

HOPE IN THE DARKNESS: HOW WOMEN NAVIGATE AND PERCIEVE  
EMPLOYMENT AFTER INCARCERATION

by

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A Thesis  
Submitted to the  
Graduate Faculty  
of  
George Mason University  
in Partial Fulfillment of  
The Requirements for the Degree  
of  
Master of Arts  
Criminology, Law and Society

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Date: \_\_\_\_\_ Spring Semester 2021  
George Mason University  
Fairfax, VA

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Arts at George Mason University

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Spring Semester 2021  
George Mason University  
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## **ACKNOWLEDGEMENTS**

I would like to thank the many people who have helped, motivated, and inspired me. First and foremost, Dr. Rudes. I cannot thank you enough for your guidance and mentorship. Your compassion and encouragement have made all the difference. Next, thank you to Dr. Norris and Dr. Irvin-Erickson. Thank you both for your invaluable input throughout this process. Thank you to my cohort and the department of Criminology, Law and Society for all your support over the past two years. Thank you to my family- my parents, Alastair, Ian, Sarah, Derek, and most of all, Nick- for your unconditional love and support. Lastly, thank you to the organizations and women who participated in this research. I cannot thank you enough for your time and willingness to share your stories.

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## **ABSTRACT**

### **HOPE IN THE DARKNESS: HOW WOMEN NAVIGATE AND PERCEIVE EMPLOYMENT AFTER INCARCERATION**

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George Mason University, 2021

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Stemming from “tough on crime” era policies and the expansion of mass incarceration, women’s contact with the criminal legal system has grown substantially in the past decades (Chesney-Lind, 1991). Research suggests women are disproportionately more likely to experience substance abuse, mental and physical health disorders, poverty, have children and experience victimization than their male counterparts (Hall et al., 2013; Taxman & Cropsey, 2006; Chesney-Lind, 1991). Despite women’s increasing contact with the criminal legal system and their specific needs, equal treatment has long been viewed as fair treatment (Taxman & Cropsey, 2006). To better address women’s needs, it is important to research how gender impacts experiences within the criminal legal system. The purpose of this research is to explore how women experience and perceive employment and reentry opportunities following incarceration.

This study uses data collected via in-depth semi-structured qualitative interviews with formerly incarcerated women. This research suggests that women experience a variety of barriers to employment, including their criminal records, gender, health, pay, satisfaction, and the COVID-19 pandemic, and experience complex emotions and challenges in their reentry. However, despite these barriers, many women ultimately found success in their reentry and employment and maintain an autonomous and optimistic outlook on their lives. These findings support research on the effects of criminal legal contact on employment and partially support research on gendered barriers to employment. The theoretical and practical implications of these findings suggest the need for future research into mechanisms of change, such as turning points and empowerment models.

## INTRODUCTION

Theory and research suggest the presence of a criminal record widely impacts individuals' lives. The stigma of a criminal record, legal limitations, and incarceration (Pager, 2003) may reproduce the structural disadvantages that often precede criminal legal contact. The impacts of a criminal record are widespread and far reaching, as those with criminal records face a variety of collateral consequences that continue to penalize them after their carceral release, such as voting disenfranchisement, the suspension of driver's licenses, loss of public assistance, eviction, and barriers to employment (Ewald, 2012; Pinard, 2010; Whittle, 2018; Natapoff, 2015). Additionally, research continually suggests the effects of the criminal legal system are not constant, with socially disadvantaged groups facing greater barriers (Pager, 2003; Pager et al., 2009; Pager, 2003).

Women are the fastest growing incarcerated population (Glaze & Kaeble, 2014), becoming increasingly swept into system designed mostly by and for men. Current research shows that incarcerated women are disproportionately low-income, victims of crime, women of color, and they experience mental and physical health disorders (Chesney-Lind, 1991; Taxman & Cropsey, 2006; Hall et al., 2013). Despite women facing systemic disadvantages to employment in a patriarchal society (Guy & Newman, 2004; Hochschild, 2012; Malcolm, 2012; Weisshaar & Cabello-Hutt, 2020; Tazeen et al.,

2015), there is limited research on the criminal legal system's specific and/or holistic impact on women, particularly post-carceral release. With women's unique needs and increasing contact with the criminal legal system, it is important to understand how the intersection of gender and criminal legal contact impact their reentry experiences.

This exploratory study seeks to examine how gendered employment impacts women's work prospects and perceptions of opportunities following incarceration. This paper highlights the current literature regarding women's employment, the impacts of criminal legal contact on employment, and women's specific experiences within the criminal legal system. The following sections discuss the existing literature and theories, describe this research project's methodology, present findings and interpretations of the data, and offer some theoretical and practical implications of this work. Through data collected via in-depth qualitative interviews, this study suggests that women experience a variety of challenges to employment, including their records, gender-status, and other barriers. Women also experience a host of emotions and challenges throughout their reentry process. Lastly, despite the challenges women face in employment and reentry, many maintain an autonomous outlook on their lives.

## **REVIEW OF LITERATURE**

### **Gendered Employment**

Historically, men experience greater opportunities for employment and higher wages (U.S. Department of Labor, 2016; U.S. Department of Labor, 2018). Deemed the “breadwinners” of the family, men largely dominated the labor market while women stay home to care for households and children. Despite changes in the family structure, there is still a pay and opportunity gap between men and women. The current literature largely attributes these gaps to the values assigned to gendered characteristics and women’s disruption in the workforce due to motherhood (Guy & Newman, 2004; Hochschild, 2012; Malcolm, 2012; Weisshaar & Cabello-Hutt, 2020; Tazeen et al., 2015).

Women’s participation in the workforce changed greatly in the past century. In 1920, women comprised only 20.3% of the American workforce (U.S. Department of Labor, 2020). Today, that number is up to 47.3% (U.S. Department of Labor, 2020). It is important to note however, that women’s growth in the workforce and the narrowing of the wage gap is not constant across demographic groups (Pettit & Ewert, 2009). Research shows the racial wage gap between Black women and white women grew between 1979 and 2005 (Pettit & Ewert, 2009). According to Pettit and Ewert’s (2009) research, Black women face structural disadvantages that potentially harm their employment and wage prospects relative to white women, including more limited access to education, increased

likelihood to be an unwed parent, which creates time constraints for work and potential needs for childcare, and increased likelihood to work in “nonprofessional/technical jobs” (p. 473). The authors suggest that these sociodemographic and economic differences between Black and white women play a role in women’s racial wage gap (Pettit & Ewert, 2009). Pettit and Ewert’s (2009) study examines the theory that changes in the labor force account for women’s racial wage gap and uses survey data to examine how sociodemographic characteristics of Black and white women have changed over time and their impacts on labor market returns. The authors found support for a growing racial wage gap and a shift in the labor market that “reflects and reinforces” Black women’s employment and economic disadvantages (Pettit & Ewert, 2009, p. 489). While women across demographic groups made strides in narrowing the gender pay gap and now make up nearly half of the workforce, as of 2018, women’s annual earnings are still only 80.5% of men’s (U.S. Department of Labor, 2018).

Despite the existence of a persistent gender pay gap, there is debate over its causes. Some researchers attribute a large part of the pay gap to differences in human capital investments (Lips, 2013; Stanley & Jarrell, 1998). This perspective argues that when accounting for investments into human capital, such as skills, education, and experience, the gender pay gap should narrow substantially (Lips, 2013; Stanley & Jarrell, 1998). However, others argue that this perspective does not adequately account for differences in women’s and men’s workforce compensation and participation as it fails to address structural barriers to human capital (Lips, 2013; Stanley & Jarrell, 1998; Becker, 1985). In addition to data suggesting that even when social capital *is* equal, men

and women may experience differing benefits, this model also does not adequately capture systemic constraints on choices and discriminatory patterns in the labor market (Lips, 2013). Investments in hours worked, education, skills, and trainings are all subject to social constraints. (Lips, 2013; Becker, 1985). In other words, social factors, such as gender, create an uneven playing field from the start (Lips, 2013; Becker, 1985).

One explanation for the still-existing gender pay gap that may better account for social factors is the underappreciation of emotional labor (Guy & Newman, 2004; Hochschild, 2012; Malcolm, 2011). Emotional labor refers to positions that require contact with others, require employee's address the emotional needs of others, and require employers to have some degree of emotional control over their employees (Hochschild, 2012; Guy & Newman, 2004; Malcolm, 2011). Positions that require large amounts of emotional labor require a higher-level emotional intelligence, such as "care" positions (Guy & Newman, 2004; Lips, 2013). Jobs such as nursing, teaching, and social work are prime examples of positions that require emotional labor (Guy & Newman, 2004). Women disproportionately work in fields requiring emotional labor, as society typically views women as inherently more caring, better at emotional support, and more nurturing (Guy & Newman, 2004). For example, in 2019, women made up 57.6% of service occupations, 67.5% of community and social service occupations, and 73.6% of education, training, and library occupations (U.S. Department of Labor, 2019). Positions such as hospitality, retail work, care positions, and administration work are classified as "pink-collar jobs" because they are so predominately held by women (Lips-Wiersma et al., 2016).

