

Discussion of Steven Raphael's
"Employment Challenges Faced by People with Criminal
Histories"

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Roadmap

1. Challenges of empirical exercise
2. New research opportunities
3. Policy prescriptions

Challenges of empirical exercise

Goals of paper cut to the core concerns of those who study the U.S. justice system:

- How much worse are economic outcomes for justice-involved individuals?
- Why are they worse?
- What can we do about breaking the cycle of recidivism?

Fundamental challenge faced by this field of work:

- Lack of data integration to put the dynamics of justice-involvement in conversation with socio-economic outcomes
- Especially challenging at the national level

Solution:

- Predict likelihood of incarceration based on characteristics available in national survey data

Pro's and Con's of prediction

Traits like sex, race/ethnicity, age, educational attainment, and state of residence predict institutionalization rates well:

Table 1

Descriptive Statistics for Non-Institutionalized Adults 22 to 55 by Deciles of Group-Specific Institutionalization Rates

	Bottom five deciles	Decile 6	Decile 7	Decile 8	Decile 9	Decile 10
Prop. of the institutionalized	0.038	0.035	0.061	0.106	0.186	0.576

If we are interested in the broader question of how justice-involvement impacts employment dynamics, is this enough?

Pro's and Con's of prediction

Ample research demonstrates important connections between broader forms of justice-involvement (e.g. criminal records) and labor market outcomes

- Pager (2003), Uggen et al. (2014), Jackson & Zhao (2017), Agan & Starr (2018), Mueller-Smith & Schnepel (2021), Finlay, Mueller-Smith, & Street (2023), Mueller-Smith, Pyle, & Walker (2023)
- In recent decades, for every 1 person under institutional supervision (jail/prison) there was more than 2 individuals under community supervision

And, we think there are scarring effects associated with justice-contact

- Prediction model will discount long-term impacts since age-crime profile concentrates most contemporaneous justice-involvement among younger individuals

Pro's and Con's of prediction

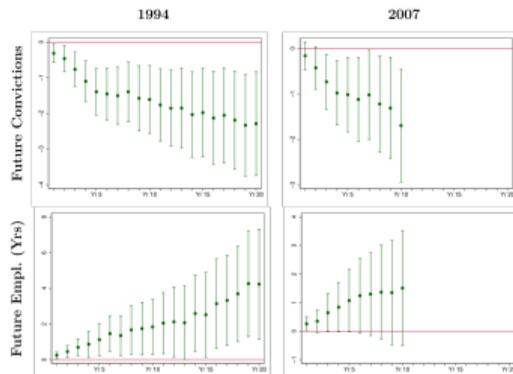
Finally, the exercise is complicated by the role of statistical discrimination

- If non-justice-involved individuals suffer because many people with similar backgrounds are inmates, how do we interpret the relationship between prediction and realized employment outcome?
- Surely an impact of the justice system, but not exactly a direct effect
- Not necessarily remediated by interventions to improve outcomes for justice-involved individuals, but potentially made worse (e.g. ban-the-box)

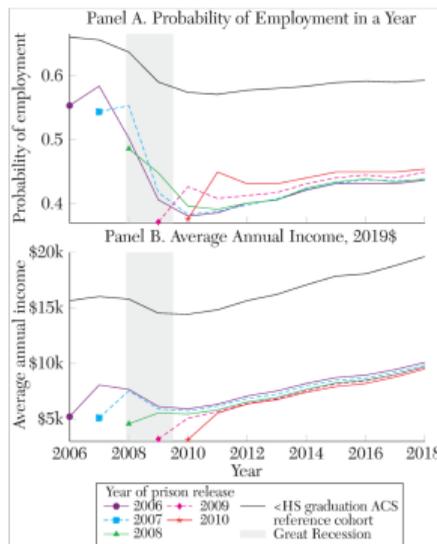
New research opportunities

New opportunities to study the intersection of justice-involvement and labor markets:

Mueller-Smith & Schnepel (2021)

