. "And it's really difficult for employers to differentiate between people who are destructive and unreliable and people who have made a mistake and are ready to move on."

It also depends on the type of job they're seeking, Koppl said, and starting at the bottom may be the best way to go.

"Certainly, a convicted felon has his or her best chance with the most unattractive jobs," he said. "That's an extra hardship the felon will have to deal with."

Once back in the workforce, convicted felons should concentrate on regaining a reputation for reliability.

"Once you finally get a job, however, modest, it is very important to stay with it for at least a year," he said. "This shows commitment, stability, and reliability. It's a very important matter."

Hiring a prospective employee with a record is risky and personnel executives say they struggle with the issue, particularly when a hiring misstep can turn disastrous for a business.

Christine Nichols, president of Options Employment Resources in Tinton Falls, said a criminal history and how the candidate explains it could reveal the person's attitude about responsibility. Do they tell the truth about their past? Do they express remorse? Are they still angry or defensive?

Meridian Health, the Shore's largest private employer, does criminal background checks, drug screening and reference checks to try to get a read on a potential employee. And it asks on its application, "Other than traffic violations, have you ever been convicted of a crime that has not been annulled or sealed by the court?"

"I think they have to demonstrate there's been a period of time since their last conviction, there's no pattern and they have rehabilitated," said John Sindoni, senior vice president of human resources. "Everybody is entitled to rehabilitation. But we weigh it on a case-by-case basis."

For convicted felons, the deck can be stacked, which became evident during a visit last week to Drug Court at Monmouth County Superior Court in Freehold. It's a state-funded program with intensive oversight for drug offenders who, in return for not getting sentenced to prison, promise to rehabilitate and obtain steady employment.

Some of the participants said they entered the program facing thousands of dollars in fines. Their driver's licenses were suspended for at least six months, making transportation difficult. They had to shuttle to rehabilitation treatments three times a week. And they had to attend Drug Court Sessions at least once a week.

One participant, John Hulse, 55, of Asbury Park has a felony drug conviction on his record.

"I've been honest, and when they ask, 'Do you have a criminal record?' I say, 'Yes, I do.' That usually ends it before I even get to speak to anybody," Hulse said. "A steady job would really help me feel better about myself, knowing when I get up in the morning I can go to work."

There seems to be newfound attention to prisoner re-entry both nationwide and locally. President Bush in his 2004 State of the Union address called for a Prisoner Re-entry Initiative to help some of the 600,000 inmates nationwide released each year return to their communities.

Congress appropriated \$30 million for the program, less than half of what Bush requested. The Labor Department is planning to fund the program in 30 communities that have been heavily impacted by released inmates, White House spokeswoman Alyssa McClenning said.

Meanwhile, Stacey Kindt, 31 of Lakewood began an organization called Redeem-Her for women leaving prison and trying to re-enter the work force.

"I've never seen anyone begrudge the punishment they faced," said Kindt, who served part of a seven-year prison sentence for helping her husband take his two children from a previous marriage. "You commit a crime. That's fair and it's just. But I start feeling like. . . society is asking us to come out and do right. What is doing right? Living in a way that's acceptable. Supporting your family."

"We want to do that, but we're hindered. If you can't get a job, how can you do those things?"

Which is Overton-Ellis' question, too. Her application at Wal-Mart was stopped in its tracks. The company has been doing criminal background checks on all new employees.