While women working in fields requiring emotional labor receive greater access to the workforce, current literature suggests how society's view of women as caretakers impacts their opportunities for economic growth and upward mobility. Some feminist scholars argue that women's work in fields that require greater emotional labor is exploitative (Hochschild, 2012; Malcolm, 2011). Women are not inherently better at emotional labor, as both men and women engage in emotional work in their private and working lives (Hochschild, 2012). However, emotional labor is far more important for women than men (Hochschild, 2012). Gender socialization teaches girls to be kind and boys to be aggressive, which evolves into expectations for emotional labor in adulthood, and due to women's blocked access to money, power, and status, emotional labor is an important tool in their financial lives (Hochschild, 2012, Malcolm, 2011). However, jobs requiring high emotional labor often earn lower wages than those in the positions where emotional labor is less common such as in the science and technology fields, where men more commonly work (Guy & Newman, 2004; Lips, 2013). Additionally, within fields, even those considered "pink collar," women are more likely than men to hold lower-paying positions (Lips, 2013). For example, according to Lips (2013), in the education, training, and library field, women are more likely to be assistants or primary school teachers than secondary school teachers and above, which earn greater wages. In the production field, women are more likely to work as sewing machine operators compared to other more highly paid machine work (Lips, 2013). This suggests that not only are fields segregated by sex at the detriment of women's earnings, but as are positions within specific fields (Lips, 2013). Society's disinvestment in jobs that require emotional labor

reproduce the blocked access to power, status, mobility, and money that initially caused women to seek care positions.

Another explanation for why women still make up a slight minority of the workforce and earn less is because of career disruptions caused by family and other factors (Weisshaar & Cabello-Hutt, 2020; Majeed et al., 2015). While the typical American family evolved, women's familial roles still impact employment opportunities. Using data from the National Longitudinal Survey of Youth, Weisshaar & Cabello-Hutt's (2020) research suggests women across races, as well other socially disadvantaged groups, such as Black men, those with lower education, and those facing poverty are more likely to have interruptions in their employment and less employment throughout their lives than White and Hispanic men. The researchers also found that inconsistent employment significantly impacts future wages. Weisshaar & Cabello-Hutt's (2020) research suggests that work-related variables, such as experience, most explain employment trajectories for disadvantages groups, with family measures explaining a smaller amount of variation in workforce interruptions. Additionally, Weisshaar & Cabello-Hutt (2020) found evidence of a "motherhood penalty," where women with multiple children earn lower wages compared to women without children (p. 53). This research suggests that socially disadvantaged groups, including women, have complex and inconsistent employment trajectories compared to more advantaged groups.

Majeed and colleagues' (2015) research also suggests that multiple factors impact women's workforce participation, including childcare, health, and education. Using data from the Australian Longitudinal Study on Women's Health, the authors identified five

latent classes related to employment: mostly in paid work, early paid work, increasingly paid work, gradually not in paid work, and mostly not in paid work (Majeed et al., 2015). Majeed and colleagues (2015) found that women with health conditions such as diabetes, asthma, and arthritis, women who were married, women with less education, and women with care taking responsibilities were more likely to be in categories other than “mostly paid work” (p. 459). Trends emerging from the COVID-19 pandemic provide a relevant example of women’s inconsistent participation in the workforce as COVID created another workplace disruption for families (Collins et al., 2020; Petts et al., 2021). While as of 2019, 64.2% of families with children had both parents employed (U.S. Department of labor, 2020), the COVID-19 pandemic disproportionately impacted American women’s employment (Collins et al., 2020; Petts et al., 2021). Using monthly labor data, Collins and colleagues (2020) examined employment data prior to COVID-19 through the first peak of cases (February- April 2020). According to Collins and colleagues (2020), for heterosexual dual-earning married couples, mothers experienced significantly greater reductions in hours worked than fathers. Potentially due to closures of schools and childcare, women experienced a gender-hour gap between four to six hours per week throughout the pandemic (Collins et al., 2020).

Petts and colleagues’ (2021) research also suggests women’s employment has significantly decreased compared to men’s during the COVID-19 pandemic, and changes in childcare has played a significant role in this trend. Using survey data from partnered couples with a child/children, Petts and colleagues (2021) gathered data on parental employment, changes in childcare, division of partner childcare, and control variables.

Petts and colleagues (2021) found mothers without childcare or who lost more than 40 hours of childcare per week had significantly greater odds of leaving their job than those who did not experience a great loss of childcare, whereas the authors found that changes in childcare did not impact fathers' employment. Additionally, Petts and colleagues (2021) found that homeschooling significantly increased mothers' likelihood of leaving employment, however it did not impact fathers' employment. These relevant studies show that while women's participation in the workforce increased greatly in the past decade (Department of Labor, 2020), they are still vulnerable to disruptions in their careers.

As noted, women are not the only group facing barriers in their employment. Others, such as those with a criminal record also experience challenges in their opportunities and wages (Pager, 2003; Uggen et al., 2014; Western, 2002; Pager et al., 2009; Pager, 2003).

### **Criminal History and Employment**

The United States is the world leader in incarceration, with over six million individuals under some form of criminal legal supervision (Maruschak & Minton, 2020). A variety of factors, including fear of violent crime, political rhetoric, and racial stereotyping explain the United States' staggering increase in incarceration rates since the 1960s (Campbell et al., 2015). Unfortunately, the effects of criminal legal contact may last long after an individual's carceral release.

Current literature suggests that the presence of a criminal record impacts employment opportunities (Pager, 2003; Uggen et al., 2014, Western, 2002; Pager et al.,

2009; Pager, 2003; Petersilia, 2001; Agan, 2017; Whittle, 2018; Lopes et al., 2012; Agan & Starr, 2017; Agan & Starr, 2018; Natapoff, 2015). Those with criminal records experience a host of barriers to finding employment. There are a variety of hypotheses regarding the mechanism linking incarceration to economic barriers, including the stigma of having a criminal record (Denver et al., 2017; Ispa-Landa & Loeffler, 2016), loss of social networks (Uggen & Stewart, 2015), loss of social capital (Ispa-Landa & Loeffler, 2016), and legal restrictions (Uggen & Stewart 2015; Pager, 2003). Research also suggests other social factors impact one's ability to find employment after incarceration (Berg & Huebner, 2011). The presence of familial support and intimate relationships positively impacts post-incarceration employment opportunities, whereas unemployment prior to incarceration negatively impacts opportunities after release (Berg & Huebner, 2011).

Some literature finds these barriers apply to both felony convictions as well as less serious offenses (Uggen et al., 2014; Flake, 2019; Ispa-Landa & Loeffler, 2016; Agan & Starr, 2017; Natapoff, 2015). Uggen and colleagues' (2014) study suggests that misdemeanor arrests impact employment across races, and in these cases, hiring managers have great discretion in the hiring process. Using an experimental audit method with matched fictitious resumes and employer interviews, Uggen and colleagues (2014) found that Black and white men both experienced about a 4% decrease in callbacks when a misdemeanor arrest was present. This study also suggests that hiring managers held stereotypes about criminal legal contact, however, often navigated these perceptions based on their interactions with applicants, had much stronger opinions regarding hiring

those with felonies, and consider legal factors, such as severity and outcome of arrest (Uggen et al., 2014). This finding that even minor criminal legal contact can have lasting impacts is consistent with Ispa-Landa & Loeffler's (2016) research. Through interviews with individuals seeking expungement, the researchers found participants with extensive criminal records, as well as those with minor records both face challenges in employment, housing, and access to further education (Ispa-Landa & Loeffler, 2016).

Outside of employment, the presence of a criminal record impacts other aspects of individuals' lives. Other collateral consequences of criminal legal contact include increased mental and physical health concerns, loss of political and democratic participation, housing instability, threats to family stability, suspension of driver's licenses, and loss of public assistance (Ewald, 2012; Petersilia, 2001; Whittle, 2018). Barriers to employment and other collateral consequences due to criminal legal contact, serious or not, may create additional challenges when considering reentry.

