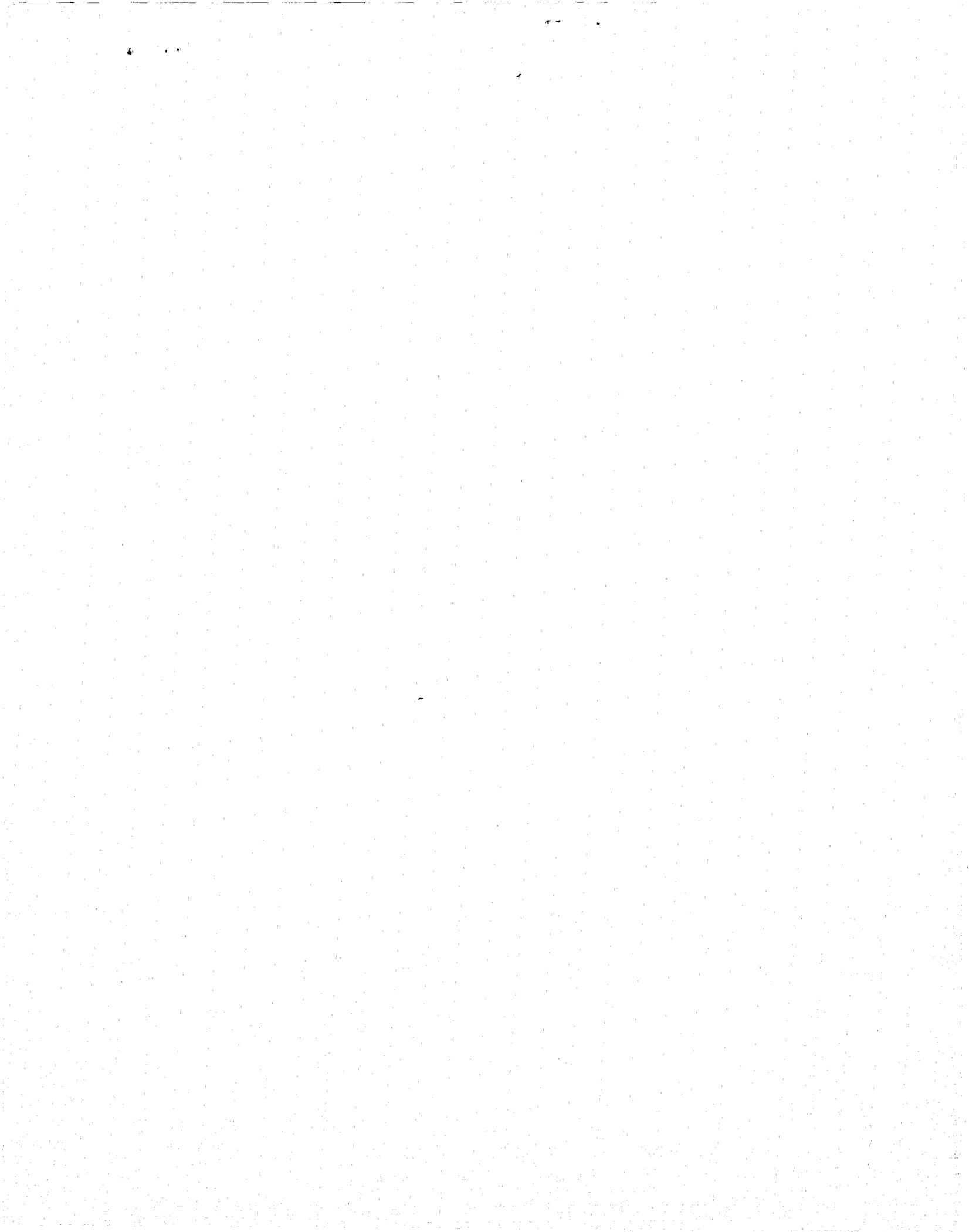


Crime and
Employment
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The American University Law School
Institute for Advanced Studies in Justice
"Employment and Crime Project"

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ACQUISITIONS

"CRIME AND EMPLOYMENT ISSUES"

A collection of policy relevant monographs

1978

Prepared For:

The Office of Research and Development
Employment and Training Administration
U.S. Department of Labor

THE AMERICAN UNIVERSITY

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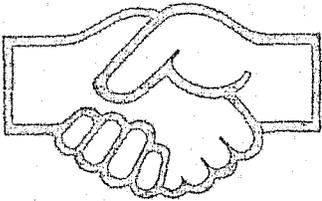
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This report is submitted to Dr. Howard Rosen, Director of the Office of Research and Development, and to William Throckmorton, Project Officer, by Leon Leiberg, Director, Employment and Crime Project, Institute for Advanced Studies in Justice, The American University.

