

## EMPLOYMENT ISSUES AMONG EX-OFFENDERS: DIFFICULTIES IN SECURING EMPLOYMENT AND BARRIERS OF EMPLOYMENT

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### ABSTRACT

*It is believed that employment could reduce recidivism among ex-offenders. Most of them tend to relapse if they are unable to find a steady and worthwhile employment. Detention creates a set of experiences for individuals as they often lose their jobs and discouraged from obtaining employment upon their release. There are two main barriers they face in labour market which are the supply and demand. The supply side refers to the characteristics, attitudes, skills, and experience of the ex-offenders. Meanwhile, the demand side concerns with employers' attitudes and the economic climate, as well as government policy in supporting the employment of ex-offenders. This paper discusses in detail the difficulties of ex-offenders in securing employment and barriers to employment as well as recommendations to overcome the employment issues.*

**Keywords:** employment, recidivism, ex-offenders, barriers of employment

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### INTRODUCTION

Imprisoned offenders have been frequently portrayed as poor, uneducated, unemployed (before and after release from prison), and commonly re-incarcerated (after release from prison). There are many different possible contributing factors that might explain why released offenders could not successfully re-enter the community. A consistent finding is that uneducated and unemployed offenders were likely to become recidivist offenders (Blomberg, Bales, and Piquero, 2012).

Previous studies revealed that post-release recidivism rates were different among different types of criminal offenders. For example, results of reentry studies (Hughes & Wilson, 2004) revealed that the recidivism rate was 61.7 percent for violent offenders, 73.8 percent for property offenders, 66.7 percent for drug offenders, and 62.2 percent for public-order offenders. Roman, Townsend, and Bhati (2003) found the recidivism rate for drug offenders within 1 year after release was 16.4 percent, but the recidivism rate was accelerated to 27.5 percent within 2 years after release.

The most plausible reasons to clarify the relatively high recidivism rate among released offenders were centered on the offenders' lack of vocational job skills, lack of interpersonal skills, as well as criminal history (Vacca, 2004). A consistent finding from previous studies showed that ex-offenders were probably to be unemployed after release from prison due to their insufficient job skills and low educational background. Previous studies' results showed that "unemployed" offenders were likely to be re-incarcerated after release from prison or rehabilitation centres. Furthermore, La Vigne, et al. (2008) identified that the post-release employment was the most important indicator of recidivism and the success of an offender's reentry into the community.

Nevertheless, released offenders normally encountered numerous challenges, for instance, criminal background check while seeking for a job upon release from prison (Travis 2005). Moreover, previous researchers (Rossman and Roman 2003; Vacca 2004) also indicated that released offenders could not find a suitable job because of their deficiency in education, work experience, and job-related skill.

### EMPLOYMENT REDUCES RECIDIVISM

Many researchers agree that employment could reduce recidivism (Berg & Huebner, 2011; Lo, 2014; Kethineni & Falcone, 2007; Nally et al., 2016; Brown, 2011). The failure to find permanent, worthwhile employment and failure to stabilize economic resources are the key contributors to recidivism among the ex-offenders. There are almost two-thirds of the ex-offenders return to prison within three years from their release. The ex-offenders face formidable barriers to employment, including legal limitations and their lack of skills, education, and training. In addition to these real barriers and the stigma associated with having a criminal record, the ex-offenders' prospect of securing employment is further complicated by the high national unemployment rate which is the sign of a current economic downturn (Brown, 2011).

Obtaining employment is one of the factors that influence offenders' possibility to desist from criminal activity upon release (National Research Council, 2007). Most criminological research indicates a strong converse relationship between employment and crime, suggesting that ex-prisoners who obtain employment are at significantly reduced risk for re-offending (Laub & Sampson, 2003). In fact, a recent study found full-time employment to be the second strongest discriminator between recidivists and non-recidivists (Benda, Harm, & Toombs, 2005). Furthermore, Uggen (2000) found that prisoners, particularly those 26 years of age and older, who join in work release programs upon release from prison are better able to abstain from crime, suggesting that work seems to be a positive move in the life-course for ex-prisoners.