Blocked opportunities for employment create concerns regarding reentry and recidivism, as research and theory suggest employment after incarceration can reduce recidivism (Berg & Huebner, 2011; Cullen et al., 2018). From a life course perspective, employment after incarceration may act as a turning point for individuals (Laub & Sampson, 2003; Cullen et al., 2018). According to Laub & Sampson (2003), the change process that disrupts criminal legal involvement has four steps: the occurrence of a turning point, such as marriage or employment, an increase in social control as a result of the turning point, a change in routine activities, and a commitment to law-abiding behavior (Cullen et al., 2018). However, Laub & Sampson (2003) also argue that humans

have agency, meaning that just because an individual experiences a turning point does not mean they will desist from crime, there must also be action and commitment to change (Cullen et al., 2018). Using a life course perspective, employment has the *potential* to provide those in contact with the criminal legal system an avenue to desistance (Laub & Sampson, 2003; Cullen et al., 2018), creating concerns that blocked opportunities for employment may also block opportunities for change.

Likewise, using a social bonds perspective, employment may strengthen social bonds, thus decreasing the likelihood that an individual will engage in criminal behavior (Hirschi, 1969; Cullen et al., 2018). According to Hirschi (1969), social bonds and crime are inversely related, and through attachment, commitment, involvement, and belief, social bonds act to control behavior. Hirschi's (1969) social bond theory states attachments form when an individual has bonds to others, and through this relationship norms and values are established, commitment forms after investing time and energy into conventional activities, such as education and employment, involvement occurs when an individual does not have time for crime because of their engagement in conventional acts, and belief forms when an individual is committed to prosocial norms and values (Cullen et al., 2018).

Research on employment and recidivism support the life course theory's and the social bonds theory's notion that employment and recidivism have a negative relationship (Berg & Huebner, 2011; Valentine & Redcross, 2015). In other words, the ability to find employment reduces an individual's risk of future incarceration (Berg & Huebner, 2011; Valentine & Redcross, 2015).

Berg & Huebner's (2011) study uses data from a random sample of paroled individuals, to examine how family ties and employment impact recidivism. The researchers found evidence that employed individuals with strong family ties are less likely to recidivate than unemployed individuals without family ties, that individuals with family ties are more likely to find employment than those without, and strong family ties can moderate the impacts that unemployment has on work attainment (Berg & Huebner, 2011). Berg & Huebner (2011) suggest that family ties indirectly impact recidivism by encouraging employment.

Programs that aid formerly incarcerated individuals with finding transitional job opportunities may also reduce recidivism (Valentine & Redcross, 2015). According to Valentine and Redcross' (2015) experimental study of two transitional job programs, participation in The Center for Employment Opportunities program resulted in a significant reduction in recidivism, whereas participation in the Transitional Jobs Reentry Demonstration program did not impact recidivism. While both participants' participation in transitional work increased future employment opportunities, the differing effects on recidivism show that the elements of employment and the type of help impact outcomes (Valentine and Redcross, 2015).

Other collateral consequences of a criminal record may also impact recidivism (Whittle, 2018). Whittle's (2018) review of literature on collateral consequences suggests some may have unintended consequences. Research on housing instability and recidivism support Whittle's (2018) conclusion, with multiple studies finding increased housing stability reduces recidivism. For example, Kirk and colleagues' (2018) pilot study of the

Maryland Opportunities through Vouchers Experiment (MOVE), a program that encourages previously incarcerated individuals to relocate to subsidized housing, found those who received free housing and relocation had reduced likelihoods of recidivism than those facing housing instability. Similarly, Lutze and colleagues' (2014) study of the Washington State Reentry Housing Pilot Program, which provides housing and other services to high risk and need individuals, significantly reduced new convictions and readmissions to prison. The authors also found that across the treatment and control group, periods of homelessness significantly increased risks of recidivism. These studies suggest some collateral consequences, such as limitations to housing, may impact recidivism and reentry.

Outside of recidivism, blocked opportunities after criminal legal contact may also have detrimental impacts on other outcomes, such as self-perceptions. Through ethnographic data and interviews with formerly incarcerated Black men, Williams and colleagues (2019) found evidence that unemployment due to contact with the criminal legal system may further feelings of stigmatization and limit their ability to care for their family, creating strain due to socially ascribed masculine expectations (Williams et al., 2019). The authors poignantly state that participants view their records as “metaphoric castration,” as blocked access to employment causes an inability to care for their families (Williams et al., 2019, p. 451). This study and others (Williams et al., 2019; Pager, 2003; Pager et al., 2009; Pager, 2003) address how structural inequalities can be compounding, with race further exacerbating the challenges associated with post-incarceration employment.

Current literature suggests the impact of a criminal record is not constant; social and demographic factors, when combined with a criminal record, further exacerbate blocked opportunities for employment (Pager, 2003; Pager et al., 2009; Pager, 2003; Decker et al., 2015). Pager's (2003) seminal study shows the stark differences between employment opportunities for white men versus Black men. In this study, Pager (2003) matched fictitious resumes for Black and white participants, half indicating a record and half showing no involvement with the criminal legal system. Pager (2003) found that white men without criminal records had a 34% callback rate versus a 14% callback rate for Black men without criminal records. White men with criminal records had a 17% callback rate, whereas Black men with criminal records had a 5% callback rate (Pager, 2003). This study and others show Black men with records fair the worst in employment opportunities, and Black men without records still fair worse than white men with records (Pager, 2003; Pager et al., 2009; Decker et al., 2015).

Despite structural challenges to employment, social work and reentry literature support shifting from a paternalistic mindset to an empowerment model (Schlager, 2018; Gutiérrez et al., 1995; Bransford, 2011). This entails moving away from deficit-based assessments, or focusing on individuals' shortcomings, rather focusing on strength-based models (Schlager, 2018; Gutiérrez et al., 1995; Bransford, 2011).

Currently, reentry researchers and practitioners promote the Risk, Needs, Responsivity model (Hunter et al., 2016). This framework identifies criminogenic factors that increase risks of recidivism and deficits in basic needs that may interfere with successful reentry (Hunter et al., 2016; Andrews et al., 2011;). While the Risks, Needs,

Responsivity framework is the dominant practice and has empirical support, some researchers find its focus on deficits a limitation, and suggest a shift to strength-based models (Hunter et al., 2016; Schlager, 2018).

Strength-based models seek to empower individuals throughout their reentry and promote positive behavioral changes (Schlager, 2018). Advocates of strength-based models argue they are better suited for successful community reentry than deficit models (Schlager, 2018; Hunter et al., 2016; Saleebey, 1996). According to Schlager (2018), strength-based models promote collaboration between clients and case managers, empower change, and integrate clients into the community, leading to successful reentry. Strength-based perspectives emphasize the individual's ability to control their life, promote motivation to achieve goals, and help individuals to identify their strengths (Schlager, 2018). Strength-based case management involves changing case manager and client discourse, promoting resilience and empowerment, identifying strengths, and community engagement (Hunter et al., 2016; Saleebey, 1996). While strength-based perspectives are more common in social-work, the criminal legal system has begun implementing more procedures from this framework, such as the Good Lives Model and Motivational Interviewing (Schlager, 2018).

While some argue strength-based models are promising for empowering positive change, some scholars also identify limitations of this perspective, such as its lack of focus on systemic barriers (Bowman, 2006; Bransford, 2011). Bowman (2006) argues an additional emphasis on systemic barriers would benefit the strength-based model. The author advocates to include a Role Strain and Adaptation (RSA) approach to strength-

based models, particularly for at-risk youths who experience systemic barriers (Bowman, 2006). RSA “can go beyond the traditional focus on universal human (etic) strengths and can further clarify the operation of psychosocial risks and protective cultural strengths at the individual, family and community levels” (Bowman, 2006, p. 119). Bowman (2006) argues that this addition is particularly important for at-risk Black youth, who are more likely to experience strain than their white counterparts. Bowman (2006) argues that by further addressing systemic challenges, strength-based models can encourage healthy responses to strain, increase resilience, and promote systemic change. While Bowman (2006) applies this framework specifically to at-risk youth, those in contact with the criminal legal system also experience the “chronic strain in major life roles by systemic racial, class, ethnic, or gender role barriers” discussed (p. 129).