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"Justice is the unifying principle of the democratic existence. While other systems may seek uniformity, democracy seeks ordered diversity -- to which justice is the key." Nicholas N. Kittrie

The Institute for Advanced Studies in Justice is the manifestation of The American University's growing commitment to policy assessment, research, training, consulting and clinical services for the improvement of justice in America. In these efforts the Institute relies heavily on state, federal and foreign experiences in the reform of the system of justice. Concentrating not only on law, but seeking to explore the diverse therapeutic, medical, educational, economic and social solutions for the resolution of conflicts, the Institute is conceived as a truly multidisciplinary endeavor.

Bringing together a faculty, staff, and students from diverse disciplines, including law, sociology, psychology, social work, psychiatry, and public administration, the Institute seeks greater integration between public policy, law and the social and behavioral sciences. In its various programs the Institute hopes to develop a more meaningful interaction between the various professionals charged with responsibility for programs in social order and justice.

Located at the law school, the programs of the Institute draw upon both in-house talent and participants from other disciplines at The American University, particularly from the Center for the Administration of Justice, and elsewhere.

The Institute's foundations were laid in 1965 with a grant from the National Defender Project of the American Bar Association for a series of multidisciplinary seminars in the administration of justice. Beginning with the 1966 academic year, the law school commenced a clinical program of legal aid to inmates of the D.C. Department of Corrections. This continuing project, "Lawcor" - for Lawyers in Corrections and Rehabilitation - was given initial support by the Council on Professional Responsibility of the Association of American Law Schools.

The major consolidation of the Institute took place in 1970 with extensive new funding in the areas of juvenile justice and corrections. Finally, 1972 brought about a new national prominence with the creation of the Technical Assistance Program for State Criminal Courts and Related Agencies.

From these beginnings and through new grants, the Institute has formulated its long range objectives: to develop an integrated, multidisciplinary program for policy assessment, research, and analysis of deviance, to undertake and promote research in operational concepts and preventive methods of delinquency control, to investigate and offer solutions for the ethical and legal issues posed by medical, scientific, and technological developments, to develop programs of multidisciplinary instruction, to provide technical assistance to governmental and private agencies in the field of justice, to deliver model clinical services to the community, and to explore and disseminate information about advances in justice in other countries.

The Institute's current programs offer instructional programs for students of law and other disciplines, conduct both basic and systems research in the various segments of the justice system, and make available clinical and consulting services to inmates in institutions, to government agencies and to different community organizations.

While these programs concentrate on improving the education, insight, skills and services of the legal profession, the Institute also believes in turning the law school into a focal center for critical academic and field work for other disciplines that must share the responsibility for effective social justice.

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PREFACE

This compilation of issue papers relating to problems of employment and crime represents the thinking of an informed and experienced multidisciplinary group of writers as to the future program needs in this important area of criminal justice administration. The monographs, which were prepared especially for this compilation, reflect the viewpoints of persons active in planning, public administration and education.

Studies clearly indicate that there is a definite relationship between employment -- or rather, the lack of it -- and crime, particularly in situations involving young offenders. Although many programs have been aimed in this direction, the surface has only been scratched as far as meaningful results are concerned.

An effort has been made to present a free form of problem discussion and analysis disassociated from the bias of political or other vested interests. It is believed that this objective has been attained and that the views expressed herein may stimulate some innovative and productive approaches to a serious problem.

H. C. Petrowitz

INTRODUCTION

In 1977-78 The Institute for Advanced Studies in Justice of The American University Law School attempted to develop, test and integrate into an existing organization an experimental program using Law students to provide short-term employment retention assistance to defendants before the Superior Court of the District of Columbia.

Some interesting data was obtained during the course of the project which will be reviewed in a separate final report and much interaction with the public and private agencies was achieved by the creation of a Metropolitan Forum on Employment and Justice. This vehicle proved very satisfactory and provided an opportunity to recommend to public and elected officials action strategies and solutions for change. Out of this experience came the conviction that there was need to examine the problem of employment as it affects the offender and society in greater detail and to create a basis for study and further research. We discussed this belief with our advisory committee and their reaction, interest and support laid the foundation for this publication.