This study found that obtaining full-time employment was associated with increased time until re-offense (Benda, Harm, & Toombs, 2005). Further analysis on the effect of employment on time to reincarceration is important as delayed recidivism may be a more sensitive measure of offenders' behavioral change process. Thus, obtaining employment upon release from prison may be helpful in positively affecting the process of withdrawing from criminal activity. Past study indicated that offenders' employment upon release from prison helps to extend their time crime-free in the community. This study considered desistance as a behavioral change process which reduced offending and increased lengths of non-offending periods (National Research Council, 2007).

Nonetheless, Ramakers et al. (2017) reported unexpected finding regarding the recidivism risks in the Netherlands. They found that the mere presence or absence of a job did not reduce ex-offenders recidivism risks after confounding factors were controlled for. Nevertheless, recidivism risks are related to certain types of jobs and occupation level. They reported that ex-offenders who work at higher positions, such as manager, real estate agent were less likely to recidivate within half of the year. This is discussed based on economic theories that a pleasant job will make it easier to satisfy the needs and desires through legitimate means. Thus, the risk of losing such a job could refrain offenders to commit crimes.

#### **DIFFICULTIES IN SECURING EMPLOYMENT**

Employment is believed to have a significant effect in reducing recidivism. Nonetheless, the ex-offenders generally experience difficulties in securing a job after serving their sentence. Research consistently reports that ex-offenders face numerous and complex adversities in getting a job (Lo, 2014). In the United Kingdom, there were two-thirds of the ex-offenders who lost their jobs due to their crime conviction (Stewart, 2008). Meanwhile, in Minnesota, 75 percent of ex-offenders were reported being unemployed for at least one year after their release (Hulsey, 2012). With long prison sentences, prisoners often lose their opportunity to gain work experience and networks to potential employers are detached.

Lichtenberger (2006) mentioned that five core industries ex-offenders be employed in Virginia are construction, manufacturing, accommodation and food services, retail trade, and administrative and support services. Nevertheless, the construction industry has the highest relative industrial core among other industries. It is shown that this sector offers the most job stability for the greatest number of ex-offenders. The second highest relative industrial is manufacturing industry, whereas the employment in the accommodation and food services; and administrative and support services industries remains the third highest.

Nally et al. (2014) in their study also found that ex-offenders were mostly hired in low wage and labour-intensive industries, such as accommodations and food services, manufacturing, construction, and retail trade sector. They also have the potential to be employed in blue collar jobs (Holzer et al., 2003). On top of that, the ex-offenders are underrepresented in industries, such as information, finance and insurance, professional, scientific, and technical services, education services, healthcare, and public administration. Besides that, a limited number of them are also employed in semi-skilled industries, such as mining, utilities, and agriculture (Lichtenberger, 2006).

Despite securing employment is crucial in relapse prevention, other mechanisms are also found to be important, such as therapeutic counselling, religiosity or faith, continued skill enhancement, and rebuilding community connections (Johnson, 2013).

#### **BARRIERS TO EMPLOYMENT**

The difficulties experienced by the ex-offenders during incarceration are: (1) being unable to secure employment; (2) getting fired from a job; (3) maintaining contact with friends; (4) ignoring old friends and networks; (5) reopening communication with the loved ones; (6) identifying relapse triggers; and (7) the role of spirituality in their lives (Tiburcio, 2008). Employment is the most salient barrier the ex-offenders experienced.

The ex-offenders who are seeking employment, face two kinds of barriers in labour market, namely supply and demand (Holzer et al., 2003). The supply side refers to the characteristics, attitudes, skills, and experience of ex-offenders in seeking employment. For instance, the factors affecting the employability are limited education and cognitive skills, limited work experience, transportation difficulties, insufficient job connections, substance abuse and other physical or mental health problems (such as HIV, AIDS, Hepatitis C), emotional disorders or depression and past sexual abuse, and labor market discrimination among minorities (Holzer et al., 2003).