In recent years, advocacy groups and some legislators have promoted legislation changes to address the systemic challenges justice-involved individuals face. These “ban the box” policies limit requirements for individuals to disclose their criminal records when applying to jobs. The “box” is the check box on job application forms that requires applicants to disclose any felony convictions pre-hire. The “ban the box” movement brings to light the difficulty of finding employment for those with a criminal record. By delaying when one must disclose their justice-involvement, “banning the box” seeks to give those with criminal histories a fighting chance. While current research shows “ban the box” policies better opportunities for those with records across demographic lines (Flake, 2019), other literature shows unintended consequences of these policies (Agan & Starr, 2017; Agan, 2017). Despite good intentions, some research shows that the

implementation of “ban the box” policies creates further disadvantages for Black men with or without records, as without individualized information hiring actors rely on racial stereotyping in their hiring practices (Agan & Starr, 2017; Agan, 2017). Research continues to show the impact criminal legal contact has on employment opportunities and policy changes are starting to address how these barriers affect reentry. Both on the individual level, with increasing attention to strength-based models, and on a more macro-level, such as “ban the box” legislation, there has been movement in improving reentry conditions for formerly incarcerated individuals. However, research, theory, and policy widely exclude women from this equation (Cullen et al., 2018; Chesney-Lind, 1991; Taxman & Cropsey, 2006).

### **The Intersection of Gender and Criminal Record**

The majority of criminological theories do not specifically outline or recognize a difference between men and women’s criminal behavior (Cullen et al., 2018). These theories argue generalizability, however, fail to consider how gender norms and expectations impact criminal and/or deviant activity (Cullen et al., 2018). Outside of theory, the experiences of men also dominate criminological research. While men make up the majority of individuals interacting with the criminal legal system, there is little research on how criminal involvement impacts women’s employment opportunities, despite gender barriers in pay and opportunities and their unique reentry experiences.

As a product of “tough on crime” policies and the expansions of prisons, the United States has increased rates of incarceration in the past decades across demographics (Bonczar, 2003; Chesney-Lind, 1991; Pager, 2003). Women are not

exempt from mass incarceration and experienced dramatic increases in incarceration as a group (Chesney-Lind, 1991; Bonczar, 2003). Much of this growth stemmed from increases in punishments for drug crimes during the 1980's (Chesney-Lind, 1991). Chesney-Lind (1991) powerfully suggests "that the "war on drugs" has translated into a war on women" (p. 57). According to the Bureau of Justice, as of 2001, women's chances of going to prison were six times greater than they were in 1974, whereas men's chances were three times great (Bonczar, 2003). With the sharp increase in women's incarceration, there are concerns regarding the criminal legal system's ability to meet their needs (Roddy et al., 2019; Chesney-Lind, 1991).

Feminist scholars argue the criminal legal system is gender-neutral at the detriment of women, as it does not adequately address women's needs (Roddy et al., 2019; Chesney-Lind, 1991). While men continue to make up the majority of individuals within the criminal legal system, certain factors such as victimization and mental and physical health disorders disproportionately impact women and their reentry (Wilfong et al., 2020). Research indicates that women's contact with the criminal legal system differs from men's in a variety of ways. For example, compared to their male counterparts, women in contact with the criminal-legal system are more likely to have an incarcerated family member, histories of substance abuse, been victims of abuse, have children, face poverty, and have a history of mental illness (Chesney-Lind, 1991; Taxman & Cropsey, 2006; Hall et al., 2013; Roddy et al., 2019). Women overwhelmingly face incarceration for nonviolent offenses, particularly drug crimes (Hall et al., 2013; Taxman & Cropsey, 2006). About 72% of women are in federal prisons or jails for drug offenses (Taxman &

Cropsey, 2006). In addition, structural factors create blocked opportunities, such as employment, which impact women's ability to avoid technical violations while under supervision (Wilfong et al., 2020). Despite these differences, the criminal legal system largely defines gender equality as equal treatment rather than addressing the unique needs of women in research, evaluation, and punishment (Taxman & Cropsey, 2006).

The available research suggests mixed findings regarding how justice-contact impacts employment opportunities for women. Current literature on women's reentry shows a variety of factors impact women's access to employment, such as mental health issues and education, which improves social capital, provides social networks, and allows for upward mobility (Leverentz, 2006). Research suggests, like in men's employment searches following incarceration, women face a variety of barriers, including transportation, stigma, and avoiding the temptation to engage in illicit means of making money, such as sex work (Hall et al., 2013). While some studies show that felony records limit women's access to employment (Leverentz, 2006), other research suggests the presence of a criminal record plays little role in women's employment opportunities (Galgano, 2009). Some research suggests that men's recidivism is more affected by employment than women's (Denver et al., 2017). Denver and colleagues' (2017) study indicates that when cleared for employment following background checks, formerly incarcerated men have significant reductions in rearrests, whereas women have no significant changes. However, research finds that when given financial assistance women are less likely to experience incarceration (Wilfong et al., 2020). Using interview data from women on probation or parole, Wilfong and colleagues (2020) found women who

received Social Security Disability in the previous 30 days, or more were significantly less likely to face incarceration. This research suggests that increased economic stability plays a role in women's ability to avoid criminal legal contact. Current research on post-release employment largely ignores women's unique needs in terms of gender and criminal legal contact. This study seeks to address this gap by exploring how gendered employment impacts women's work opportunities following incarceration.

## **METHODOLOGY AND DATA**

### **Methods**

This study uses data collected via in-depth semi-structured qualitative interviews with women who have experienced incarceration (n=15). Participation in this research was entirely voluntary and participants received compensation for their time with \$25 Visa gift certificates. To participate, interviewees had to be at least eighteen-years of age, a woman, speak English, and have experienced incarceration in either jail and/or prison. All research received approval from George Mason University's Institutional Review Board (IRB) and the participating reentry organizations. Interviews took place between July and August 2020. To ensure anonymity and confidentiality, I assigned pseudonyms to all participants, as well as the reentry organizations.

I worked with two separate reentry organizations located on the east coast to recruit participants, the Welcome Place and Reentry Services Organization. Both organizations work with clients involved in the criminal legal system during reentry, post-release from prison or jail. They assist clients with case management services to help with needs such as housing, employment, treatment services, and educational classes. The data for this project comes from a convenience sample of women in contact with and/or presently or previously receiving services from these reentry organizations. I used

two methods of recruitment. First, contacts at both organizations aided in spreading word-of-mouth information and flyers about this research. Recruitment flyers described the goals of the research project, the expected time commitment for participants, compensation information, and my contact information. Additionally, staff members at the organizations provided the contact information of interested women for my direct contact via telephone calls. The Welcome Place serves adult women who have experienced incarceration, all clients were eligible for participation. Reentry Services Organization works with adult men and women who have experienced incarceration, so staff at this organization provided recruitment information to self-identified female clients and/or former clients.

Due to COVID-19 related institutional restrictions on in-person research, I conducted all recruiting, contacting, and interviewing with participants remotely, via email and telephone calls. After contacting interested participants, I informed women that their participation was entirely voluntary, they could withdraw their consent to participate at any time, of the goals of the research, of the minimal risks, and ensured their confidentiality. Women then provided verbal consent to participate. Prior to the interviewing stage of this research project, I created a guide to help focus interviews. This guide contained various topics I intended to discuss with interviewees, as well as sub-questions within each topic. I used the guide during interviews, however, I also asked women individually-specific follow-up questions and probes throughout our conversations.

During interviews, I asked women about their work experiences prior to and after incarceration, their current housing situation, their education and skills, perceptions of barriers to employment, their work experiences in regard to gender and criminal legal contact, their family life, and demographic information. Interviews were informal and conversational, and questions were open-ended, so participants were able to speak to a variety of their experiences with employment and reentry. With consent, I recorded all interviews using the app, TapeACall Pro. Soon after each interview I transcribed the audio recording verbatim (Tracy, 2013). After transcribing audio recordings, I destroyed the audio files. After interviews, I sent participants' compensation through the U.S. Postal Service. My goal was to interview between twenty and thirty women, however, due to challenges that arose in the process of remote recruiting, I ultimately had a sample of fifteen participants (n=15). While additional data is always valuable, given the limitations on in-person research, I view this sample as adequate for the scope of the current research. The women's experience was overwhelmingly homogeneous and after just 15 interviews the data reached a point of saturation regarding the project foci (Charmaz, 2014). Saturation occurs when "The properties of your theoretical categories are 'saturated' with data...because you have found no new properties of these categories..." (Charmaz, 2014, p. 213). The average time of interviews was about 15 minutes. This was an additional challenge of synchronous interviewing. As discussed by Tracy (2013), some disadvantages of non-face-to-face interviewing are distractions and less engagement from participants. While many participants were active and forthcoming in interviews, some participants were less focused throughout our conversations. When

planning modes of virtual interviewing, I considered alternative methods, such as video calls which may have alleviated this challenge. However, considering difficulties in recruitment and potential limitations to technology, phone calls provided a more inclusive method of interviewing than requiring participants to have webcams. Additionally, many of the women did not have access to a computer or a phone with this capability and/or would not be able to participate visually in a confidential setting.