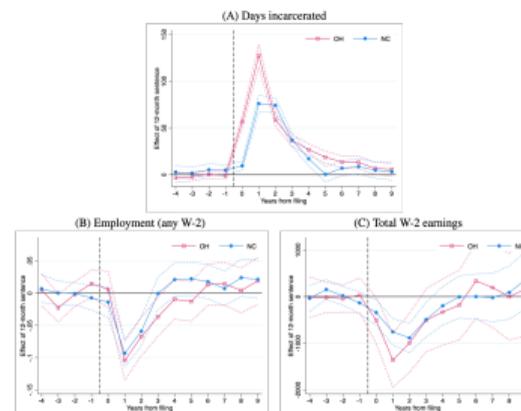


Finlay & Mueller-Smith (2021)



Garin et al. (2023)

Figure 2: Effects on incarceration, employment, and earnings



Common theme: integrating restricted administrative crime data with earnings data

New generation of research has drawbacks:

- Long and opaque data request processes
- Significant restrictions on access mechanisms
 - ⇒ Limited output and inequality across researchers

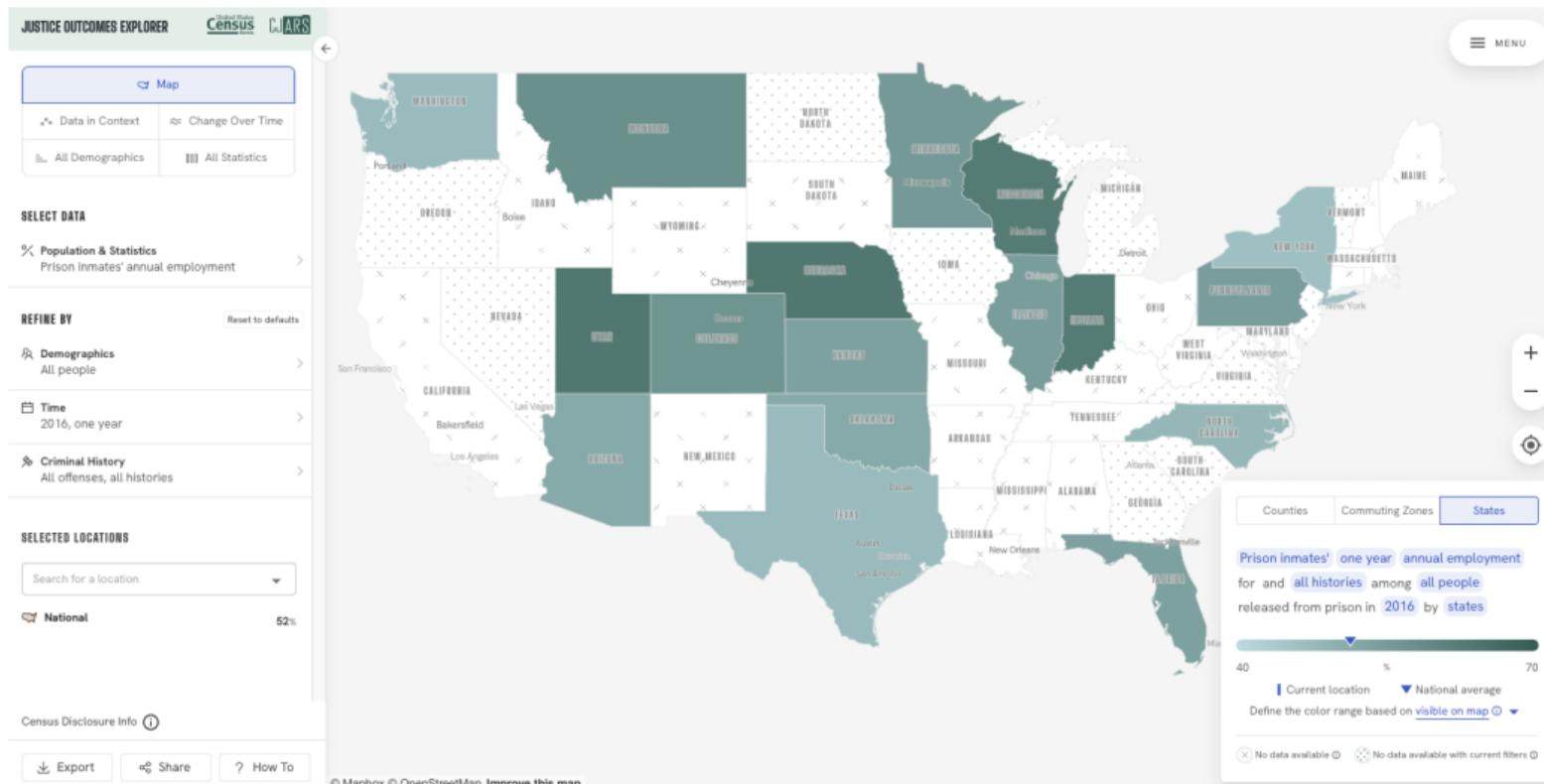
To help resolve some of these concerns, CJARS is launching a new data portal in 2024q1:

Justice Outcomes Explorer

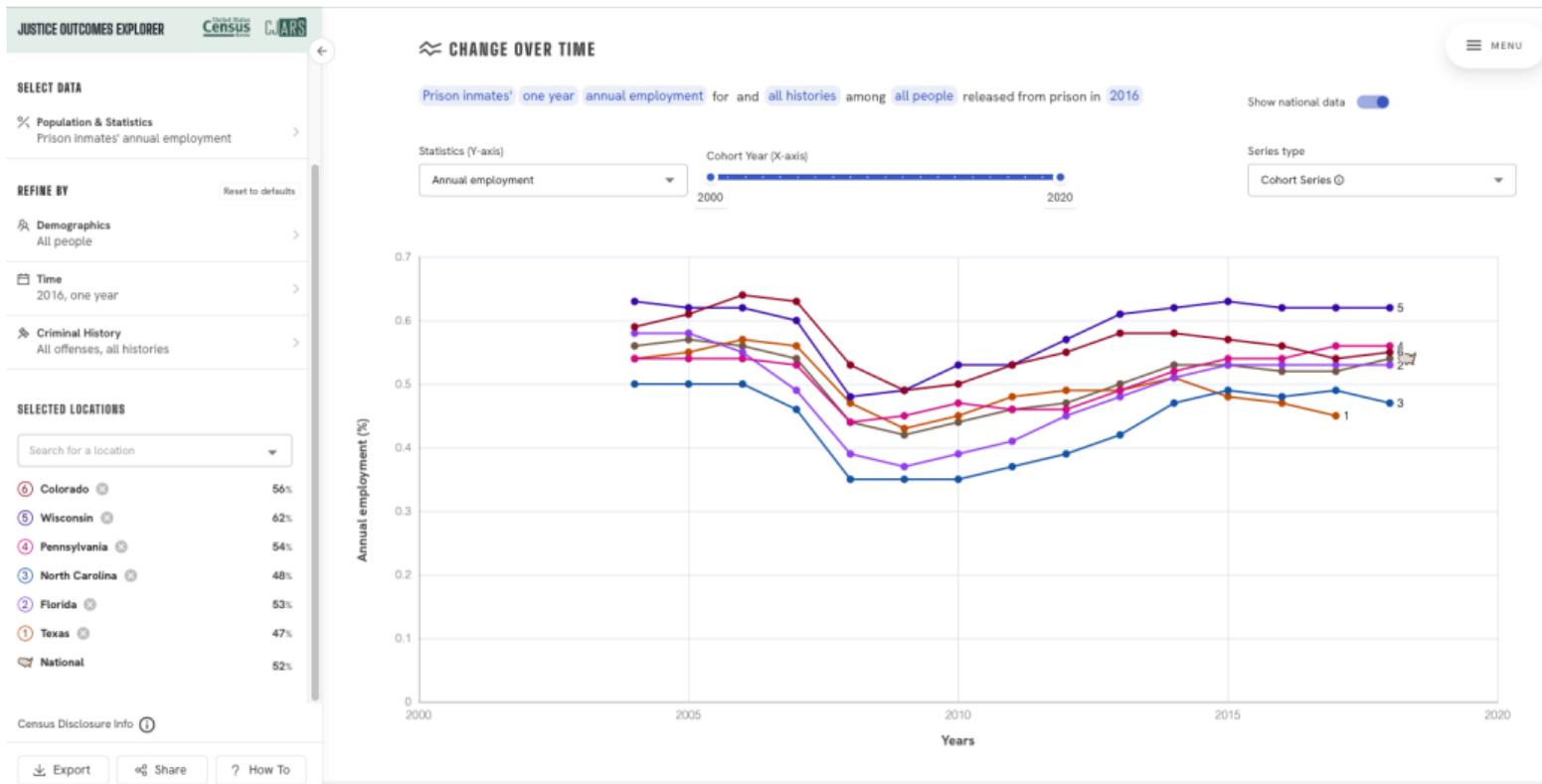
Justice Outcomes Explorer



Justice Outcomes Explorer



Justice Outcomes Explorer



Justice Outcomes Explorer

JUSTICE OUTCOMES EXPLORER powered by Census **CJARS**

SELECT DATA

Population & Statistics
Prison Inmates' annual employment

REFINE BY Reset to defaults

Demographics
All people

Time
2016, one year

Criminal History
All offenses, all histories

SELECTED LOCATIONS

Search for a location

- Colorado 56%
- Wisconsin 62%
- Pennsylvania 54%
- North Carolina 48%
- Florida 53%
- Texas 47%
- National 52%

Census Disclosure Info

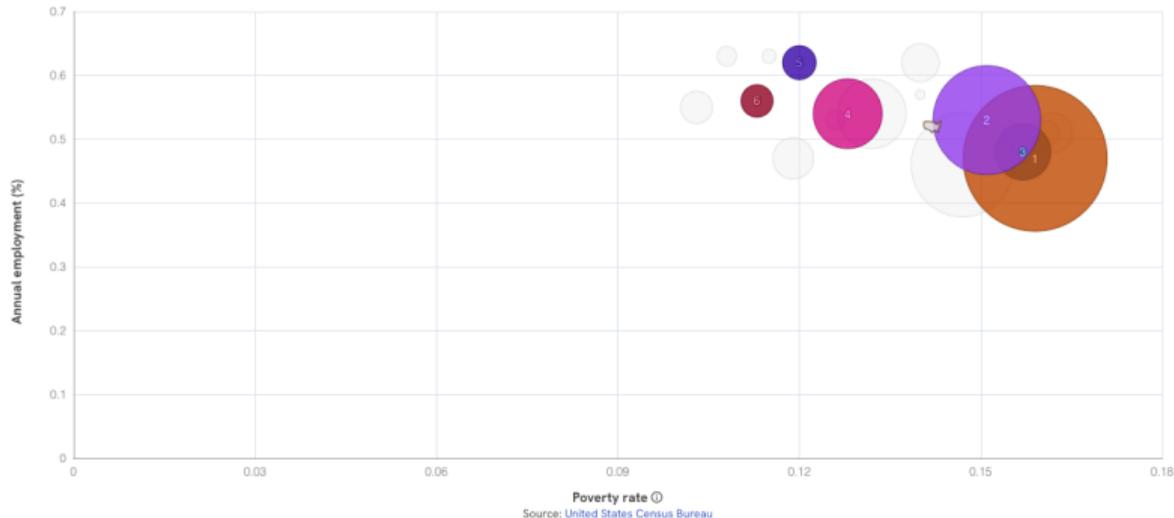
Export Share How To

DATA IN CONTEXT

Prison inmates' one year annual employment for and all histories among all people released from prison in 2016 by states

Show national data

Statistics (Y-axis) Context metric (X-axis) Currently viewing



Not a perfect solution for Steve's goals

1. Less granular employment information:
 - Annual periodicity will miss some transitions, fewer years to track
 - Can't differentiate unemployed versus NILF
2. Still working on complete national coverage
 - Existing "national" estimates weight states according to observable traits
3. Some socio-demographic breakouts (race/ethnicity, sex, age-bin) but not all
 - Less perfect prediction if wanting to explore spillovers from statistical discrimination

Perhaps a useful benchmark to gauge results from CPS + ACS-prediction.

→ Also, CPS is available for record-level merge with CJARS through the FSRDC system!

Policy prescriptions

Quick final thoughts on policy prescriptions:

1. Ex-ante (diversion) versus ex-post (expungement) solutions
2. Employer liability through negligent hiring laws:
 - See Pyle (2023); consistent with Cullen et al. (2023)
3. Limitations for Certificates of Rehabilitation
 - Inconsistent with evidence on subsidized employment efforts
 - What to do for non-institutionalized folks?

Conclusion

- Great paper on an important topic
- Lots of potential opportunity to deepen the analysis
- Will be of interest to many who currently work on reform efforts in the justice system