Meanwhile, the demand side concerns about the employers' attitudes, the economic climate, and government policy in supporting the employment of ex-offenders. In many states, the employers can be held liable for the criminal actions of their employees under the theory of negligent hiring (Holzer et al., 2003; Raphael, 2007). Hence, employers are mostly reluctant to hire those with criminal records as they are required to check the past criminal activity before making a decision. A criminal background check is nevertheless, a pre-employment investigation that has become more convenient for employers to carry out due to the technological changes. Personal information is increasingly available over the Internet and some of this information

can be used during the hiring process. Once the criminal history records become available on the Internet, labour market becomes worse for the ex-offenders (Finlay, 2008). Same situation happens in Malaysia. Fauziah et al. (2011a) showed that many employers are still averse in hiring ex-drug addicts as employees despite they have qualifications and skills.

Furthermore, the stigma of incarceration is another barrier that ex-offenders have experienced (Holzer et al., 2003). When people are incarcerated, they often lose their jobs. Upon their release, they encounter difficulty to find employment due to the criminal conviction and civil disenfranchisement (Kurlychek & Kempinen, 2006). Limited opportunities for people with marks on their criminal records are exacerbated by social stigma, which views ex-offenders as those with character flaws (Bushway, 2004). Similarly, Shivy et al. (2007) reported akin concerns regarding the stigma associated with a felony conviction in their qualitative examination on the workforce re-entry experiences of 15 nonviolent offenders. The participants in their study expressed concern about the implications of disclosing their conviction on a job application and the stigma of the loss of privilege due to a felony conviction. In the study, they found 11 domains that ex-offenders concern about, including substance abuse issues, lack of adequate education, navigating the system, stigma associated with ex-offender status, and social networks.

A case study conducted by Johnson (2013) on an African American ex-offender living in New York showed that environmental barriers would affect the ex-offenders in job search. It is then resulted in homelessness and possible relapse (alcohol). On the other hand, positive relationships with the community would make the offenders to feel "human" again and no longer labelled as "ex-con" (Johnson, 2013). The role of social networks is particularly important to ex-offenders in terms of potential support and networking (Shivy et al., 2007). For instance, Berg and Huebner (2011) conducted research based on administrative data and found that offenders with a good quality connexion to relatives are more likely to be employed during the follow-up period.

The social support the ex-offenders received from the family members will ultimately motivate them. Thus, they are able to immerse themselves into more conventional life domains. Similarly, the ex-offenders who are married and have a strong attachment to their children are employed shortly after their release. This implies that marriage and attachment to children can be the indicators of commitment to a prosocial lifestyle. Thus, the family obligations could serve as an informal social control on deviant behaviour and indirectly leads the ex-offenders to better employment outcomes (Visher, Debus-Sherrill, & Yahner, 2011)

Apart from the employment barriers, the ex-offenders also experience another degree of stress. Some of them who have childcare responsibilities may feel immediate and significant stress. Nonetheless, many female offenders have their children returned to them immediately upon release before they successfully secure housing or employment (Shivy et al., 2007).

#### **EMPLOYMENT SERVICES FOR EX-OFFENDERS**

In Hong Kong, there are four employment services provided by the Society of Rehabilitation and Crime Prevention (SRACP), including pre-vocational training, job matching, social enterprise, and entrepreneurship guidance. These services aim to enhance the competitive capacity of ex-offenders in the labour market, to find the job that meets employer's requirements, to increase ex-offenders initiative income, and to support them in starting their own small businesses (Lo, 2014). These initiatives could assist the ex-offenders in obtaining employment and ensuring them to have a purpose in life.