### **Analysis**

I used a version of the grounded theory method (inductive) of data analysis to identify major themes and patterns from the raw interview data (Glaser & Strauss, 1967; Tracy, 2013). My process of data analysis was not purely grounded however, as I used a more iterative process focusing on relevant topics, such as employment, the impacts of a criminal record, and gender. According to Tracy (2013), “Rather than grounding the meaning solely in the emergent data, an iterative approach also encourages reflection upon the active interests, current literature, granted priorities, and various theories the researcher brings to the data” (p.184). Data coding and analysis occurred just after data collection between September and October 2020. I used the computer software, ATLAS.ti, to store and organize codes. I began my analysis by using open line-by-line coding of interview transcripts (Tracy, 2013). In this stage, I coded more generally, identifying elements such as different fields of work, whether participants faced challenges in finding work, demographic information, perceptions of pay, different emotions, and the perceptions of how their gender impacts their work.

After the initial stage of coding, I reviewed and edited codes using a constant comparative method (Charmaz, 2014; Tracy, 2013). In this stage, I merged any codes that were erroneously duplicated and checked codes for clarity. I also began looking into the nuance of the data and refined codes to tease out different patterns. For example, I created additional codes related to the challenges of employment, focusing on the specific reasons that participants struggled with employment. I also coded the processes of finding employment in more depth, finding themes regarding how women find jobs to apply to, and different outcomes from applications.

Next, I identified larger patterns and themes from these initial coding stages and created hierarchical categories (Tracy, 2013). Tracy (2013) explains hierarchical coding as “systematically grouping together various codes under a hierarchical “umbrella” category that makes conceptual sense” (p. 195). The categories I coded include challenges to employment, access to employment, description of the application process, benefits of working, dissatisfaction in work, gender expectations and opportunities, pay, conditional recidivism, struggles of reentry, autonomy, education, and type of work. During this coding stage, I recoded the data as it fit into these broader categories. For organization and consistency, I created a codebook in Microsoft Excel for both initial and secondary codes. For initial codes, I included information on code name, description of code, an ideal example, similar codes, and memos (Tracy, 2013). For secondary codes, I included the code name, description of the code, and memos.

### **Overview of Data**

Interviewees were racially heterogeneous, with seven women identifying as Black or African American and eight women identifying as white. Participants also varied in their ages, ranging from 31 to 68 years old, with an average age of 46. Participants in this sample varied regarding education, with about 7% of women stating they partially completed their high school degree/GED, about 40% of women indicating their highest level of education is high school degree/GED, about 40% stating they have some higher education in the form of an associates or bachelor's degree, and about 13% reporting they have completed their associates or bachelor's degree. The majority of women are currently employed, about 67%. Of those not currently employed (about 33% of participants), all are actively searching for employment, or planning to search for employment. Employed respondents varied in fields of employment, with 10% of employed women working in call service, 10% in managerial positions, 10% working in the food service industry, 20% in an animal care industry, and 50% working in grocery or retail positions.

Table 1. Interviewee Demographics

Social Identity Variables	Frequency	Percentage
Race		
Black/African American	7	47
White	8	53
Age		
30-35	2	13
36-41	3	20
42-47	5	33
48-53	1	7
54-59	3	20
60+	1	7
Education		
Some high school/GED	1	7
High school degree/GED	6	40
Some higher education	6	40
Associates/Bachelor's degree	2	13
Employment Status		
Employed	10	67
Call service	1	10
Managerial position	1	10
Food service industry	1	10
Animal care service industry	2	20
Grocery/retail	5	50
Not currently employed	5	33

## **FINDINGS**

The women interviewed were fairly mixed on their perceptions of the impact gendered employment has on work opportunities. However, three major themes emerged from analysis of interview data. First, while many women eventually found employment, they widely face challenges due to their justice-involvement. Additionally, some felt that their gender-status was a factor in their employment opportunities, some face other general challenges, such as the COVID-19 pandemic, and some struggle with finding adequately paying jobs. Second, women describe various fears surrounding reentry, the importance of location in their success despite these challenges, and the importance of reentry organizations. Third, women view their ability to succeed in finding work and reentry in an optimistic and autonomous way.

### **Challenges to Employment**

Women widely report facing a variety of challenges in finding employment, their wages, and their satisfaction in positions. Interviewees provide multiple reasons for their difficulty in finding employment, including their justice-involvement, gendered challenges, dissatisfaction with their pay or position, or general challenges not related to their record or gender.

### ***Justice-Involvement as a Barrier to Employment***

Women report challenges in finding adequate employment due to their criminal records. The vast majority of the women interviewed (86%) view their criminal records and background checks as barriers to employment. Women describe frustration in the application process, as background checks resulted in blocked opportunities. One respondent, Joan, explains how background checks often lead employers to turn her down after learning of her record despite having relevant experience. Joan feels frustration in the hiring process because she has multiple certifications that *should* make her a qualified applicant. However, her record impacts her ability to find work she is passionate about. Joan states,

Whenever I put in applications and they have to do the background check...due to me being a felon, I mean having felonies, it was like I would get turned down for the job...when they do call, it's like, 'I can't hire you due to your background' and it's always like been a pattern for me.

Another respondent, Ginger, notes that despite her conviction happening many years ago, it shows up during the application process and causes difficulties in the employment process. She feels regret and embarrassment over her record and its effect on her employability. Ginger's record limits her from applying to jobs that she describes as simple, making employment challenging. Ada also reports experiencing challenges in employment due to crimes committed long ago. She states, "Once you see that I have made a mistake, after so many years I haven't made a mistake and that mistake shouldn't follow me the rest of my life..." Like Joan, Ada has certifications in the types of

positions for which she applies, but still experiences difficulty finding employment. Ada faces difficulty finding work even when applying to companies that are willing to hire individuals with records. She describes applying to multiple jobs that hire people with felonies, but was often unsuccessful in securing a position. Ada explains the frustration of employers not being willing to give second chances even with her qualifications and her convictions occurring long ago.

When asked if their criminal records impact their ability to work in a certain field, most (73%) women agreed. Women describe wanting to work in various positions, but with their record, did not view this as an option. From the health-care field to government positions, multiple women view their once or current dream job as unattainable due to their justice-involvement. Katerina once wanted to work in a bank, however, she feels that with her charges and background this is not an option for her. Both Pat and Joan want to work in the medical field, but feel that they are unable to do so because of their records. Joan explains that she applies for jobs in hospitals and she is trying to go back to school to expand her options in the field, however, she has been unsuccessful in finding employment in healthcare as of yet. Pat states that she wanted to work in physical therapy, but changed paths once finding out how challenging it would be to find work in the medical field with a criminal record. Another participant, Shawna, said that even though she has been successful in finding employment after incarceration, her record impacts her preferred field of work. She notes she would have liked to work in a government position, but her record prevented this option.

Additionally, about a quarter of interviewed women (27%) report a more complex process in applying for jobs due to their records. These women explain that they had to learn which jobs hire those with criminal records or do not run background checks, thus limiting the places they could apply. One respondent, Taylor, describes this process, saying:

You have some companies that will hire, some who won't and a lot of the times the companies who hire are looking for cheap labor...so it becomes complicated because...if you are searching, you have to search for a company that will hire felons.

Another respondent, Renée, states "I mean I'm not going to lie, there are a lot of [inopportunities] because a lot of places won't hire you if you have a criminal record."

Roughly 20% of the interviewed women indicate that the type of charges on their records act as an additional barrier. These respondents note that certain charges, such as fraud and larceny, further limit where they can apply for jobs. Because of the nature of these crimes, the women find they have difficulty finding employment in positions that require contact with money. For Katerina, her charges limit where she can work. She describes being unable to work in positions where she needs to handle money, such as a store associate. After her release, Katerina felt limited to serving or cooking positions at restaurants or working in factory positions. While the majority of women identified their justice-involvement as a large barrier to employment, other factors, such as their gender status also played a role in employment opportunities.

### ***Gender as a Barrier to Employment***

Roughly two-thirds of interviewed women (67%) reported believing their gender impacts their employment opportunities in various aspects, including their perceptions of equality in their employment experiences, obligations to care-taking, perceptions of opportunity, and ability to work in their desired field. Approximately 40% of interviewed women state they perceive unequal opportunities compared to men in their employment history and access to job trainings. Multiple women express feeling that men progress quicker in positions, jobs hire men for positions they are equally, if not more qualified for, or feel that after incarceration, men have an easier time finding work. One participant, Katerina, says she felt under-valued and tightly evaluated when being interviewed by and working with men. She describes once working with a male supervisor in a physically demanding job. Katerina explains that her supervisor gave her easier tasks than her male counterparts simply because of her gender. She felt the supervisor thought that she, “Wasn’t good enough to do that job, that a man had to do it.” Workplace inequalities are not the only barrier to opportunities women discuss. Other factors, such as family life also impact women’s employment.