The monographs which compose this volume on Employment and Crime Issues are published at a crucial time. Not only is our society faced with ever increasing numbers of persons processed by criminal justice agencies, but most of those offenders seeking employment, particularly the young, find great difficulty in obtaining and holding jobs.

While much attention is being directed at the problems of crime and punishment generally, the interrelated problems of education, access to jobs, training and social opportunity receive relatively low priority and scant attention. However, there is reasonable certainty that there is correlation between the lack of employment and/or the lack of prospects for employment and involvement in criminal activity. We know that the aggregate number of individuals is staggering and affect if not directly, certainly indirectly all of us, pointing to the conclusion that it is in our collective self-interest that we examine carefully our approach to these problems. We believe that the public concern must be translated into new public policies, but these can only be developed if we analyze, review and eventually apply the range of limited options in the context of policies directed

at all members of the work force and remove the barriers which have divided our efforts.

It is the goal of this publication to initiate the discussion and to present a number of pertinent points of view, to systematically look at the problem without rhetoric and in objective awareness that opportunities are shrinking at a rapid rate not only for offenders but the poor, the ill-educated and minorities generally. The way we address these concerns and the imagination we bring to bear for their solution will determine how we can affect our own future and recognize that these problems are and continue to be vital to our own interests.

Thus it is essential to refine the perception of what is fair and just, and our tolerance and desire about what must be done to assist all citizens, regardless of criminal background, to become productive and contributing members of society. As Secretary of Labor Ray Marshall testified before the U. S. Congress this year, he said that "in many cases, transition from felon to working citizen can be the step leading to permanent rehabilitation and full return to society."

The monographs which follow were especially solicited for inclusion in this publication and have not appeared elsewhere. The authors were given free rein in making their contribution based on their own interest and experience. They are specific, reflecting individual concerns but also future directed and overriding parochial concerns.

The papers can be read and analysed collectively or individually and have not been arranged in any specific order of importance. Recommendations are offered in concrete and specific terms for public action. To assist the reader in seeking other information on the subject matter, a selected bibliography prepared separately and at an earlier date was added to the appendix at the recommendation of those who reviewed this publication prior to completion.

Let us examine briefly the concept papers which are presented in this volume. These papers are obviously rooted deeply in practical reality and an understanding of our system of justice and current employment, training and placement experiences. The contributors have elected to focus primarily on the needs of the youthful offenders since more than half of recorded offenses are committed by the young, and on those institutions which provide resources and support before and after adjudication.

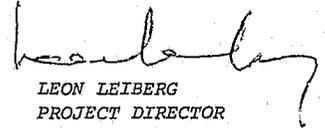
* SEVERA AUSTIN reminds us of the little knowledge we have and urges us to be wary of theory applied without awareness or humility of other experiences and perceptions and cultural differences.

* RICHARD TROPP writes in broad as well as specific terms about the policy decisions which must be addressed and the need to rethink our assumptions and research requirements in a provocative article which covers the universe of needed governmental intervention.

- * DANIEL GLASER examines the offenses and the job problems of young people and discusses the origins and implications of the increasing alienation of some students from school, their insufficient experience with formal groups and the separation of juveniles from the activities of older persons created by the social culture of our society.
- * JAMES MAHONEY relates youth unemployment with issues affecting levels of violence and offers suggestions to reshape our present thinking to reverse the disaffection of our young citizens.
- * GAIL FUNKE approaches the problem from a socio-economic point of view and examines the high price of misallocation of resources if we do not move from a system of sanctions to a system of incentives.
- * NORMAN HOLT analyses the prison setting and the reality of vocational training in that environment and focuses on the purpose of the prison and the problems which must be solved if economic well being and enhanced social values are to result from training in the correctional setting.
- * BILL PARKER writes also of the prison and the industrial employment of those who serve their sentences in an illogical system. He recommends a Free Venture Model tied to individual contracts which could attract the participation of business and industry and provide access to jobs after release.
- * KENNETH COFFEY reviews the unique capability of the Armed Forces for playing a significant role in the building of opportunities for youth and assist in the economic, social and educational integration of those presently found ineligible to serve.
- * RONALD BENJAMIN suggests a different approach to the employment problems of ex-offenders by the elimination of legal restrictions to employment, improved public relations and the development of comprehensive public service careers for these individuals.
- * ELLEN RUSSELL DUNBAR makes a case for the education/work grant as one means to redirect the individuals on the fringe of our economic system by work sampling and supportive services, until they become productive and relinquish their dependency on criminal activities for economic support.
- * DANIEL SKOLER urges a mandatory cooling off period for employers of those arrested for offenses as a means to protect scarce employment possibilities and achieve greater equity.
- * LEON LEIBERG provides a selected bibliography on employment and crime to provide ready reference for further readings on the subject.