Moreover, having steady and rewarding employment could reduce the relapse among ex-offenders. For example, Tiburcio (2008) examined 25 former heroin users (15 males and 10 males), mostly Latino and African New York City ex-offenders, who have remained abstinence from heroin use for a period of five years and above. Most of the participants in this study maintained active employment and were leading productive lives. Many of them attributed their successes to training and re-entry programs they received in the system.

Based on Fauziah et al. (2010) study, the ex-addicts in Malaysia should be provided with the opportunity to get an employment since recent findings found that the majority of addicts are reported to have high percentage of motivation and initiatives in taking steps towards positive changes. Results also showed significant differences between genders in making positive changes to overcome their addiction. These findings indicated that men rehabilitees were more ready to make positive changes than women.

Malaysia could reduce its dependency on foreign workers if companies are willing to hire former prisoners. The ex-offenders should be provided a second chance after serving their jail term and be accepted if the society intended to prevent them committing crimes again. The economic sectors which the ex-offenders could be employed are plantation, manufacturing, retail and services (*The Star Online*, 2017). Thus, the employment services are required to be developed comprehensively to assist the ex-offenders being employed and getting back to normal life after being released from prison or rehabilitation centers.

#### **CONCLUSION**

Employment issues among ex-offenders need to be considered seriously. In Malaysia, this effort should be deliberated due to the fact that majority of ex-offenders are unable to find a job after release. Employers need to give a second chance to ex-offenders after their release and accept them as a team to avoid them from relapse. If properly selected, these ex-offenders will prove to be just as reliable as recruits who come from elsewhere. On the other hand, the government needs to provide effective and comprehensive employment training and programs to ensure that ex-offenders are well-equipped with necessary skills and knowledge to uplift their productivity. Even though they will be potentially employed in low wage economic sectors such as construction, plantation, manufacturing, retail trade, and food services, these jobs could support them to earn their living and remain abstinence from abusing drugs or committing crime. Besides that, society including family and peers also need to play their role in combating this issue. They need to give social and moral support to the ex-offenders to restore ex-offenders' self-

esteem and sense of belongings. The support they received from people eventually could be a motivating force and bounce positive impact to their employment and employability.

#### ACKNOWLEDGEMENT

This research has been funded by AADK and IPSOM. Research on “The Impact of NBOS3 AADK to the Clients through Work Therapy” has been completed on 15 May 2018. Research code is SK-2017-019.