Some women view their gendered responsibilities as limiting their employment opportunities. When asked how family obligations affect their access to employment or education, about a third of interviewed women (33%) report care-taking responsibilities limiting their opportunities. For example, Marguerite states that there once a time when she wanted to join the workforce, however, she needed to stay home and care for her children. Now that her kids have grown, Marguerite believes she has more opportunities

to find work. Similarly, Taylor indicates that she would like to finish college, but between family responsibilities and the cost of tuition, she has not yet done so. Taylor says that when she can afford to, she takes college courses, and she currently has many credits towards her degree. When asked about prior work experience, Taylor also notes that she had a period of unemployment prior to incarceration because she was caring for a sick friend full-time.

When asked about how gender impacts their preferred field of work, just over a quarter of women (27%) indicate that it does. These respondents explain being interested in various fields, but due to their gender felt they have limited opportunities. For example, Joan states that she has always been interested in welding; however, she believes that due to her gender, she was unsuccessful in finding employment in this field. Joan explains that she applied for welding positions before, but feels employers turned her down due to her gender, and she has not really pursued this field since.

Whereas some women view their gender status and expectations as barriers to employment, others feel they experience equal opportunities. About two-thirds of interviewed women (67%) report they do not feel family obligations limit their access to employment or education. Renée explains that her family is a motivation in her success, stating they always support her. Renée also states that having children is an incentive to find “Bigger and better jobs.” Likewise, Nadine says how her family always encourages her to pursue an education, and that she now has her G.E.D and multiple college credits. In addition, nearly three-quarters of interviewed women (73%) state that their gender status did not impact their preferred field of work. When asked, Renée laughs and notes,

“No! Because I do a man’s job now,” indicating that she currently works in male-dominated, physically challenging job. Lastly, approximately two-thirds (67%) of respondents express feeling they had equal opportunities in their work experiences relative to men. For example, Ann states that in the past she worked in a position typically worked by men. She explains that she was able to move-up in that position and did everything the men did. Ginger also describes having equal opportunities as men in her employment opportunities. She states that she always worked with animals, and that in this field, she has never seen gender impact employment. While many women ultimately navigate barriers to employment by finding work, for some, the challenges continue once hired.

### ***Pay and Satisfaction***

A little less than half (40%) of women who found employment report feeling a lack of passion for their position and challenges with their pay. Additionally, about one-third (33%) of women report their current or past jobs not paying enough to live off of or having to change jobs due to the pay. Taylor describes thinking about leaving her current position because she does not make enough money to justify commuting to work. She reports that with her current wages she struggles to pay rent and buy groceries, and although she receives public assistance for food, it still does not cover everything. These women believe that their records are largely why they have low wages. Shawna says, “...I just feel like if you have a record anything that pays that would be middle class or above, you don’t get many opportunities because you have a felony on your record.”

In addition to being unsatisfied with their wages, some women feel unfulfilled in other areas of their work. Approximately one-third (33%) of women took positions they are not passionate about out of necessity, do not see growth in their position, or only being able to find jobs worked by much younger people. For Freda, she states that she took a job that she does not want a career in because “A job is a job.” She states that she has not had much difficulty finding jobs, but the positions have not been very meaningful. Joan shares a similar experience. She states that she has been unable to find jobs that she really wants and that she has to accept positions out of a necessity for income. According to Taylor, the types of jobs available to her are those worked by teenagers or those with justice-involvement. She connects this to the offered pay, arguing that teens and justice-involved individuals are the only groups willing to take those positions.

Contrary to some women’s experiences, others are happy with their wages and find satisfaction in their positions. Just over half (53%) of interviewed women describe their jobs as paying enough to live off of comfortably. Shawna discusses her wages by laughing and noting, “I mean I’m not rich but I’m comfortable I’d say.” Similarly, Delia responds that after working hard in her position, she is now able to “Stand on [her] own.” Freda emphatically refers to her current position’s pay as “Great.” She states that she has always found jobs that allow her to be financially stable, with the exception of one, which she worked because she really enjoyed the position.

Women also describe other benefits of their employment, such as enjoying their job, receiving benefits, seeing the room for growth, and feeling proud of their

accomplishments. Katerina explains how having steady employment changed her self-perception. She says she never accumulated savings before and that doing so makes her feel like she is “Becoming an adult.” Katerina had to be persistent to find her current position; she describes the feeling of pride when the company hired her. She discusses how her demeanor changed since finding work, how she became better at budgeting, and is able to work towards additional pay and benefits. About half (53%) of the women explain feeling a potential for growth in their current position. For example, Delia states that she has already experienced a promotion in her current job and is currently training for a managerial position. She explains how she worked hard for her promotions and pay raises to get to the point where she is now. About a quarter of women (27%) indicate that they enjoy their current position. Sara explains she has worked in her current position for over five years and that it is an “Amazing job.” Sara describes working hard to prove herself, make great pay, and she notes she has an employer who appreciates her work.

### ***General Challenges to Employment***

About one third (33%) of women report general challenges to finding employment not specifically related to their justice-involvement or gender status. One of these challenges was the COVID-19 pandemic. About one quarter (27%) of women report difficulty finding employment or experiencing a loss of hours due to COVID restrictions. One respondent, Marguerite said, “...I’m trying to find a second job because-because of this um the Coronavirus, it’s um my hours have been reduced, so I’m trying to find a second job....”

Another woman interviewed, Pat, describes the pandemic as making it nearly impossible to find work. Pat states, "...this time because of the pandemic, it's been almost pointless to even [try to] find a job." Pat was released from custody just before the COVID-19 pandemic caused widespread lockdowns. She explains that because of this timing, she has not had the opportunity to find employment. In addition to the COVID-19 pandemic, women report other general reasons for limited opportunities, not related to their labels as women or justice-involved individuals. For example, approximately 20% of women report that their health was a challenge to employment. For these women, health-related issues such as arthritis, illnesses that place them at greater risk for COVID-19, and stroke interferes with their ability to find, obtain, and sustain employment.

Another challenge women face in the hiring process is a lack of experience or the need for additional trainings. About one third (33%) of women report feeling like their barriers to employment related to their lack of job experience, or that additional training and assistance will help them find work. Marguerite describes having additional challenges in her employment search because she has not worked much in the past. She reports finding work as "doubly hard," not only due to her record, but due to the lack of experience that she has in employment. Marguerite applied to twenty or thirty jobs after her release. Due to her record, lack of experience, or a lack of openings she reports that she has not gotten far in the application processes and received few employment offers. Marguerite explains that prior to incarceration she was a "Housewife" for many years and that her lack of experience limits her current opportunities. Marguerite is currently employed, but is in the process of searching for a second job because she experienced a

reduction in hours due to COVID-19. Other women note that having additional trainings would help them and others find work. When asked if there were any skills, trainings, or educations that would be beneficial for finding work, Brandy states she would benefit from additional computer courses. She reports having computer trainings in the past, but that she was not proficient at using technology. According to Brandy, after her current release from incarceration she has had a much harder time finding employment than in the past. She states that she used job-search websites to apply to over twenty jobs but has not received any calls back, which she attributes to the COVID-19 pandemic and her record. Brandy believes that to successfully work in a position that requires computer use, she would benefit from additional trainings.

While many respondents felt that finding employment was challenging, many were able to eventually find a job. Of the respondents, almost all (93%) have at some point found employment after incarceration, and 67% are currently employed, with 33% currently being unemployed. About one third (33%) of women report finding their employment with ease, while as noted, others struggle. Just under half (47%) of women were able to find places to apply through word-of-mouth and connections, particularly those made at The Welcome Place. Roughly 40% of women note that friends or staff at The Welcome Place helped them find jobs where the company was willing to hire those with justice-contact, and multiple women found employment through these recommendations. Many of the women currently or previously found employment with the same company. These women explain that friends from The Welcome Place helped connect them to this company or other jobs. One participant, Renée describes just how

important connections have been in her work experiences. She says that since her release, she has never really applied for any of the jobs she worked. Rather, she formed working relationships with various employers and proved her abilities, which ultimately resulted in multiple job opportunities. Women also report using online resources to find places to apply. A little less than half (47%) of women report frequently using job-search websites when looking for work. One woman explains that using job-search websites allowed her to apply for over sixty jobs since her release. Taylor explains that she can apply to many jobs in one sitting through these websites, making it an easy way get applications out.