We hope the reader will share our belief that the authors have acquitted themselves well and with great credit in their task.

We thank the members of our Advisory Committee, our friends and colleagues of the Metropolitan Forum, the faculty of the Law School and our associates at the Institute for their supportive assistance. Our appreciation to Harold Rosen, Bill Throckmorton, Charles Phillips and Tom Joyce of the Department of Labor for their continuing interest, support, good will and patience which have made this project a reality.



LEON LEIBERG
PROJECT DIRECTOR

CRIME AS EMPLOYMENT:
WHAT A WAY
TO MAKE A LIVING

BY

SEVERA AUSTIN

SEVERA AUSTIN is currently the Director of the Bureau of Alternate Care, Wisconsin Department of Health and Social Services. Prior to this assignment she headed the Correctional Planning Section of the Governor's Task Force on Offender Rehabilitation and directed the Special Committee on Criminal Justice Standards and Goals for Wisconsin.

She has instructed at the University of Wisconsin at Milwaukee School of Social Welfare and served in the Peace Corps where she was assigned to teaching and community organization duties in Liberia. Ms. Austin obtained her B.S. in Social Sciences from Central Washington State College and her MSW from the University of Washington at Seattle. A frequent speaker at State and National meetings she has written and been published on the subject of correctional planning and research, sexism in the administration of justice, and the need for alternatives to institutionalization.

Attempts to establish the relationship between employment and crime can best be done by asking those who know -- the criminals. Our professional attempts to control crime, or at least the forms of property crime related to economic gain, have provided little in the way of answers. Our theories, our models of criminal behavior, and our massively expensive new strategies have shown few results. We have hardened targets, practiced preventive patrol, and initiated "Operation STING." We have attributed male criminal behavior to skull formation, broken homes, lack of ability to delay gratification, the impact of labeling, peer relationships, etc. For women, we've tried immorality, penis-envy, low intelligence, and time of menstrual cycle. We have sent offenders to school, to psychiatrists, and to group therapy. We've tried large prisons, small prisons, and halfway-in-and-out prisons. Those of us working in criminal justice attend yearly conferences where "we" talk about "them;" it would be interesting to know who spends the most time talking about how to modify the behavior of the other.

When we do talk to the offenders, we usually ask for very specific information: did he/she do the crime, how do they feel about prison conditions, would they like the GED program. We know the age, race, sex, marital status, educational level, and employment history of almost all convicted felons.

While we have a tremendous amount of information about him/her, we have little knowledge. Our interest in understanding the why is usually superseded by our need to have the what and how of the crime. Fundamentally, we don't really believe they know the answers to the why questions, so we attempt to translate factual details into our favorite theory of human behavior, whatever that may be.

We have long known that most offenders, at least those we catch and convict, are poor. We also know that they are largely unskilled, under-educated, and under-employed. We have recently concluded that there is a relationship between jobs and crime, and have attempted to create employment opportunities for many individuals as a way to prevent them from the next burglary, robbery, and forged check. When we evaluate these efforts, however, we usually see little impact on

recidivism; job or no job, the rate of return to crime varies little for those already involved in the criminal justice system. We then grow disenchanted with our theories, and start again to develop new hypotheses, new studies, and new conclusions. The fact is, employment and crime are related, but often not in the ways we believe.

Crime is employment, and, as with any other job, is more or less successful as a means of meeting the needs that individuals have. What we often miss in our employment and crime theories is the identification of all of the elements involved in "having a job" and what variety of possibilities that exist as each relates to different individuals.

How often have we said about another's employment situation -- "How can he like that job?" or "Why don't you quit and do something -- better, more interesting, less frustrating, better paying, easier?" The reasons are usually complex and have to do with an inter-related series of needs and desires related to what "job" means to each of us.

We ordinarily learn our attitudes about working as a youth, and depending on our life situation, have a variety of models to relate to. For most, the alternatives for choices in employment seem extremely limited, and often unattractive. We know from research on employee attitudes toward their jobs that a majority of people in this society do not like what they do for a living, but accept this as a natural phenomenon. For many, one very real choice of employment is crime. An acknowledgement of the legitimacy of that choice, for that individual, at that time, and the reasons for that choice, might provide some direction for those of us who, by choice or mandate, are trying to impact crime and criminals.