#### REFERENCES

- Asbah, R., & Zainal, M. (2016). Issues and Challenges of Drug Addiction among Students in. *Society For Science and Education*, 3(8), 77–89. <https://doi.org/10.14738/assrj.38.2126>.
- Benda, B. B., N. J. Harm, and N. J. Toombs (2005). Survival analysis of recidivism of male and female boot cap graduates using life-course theory. *Journal of Offender Rehabilitation*, 40:87-113.
- Berg, M. T., & Huebner, B. M. (2011). Reentry and the ties that bind: An examination of social ties, employment, and recidivism. *Justice Quarterly*, 28(2), 382–410. <https://doi.org/10.1080/07418825.2010.498383>.
- Blomberg, Thomas G., Williams D. Bales, and Alex R. Piquero. (2012). Is educational achievement a turning point for incarcerated delinquents across race and sex? *Journal of Youth and Adolescence*, 41(2), 202-216.
- Brown, C. (2011). Vocational psychology and ex-offenders’ reintegration: A call for action. *Journal of Career Assessment*, 19 (3), 333–342. <https://doi.org/10.1177/1069072710395539>.
- Bushway, S. (2004). Labour market effects of permitting employer access to criminal history records. *Journal of Contemporary Criminal Justice*, 20, 276–291. <https://doi.org/10.1177/1043986204266890>.
- Fauziah, I., Arifin, Z., Wan Shahrazad, W. S., Lukman, Z. M., Roseliza Murni, A. R., Zainah, A. Z., & Siti Fatimah, G. (2010). Measuring motivational readiness for change among drug addicts in Malaysia: A descriptive analysis. *The Social Sciences*, 5(5), 429-432.
- Fauziah, I., Omar, M., Lukman, Z. M., Alavi, K., Sarnon, N., Nen, S., & Subhi, N. (2011a). Employment barriers against people with drug use histories. *Pertanika Journal of Social Science and Humanities*, 19: 109–114.
- Fauziah, I., & Roselizamurni, A.R., Kamaruzaman, J., Wan Shahrazad, W.S., Lukman, Z.M., Zainal, A., & Zainah, A.Z. (2011b). Gender differences among drug abusers in the process of readiness to change. *World Applied Sciences Journal*. 12. 63-67.
- Finlay, K. (2008). Effect Of Employer Access To Criminal History Data on The Labor Market Outcomes of Ex-Offenders and Non-offenders. NBER Working Paper.
- Holzer, H.J., Raphael, S., & Stoll, M.A. (2003). Employment Dimensions of Re-entry: Understanding the Nexus between Prisoner Reentry and Work Reentry and Prison Work Programs. The Urban Institute Reentry Roundtable Discussion Paper. *New York*.
- Hughes, T. & Doris J. W. (2004). Reentry trends in the United States. Bureau of Justice Statistics, Office of Justice Programs. U.S. Department of Justice, Washington, D.C.
- Hulse, S. 2012. “Jobs for Ex-offenders in Down Economy.” The Minnesota 2020 Blog. Retrieved March 28, 2013, from <http://mn2020hindsight.org/view/jobs-for-ex-offenders-in-down-economy>.
- Johnson, K. F. (2013). Preparing ex-offenders for work: Applying the self-determination theory to social cognitive career counseling. *Journal of Employment Counseling*, 50 (2), 83–93. <https://doi.org/10.1002/j.2161-1920.2013.00027.x>.
- Kethineni, S., & Falcone, D. N. (2007). Employment and ex-offenders in the United States: Effects of legal and extra-legal factors. *Probation Journal*, 54(1), 36–51. <https://doi.org/10.1177/0264550507073325>.
- Kurlychek, M., & Kempinen, C. (2006). Beyond boot camp: The impact of aftercare on offender reentry. *Criminology & Public Policy*, 5, 363–387. doi:10.1111/j.1745-9133.2006.00384.x.
- Lam, H., & Harcourt, M. (2003). The Use of Criminal Record in Employment Decisions: The Rights of Ex-offenders, Employers and the Public. *Journal of Business Ethics*, 47(3), 237–252. <https://doi.org/10.1023/A:1026243413175>.
- Laub, J. H. and R. J. Sampson (2003). Shared beginnings, divergent lives: Delinquent boys to age 70. Cambridge, MA: Harvard University Press.
- La Vigne, N., Davies, E., Palmer, T., & Halberstadt, R. (2008). Release planning for successful reentry: A guide for corrections, service providers, and community groups. Washington, DC: Urban Institute, Justice Policy Center.
- Lichtenberger, E. (2006). Where Do Ex-Offenders Find Jobs? An Industrial Profile of the Employers of Ex-Offenders in Virginia. *Journal of Correctional Education*, 57(December), 297–312. <https://doi.org/10.2307/23282804>.
- Lo, S. C. F. (2014). Assisting ex-offenders in employment: the experience of Hong Kong. *China Journal of Social Work*, 7(1), 78–91. <https://doi.org/10.1080/17525098.2014.882790>
- Maehira, Y., Chowdhury, E. I., Reza, M., Drahozal, R., Gayen, T. K., Masud, I., Afrin, S., Takamura, N., & Azim, T. (2013). Factors associated with relapse into drug use among male and female attendees of a three-month drug detoxification – rehabilitation programme in Dhaka, Bangladesh : a prospective cohort study. *Harm Reduction Journal*, 10 (14), 25. <https://doi.org/10.1186/1477-7517-10-14>.
- Nally, J. M., Lockwood, S., Ho, T., & Knutson, K. (2014). Indiana Industry sectors that Hire ex-offenders: Implications for Correctional Education Programs. *Journal of Correctional Education*, 65(3), 43–65.
- National Anti-drug Agency (NADA), (2016). Retrieved April 2, 2018, from <https://www.adk.gov.my/orang-awam/statistik-dadah/>