### **Conditional Recidivism and Struggles of Reentry**

In addition, about three-quarters (73%) of women believe that their success was dependent on their location or the difficulties of reentry. Some of the general challenges women face after incarceration were the fear of reentry and the lack of access to transportation.

Roughly 40% of women describe their successful reentry, both in terms of employment and avoiding incarceration, as related to their location. According to Ada, “I knew that [this area] was more friendlier with hiring felons and not looking at your backgrounds and willing to give you a chance....” Ann also says that certain locations have greater opportunities. She explains that where she applied for positions had plenty of jobs, making employment easier to find. Ann also shares that avoiding certain “people, places, and things” was important to her successful reentry. She explains that she does not blame anyone else, but to be successful she wants to continue living where she has access to employment and where she can “Feel safe and good about [herself].” According

to Delia, going to The Welcome Place was important because it gave her somewhere different to go after her release. She explains that it was for the best that she did not return to her hometown, and rather went somewhere that she could learn how to be independent.

Just over one quarter (27%) of women also discuss challenges to transportation or the need for a transition period. These women describe the cost of transportation or having lost their licenses. Sara explains that her outstanding court fines resulted in challenges in her access to transportation, however, states that she hopes to apply to get her license back soon. Taylor argues that there needs to be additional help for those reentering. She believes that the cost of reinstating licenses is a barrier for women, and that a transition period is helpful in reentry. Taylor explains that housing, employment and transportation are all areas where women reentering need more support.

One fifth (20%) of interviewed women describe reentry as a shock or as a scary process, as their experiences while incarcerated were so different. These women explain that they had become accustomed to incarceration. Renée explains, “So, so coming back to the outside world, you know you get accustomed to being in there. You get used to it.” Katerina also reflects on the mixed emotions she had coming out of incarceration:

Looking back, I was so scared of coming here [The Welcome Place], I didn't know what was going to happen, you know. My expectations were everywhere, like, what's going to happen, you know...I was scared and excited at the same time.

Other women describe feeling scared of reentry as well, particularly because they feared recidivating and failure. Freda, notes, “I did a substantial amount of time...so, when I got out the first thing that I was worried about was um myself.” Renée also describes feeling she would be unsuccessful in her reentry. She states that after her incarceration she had very little to keep her from recidivating. Renée’s family was not in contact with her, so upon her release, she believed she would “mess up.”

While some women report the challenges to reentry, they also explain that The Welcome Place was immensely important in their success, not only in employment, but also in forming prosocial relationships. About one-third (33%) of respondents discuss the importance of The Welcome Place. Katerina told me The Welcome Place greatly impacted her because, “They believed in me, because they actually gave me a chance....” According to Renée, the staff members she interacts with became very important to her. She states, “[they] said that if nobody else cared, they did. And that’s all it took for me to do the right thing.”

### **Autonomy**

Lastly, despite many women viewing their records as a challenge to employment and some viewing their gender status as a barrier, the women interviewed had a generally optimistic outlook. A common theme was that women did not think of themselves as limited, even when describing barriers to success. Roughly two-thirds (67%) of interviewed women spoke about their employment and reentry success in this autonomous way. Women describe opportunities as present for those who apply and prove themselves. They suggest that, if given a second-chance women can be successful

in employment, and that the limitations are only self-imposed or perceived. The women seem to view themselves as autonomous; the only thing that can stand in the way of their success is them.

Some of the elements of this optimistic and autonomous theme include the emphasis on applying and advocating for oneself. About 60% of women view that to find employment, one needs only to work hard and have a drive to do so. According to Delia, “It’s definitely up to the women... opportunity is there...I think that it is a [careful] planning thing, you have to plan and execute...I don’t think there’s any limit to anybody.” Delia continues, “The jobs are out here, you just have to have the will and the drive to go out there and go and get it.”

Other women mirror Delia’s outlook, describing that through persistence, they were able to accomplish their employment goals. According to Ann, The Welcome Place was a “new beginning for her.” However, she states that it is up to each woman to make the most out of the opportunity, saying, “If you do the footwork and are, you know, basically there to get better, it works.” Another participant, Sara, notes that the position she originally wanted had no paid openings. However, through persistently checking-in, volunteering, and showing her determination, she eventually got the job. Other women also describe the importance of proving themselves to their employer. Marguerite acknowledges the difficulty of finding employment with a record, however, says, “You really gotta talk to the manager and just get them to give you a chance. You know, um just to prove yourself.”

Ultimately, some women view the only barrier to success as themselves. These women describe once viewing their opportunities as limited, however, upon applying themselves, working diligently, and having a second chance, they realized they were holding themselves back. When asked if she had experienced any barriers in employment Delia states, “You know, I think the barrier would have just been myself. You know, if I didn’t put in the effort.” The themes presented show an interesting conflict. Women largely acknowledge challenges to employment, including their records, gender, and other factors, yet many also were optimistic about their opportunities. Despite experiencing barriers to employment and the challenges of reentry, the women still viewed their success as their own making.

## DISCUSSION

Current literature, which largely represents men's experiences, suggests the presence of a criminal record impacts one's ability to find employment opportunities (Pager, 2003; Uggen et al., 2014, Western, 2002; Pager et al., 2009; Pager, 2003; Petersilia, 2001; Agan, 2017; Whittle, 2018; Lopes et al., 2012; Agan & Starr, 2017; Agan & Starr, 2018; Natapoff, 2015). This study lends support to this research. While nearly all interviewed women were ultimately successful in finding work, the vast majority also describe their criminal records as barriers to employment. Some women also feel that their records impact their ability to find fulfilling and adequately paying jobs. Research on women's employment suggests that women make up a slight minority of the workforce and experience a wage gap (U.S. Department of Labor, 2016; U.S. Department of Labor, 2018). Literature suggests that devaluation of emotional labor and workforce interruptions explain the differential pay and access to employment women experience (Guy & Newman, 2004; Hochschild, 2012; Malcolm, 2012; Weisshaar & Cabello-Hutt, 2020; Tazeen et al., 2015). This study finds mixed support for this research. Some interviewed women feel that factors such as family obligations, gendered employment, limited opportunities and unequal treatment impact their opportunities for work. Others, however, describe feeling familial support and motivation, and equal opportunities, even in male-dominated industries. This presents an area of future

research, potentially looking at *why* some women identify their gender as limiting their opportunities, whereas others do not.

One interesting finding from this research is the paradox between women's experiences with employment and their personal outlook on life. As discussed, women overwhelmingly acknowledge the challenges associated with criminal legal contact in finding employment, some view their gender as limiting their options, and others face different challenges to employment, such as their health, pay, and the COVID-19 pandemic. However, many women maintain an optimistic and autonomous outlook on their lives. These women experienced systemic barriers, however, still view their failures and successes as their own.

One participant's experiences particularly exemplify this pattern. According to Katerina, she faces a variety of barriers in her employment related to both her gender and criminal legal contact. She explains feeling she has better chances of finding work with a female employer than a man and has experienced being passed up for promotions because of her gender. Additionally, Katerina explains that after experiencing incarceration multiple times, she found employment became more and more challenging. After her carceral-release, she believed her record would limit her employment to low-earning positions, until she found her current job, however. Despite describing challenges in her past employment because of gender and criminal legal contact, Katerina states, "...I believe if every female came to a realization that they are better than who they used to be, they can make it, you know.... So it is possible, and I tell everybody else- like you know, it's what you make it to be, your life." Like Katerina, other interviewed women

share this empowerment narrative, that despite barriers and challenges, women can control their own circumstances.

One potential explanation for this conflict in experiences and beliefs is exposure to empowerment perspectives, which are increasingly used in the criminal legal system, substance-use disorder treatments, and social work. The women's autonomous narratives closely mirror the tenants of strength-based models, which emphasize one's ability to control their own life, motivate individuals to achieve goals, and focus on identifying and using one's strengths (Schlager, 2018). Strengths-based tools such as the Good Lives Model and Motivational Interviewing have grown in popularity in the criminal legal system and substance- use treatments (Kewley, 2017; Andrews et al., 2011; Ward et al., 2012; Armstrong et al., 2016; Norton, 2012). The Good Lives Model seeks to provide those in contact with the criminal legal system "internal and external resources to live a good or better life" (Ward et al., 2012, p. 95). The Good Lives Model emphasizes 11 states that all individuals seek. These include: Life, knowledge, excellence in play, excellence in work, excellence in agency, inner peace, friendships, community, spirituality, happiness, and creativity (Ward et al., 2012, p. 95). This model identifies criminogenic risks and barriers to success, while promoting positive goals and values (Ward et al., 2012).