- National Research Council (2007). Parole, desistance from crime, and community integration. Committee on Community Supervision and Desistance from Crime, Committee on Law and Justice, Division of Behavioral and Social Sciences and Education. Washington, DC: The National Academies Press.
- Ramakers, A., Nieuwbeerta, P., Van Wilsem, J., & Dirkzwager, A. (2017). Not Just Any Job Will Do: A Study on Employment Characteristics and Recidivism Risks After Release. *International Journal of Offender Therapy and Comparative Criminology*, 61(16), 1795–1818. <https://doi.org/10.1177/0306624X16636141>.
- Raphael, S. (2007). The employment prospects of ex-offenders. *Focus (01955705)*, 25(2), 21–26.
- Roman, John, Wendy Townsend, and Avinash S. Bhati. (2003). Recidivism rates for drug court graduates: Nationally based estimates. The Urban Institute, Washington, D.C.
- Rossman, Shelli B., and Caterina G. Roman, C. (2003). Case-managed reentry and employment: Lessons from the opportunity to succeed program. Washington, DC: The Urban Institute, Justice Police Center.
- Shivy, V. A., Wu, J. J., Moon, A. E., Mann, S. C., Holland, J. G., & Eacho, C. (2007). Ex-Offenders Reentering the Workforce. *Journal of Counseling Psychology*, 54(4), 466–473. <https://doi.org/10.1037/0022-0167.54.4.466>.
- Singh, D., Chawarski, M. C., Schottenfeld, R., & Vicknasingam, B. (2013). Substance abuse and the HIV situation in Malaysia. *Journal of Food and Drug Analysis*, 21(4), S46–S51. <https://doi.org/10.1016/j.jfda.2013.09.033>
- Siti Zulaikha Mustapha, Yarina Ahmad, & Nor Hafizah Mohamed Harith. (2016). Women and Drug Abuse in Malaysia: A Marginalized Client of Drugs Treatment and Rehabilitation Drug Abuse. *Putrajaya International Conference on Children, Women, Elderly and Disable*.
- Tam, C., & Foo, Y. C. (2013). A qualitative study on drug abuse relapse in Malaysia: contributory factors and treatment effectiveness. *International Journal of Collaborative Research on Internal Medicine & Public Health [E]*, 5(4), 217–232.
- The Star Online. (2017). Retrieved March 26, 2018, from <https://www.thestar.com.my/news/nation/2017/03/19/give-exprisoners-a-second-chance-hire-them-instead-of-foreigners-so-they-don't-return-to-crime-nur-ja/>
- Travis, Jeremy. (2005). But they all come back: Facing the challenges of prisoner reentry. Washington, DC: The Urban Institute.
- Tiburcio, N. J. (2008). Long-term recovery from heroin use among female ex-offenders: Marisol's story. *Substance Use and Misuse*, 43 (12–13), 1950–1970. <https://doi.org/10.1080/10826080802297369>.
- Uggen, C. (2000). Work as a turning point in the life course of criminals: A duration model of age, employment, and recidivism. *American Sociological Review*, 65:529- 546.
- Vacca, James S. (2004). Educated Prisoners Are Less Likely to Return to Prison. *Journal of Correctional Education*, 55(4), 297-305.
- Visher, C. A., Debus-Sherrill, S. A., & Yahner, J. (2011). Employment after prison: A longitudinal study of former prisoners. *Justice Quarterly*, 28(5), 698–718. <https://doi.org/10.1080/07418825.2010.535553>.