Motivational interviewing is an increasingly common practice of case management, where those involved with the criminal legal system communicate and collaborate with case managers to identify goals, make plans for change, and identify strengths (Norton, 2012; Armstrong et al., 2016). Motivational interviewing emphasizes

an individual's capacity for change and uses "change talk", where case managers facilitate clients to identify the reasons they need to change, and "sustain talk," when clients commit to change (Norton, 2012; Armstrong et al., 2016). Current literature suggests that motivational interviewing is effective in changing behavior, both when used on its own and when combined with other treatments (Armstrong et al., 2016). While strength-based models have some empirical support and the allure of focusing on strengths over deficits, there is a concern that this perspective may ignore broader social and political forces (Bransford, 2011).

While the current research was unable to identify if interviewed women experienced strength-based models, the prevalence of these tools in substance-use treatments and growing use in community corrections, and the parallels between these models and participant outlooks makes this explanation possible. Motivational interviewing is an evidence-based intervention for drug and alcohol abuse (Norton, 2012; Armstrong et al., 2016; Bogue & Nandi, 2012) and "is increasingly viewed as having the potential to become an evidence-based practice in community corrections" (Armstrong et al., 2016, p. 1099). Interviewed women have experienced a variety of contact with the criminal legal system, substance use treatments, educations, and resources from the reentry organizations. According to the Department of Justice's guide, "Motivational Interviewing in Corrections: A Comprehensive Guide to Implementing MI in Corrections", case managers must assume the "assumptions inherent in the spirit of MI" (Bogue & Nandi, 2012, p. 14). Some of the assumptions of motivational interviewing are client autonomy, and that "the responsibility of changing lies with the client" (Bogue &

Nandi, 2012, p. 14). The theme of autonomy present in this research and the women's belief that change and success is of their own making is congruent with motivational interviewing training.

Another possible explanation for how women view their autonomy, despite the barriers they experience, is simply that many *have* ultimately found success in their employment and reentry. As discussed, a majority of participants are currently employed, many of whom are satisfied with their position and pay. However, these women have also had to persevere to find these positions, and some describe making conscious life choices that promote their reentry. It is possible that these women's outlook on life are reflective of their current success. Many women identify the importance of the reentry organizations in providing the *opportunity* to change; a place where they can take control of their futures. For example, Katerina explains that through the Welcome Place she has "been able to widen variety, to advocate for [herself]...". Ann reports that if a woman is "seriously seeking help" she recommends the Welcome Place. She views the reentry organization as a place to "get better".

This trend of perceived success as a result of hard work, particularly at the reentry organizations, is consistent with the life course theory. The life course theory argues that turning points provide an avenue for change by creating social control, changing routine activities, and creating commitments to conventional activities (Laub & Sampson, 2003; Cullen et al., 2018). Access to opportunities at the reentry organizations could have been some women's turning point. Some women describe that the reentry organizations were important in providing social support and connections to employment, which aligns with

Laub & Sampson's (2003) theory that turning points increase social control (Cullen et al., 2018). Additionally, as discussed, some women felt it was important to change their environment after incarceration for their success. For these women, the reentry organizations provided transitional support, helping them find housing, employment, and resources in new areas. One participant, Delia, describes The Welcome place as "a job in itself". She explains how it required she "...stay in a place where you have set amount of rules, you [cannot] go and come as you please..." The reentry organizations changed women's environment and routines, which aligns with the concept that turning points encourage changes in routine activities (Laub & Sampson, 2003; Cullen et al., 2018). Lastly, it is possible that the women's autonomous outlooks reflect their commitments to conventional activities (Laub & Sampson, 2003; Cullen et al., 2018). These women describe feeling that their opportunities are limitless in their employment, that with persistence they can be successful, and that their lives are in their control. These ideals reflect the work and investments they have made in their employment and reentry. Laub & Sampson (2003) argues turning points provide the opportunity for desistance, however, human agency requires that individuals commit and act on change (Cullen et al., 2018). Multiple women mirror this perspective in their outlooks on the reentry organization and in their employment, believing that the opportunities are out there for those willing to put in the work.

The paradox between experienced barriers and autonomous outlook is a potential area for further investigation. Future research should further examine how barriers impact those in contact with the criminal legal system's outlooks. In addition, future research

should continue to study strength-based models, turning points, and other mechanisms of change that may explain why individuals may maintain such optimistic outlooks despite systemic challenges.

Some limitations to the current research include the inability to conduct face-to-face recruiting and interviewing and generalizability. Safety restrictions on in-person research created some challenges in recruiting and interviewing, which potentially resulted in shorter and fewer interviews. To better understand women's experiences with employment after incarceration, research on this topic should continue in-person.

An additional limitation is the generalizability of these findings. This study uses data collected via convenience samples of two reentry organizations, which does not make these results generalizable to all previously incarcerated women for several reasons. First, both reentry organizations are located on the east coast. Women from different geographic regions may experience different challenges or opportunities in their employment and reentry. Secondly, all participants currently/previously receive support and resources from reentry organizations. Despite increases in incarceration rates and needs for services, many women do not have access to reentry programs and organizations (Garcia & Ritter, 2012, Scroggins & Malley, 2010). As discussed, many interviewed women found employment from connections made at the reentry organizations and others emphasize the social support staff members provide. The findings that most women ultimately found employment and maintain an optimistic viewpoint may not be consistent with all women's experiences in reentry, particularly those not receiving support from a reentry organization. Lastly, the scope of this project

did not allow for enough data to evaluate how race impacts women's experiences.

Research on both reentry (Pager, 2003; Pager et al., 2009; Pager, 2003) and women's employment (Pettit & Ewert, 2009) suggest barriers are intersectional, meaning that race further impacts challenges to employment for both groups.

Despite the limitations of this project, this research suggests that women experience complex pathways to employment following incarceration. However, many women successfully navigate a host of challenges, including their criminal records, gender barriers, health, and more, to find employment while believing in their autonomy over their lives. Future research should examine how the intersection of race, gender, and criminal legal contact impact employment and reentry. In addition, future research should continue to examine the impacts of empowerment models, turning points, and other mechanisms of change on outcomes and outlooks.

## APPENDIX

### Appendix A: Interview Guide

#### **Opening question:**

Please spend a few minutes telling me about your employment experiences since being released.

#### **Background questions:**

1. Please tell me about your current education level?
2. Were you employed prior to your conviction?
  - a. If yes, what did you do?
  - b. If not, why?
    - i. Were you looking for work, in school, etc.?

#### **Employment Questions:**

1. Have you applied for any jobs since being released?
  - a. If yes:
    - i. How many?
    - ii. What kinds?
    - iii. What was the outcome?
    - iv. How did you perceive your chances of getting this position?
  - b. If no:
    - i. Is there a specific reason?
2. If currently employed:
  - a. What do you do?
  - b. Do you see the potential for growth in this position?
  - c. How do you perceive your ability to meet any financial obligations with the pay you receive from this position?
  - d. How do you perceive your ability to live off of the pay you receive from this position?
3. If not currently employed:
  - a. Are you actively looking for work?
  - b. What barriers do you think are keeping from being hired?
  - c. What skills/education/etc. do you think you need to be hired?
  - d. What is your ideal position?
    - i. Do you have any skills, experience, or expertise in this position/field?
    - ii. What barriers do you face getting your ideal position?

### **Gendered Experiences Questions**

1. Is there a field that you would prefer to be working in, but due to your gender, you feel that you would not be hired?
  - a. What about your criminal history- is there a field you would like to work in, but you do not think you would be hired because of your record?
2. Do you feel that you have had equal experiences as men in your employment history? Potential prompt questions:
  - a. Job offers?
  - b. Pay?
  - c. Promotions?
  - d. Respect?
3. Throughout your life, do you feel that family responsibilities have limited your education or employment opportunities?
  - a. If so, in what ways?
4. Do you feel that there are opportunities for employment for women with criminal records? Explain why/how and in what fields/positions?

### **Demographic Information:**

1. What is your race/ethnicity?
2. What is your age?
3. What is your current living situation?
  - a. Do you have children?
    - i. Ages?
    - ii. Are you the primary caregiver of your children or any other family members?
      1. Single parent?

### **Closing question:**

1. Is there anything else you think I should know about your/women's employment opportunities after being released from jail/prison?

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## **BIOGRAPHY**

Arden Richards-Karamarkovich received her Bachelor of Arts in Sociology with a concentration in Criminology from Christopher Newport University in 2019. She continued her education at George Mason University. Arden will begin pursuing a PhD in Criminology, Law and Society from George Mason University, where she hopes to continue researching women's experiences in the criminal legal system.