From the perspective of the offender, there are three primary answers to the "Why did you do it" question: (1) Why not? (2) Because I needed the money, and (3) It's the thing I know how to do best. If asked to state our reasons for the work that we do in the most simplistic terms, most of us would answer from one or more of these same perspectives: crime is employment, and reasons for choosing it as a temporary or permanent job vary little from the reasons for anyone's choice of work. While all behavior has its roots in our psyches, brains and stomachs, the self-stated, self-perceived reasons for our decisions are often the most trustworthy, and should be where we start, not what we ignore.

I "Why Not"

The "Why Not" answers from offenders vary in theme but are fundamentally of two basic individual perspectives -- (a) there was nothing to lose, or (b) nothing was wrong with that choice. For these individuals, the need for money is also a major element, but often the way in which they choose to get it

differs from the "Because I Needed the Money" perspective. Many who perceive that they have nothing to lose are correct in that perception -- their lives and experiences have been those of extremely limited options, and they see no change in that condition in the future. They frequently got involved very early in petty juvenile offenses, were always the kid in trouble, and weren't very good at their work of crime. They drift in and out of criminal behavior as they do straight jobs, mattering little as to what they do, and having little experience with examining consequences or seeing choices. Non-criminal behavior is often the same; when asked why some men join the military, or why some women marry, the answer is "Why Not" -- meaning it seemed like the best thing, the only thing, to do at the time. These individuals are seldom involved in serious offenses, but our jails and prisons are full of people who view life as a "no-win" situation. Clinical and sociological analyses of their behavior and motivation have filled volumes, but with few answers. Crime, however, is their work, and work at which they are ordinarily unsuccessful.

Provision of non-criminal employment opportunities to these individuals must take into account their life experience and perceptions of themselves. Many cannot and will not ever be able to work in the traditional competitive marketplace. To send them to the employment office or refer them to a factory job is folly, and is based on our expectations, not their reality.

The second "Why Not" category are those who see their behavior as perfectly appropriate, based on either personal, political, or cultural perspectives, and who are resentful of society's definitions of their acts as criminal. The best example is prostitution: for with many women, the choice of this employment is made based on an analysis and rejection of other means of making a living. For many, the initial decision to become a prostitute was related to a man, and attempting to please that man through providing economic support or status. The relationship was fundamentally contractual, and as with the more conventional male/female relationships, the contract terms were sometimes negative, sometimes hazardous, and sometimes rewarding. If a prostitute decides to change her employment, that change is as difficult for her as any career-change for most of us, and often she remains on the street "because that's what I do best."

Offering or requiring alternatives for her must be done with the realistic acknowledgement and acceptance of what prostitution as a job has and has not provided to her. We cannot expect to erase where she's been and what she's learned, nor will our clerk or waitress jobs generally be attractive to her.

II "Because I Needed the Money"

Most individuals, when asked, state the reason for being in an employment situation as strictly economic -- one works to make money. For many offenders,

the reasons for their crimes are the same; the specific need at that time was real and urgent. Crime offers many a well-paying brief or lifetime opportunity to have amounts of money they could probably never get in other employment.

Our theories related to the ability of the non-criminal to delay gratification are supported by years of our socialization in alternative ways to spend money when one doesn't really have it: credit cards, loans, charge accounts, second mortgages. Few of us really delay getting what we want, but are able to utilize a variety of financial support systems that are not available to large numbers of people in this country. If we have a serious and real financial need, we do what we must to take care of it, and often without the real ability to handle the "pay-later" responsibilities. So too the criminal -- but through episodic or frequent resort to crime. For many, it is often seen as the only employment available to meet a crisis; for others, with no access to credit alternatives, crime is a "second-job," providing money for special needs or wants now, not later. For some, shoplifting and theft are a way of life, and being a "good thief" takes as much planning and experience as being a good chef, or a good mechanic. An early experience of "because I needed the money" crime can, if brought off successfully, become a life-long occupation -- the need was real, the need was met, and other ways to get money are unavailable, unrewarding or beyond the individual's perception of alternative choices.

Economic need is real and devastating for thousands of American families; it is now estimated that 25% of American children live in families below the defined poverty level. Our crime-reduction efforts should be directed to these figures and their ultimate consequences related to employment and crime.

III "It Was What I did Best"

The work we do, how we do it, for whom and at what wage is inextricably bound to our views of ourselves, our self-esteem, and our personal worth. Despite employment-related conditions causing physical illness, stress, danger, or boredom, most stay in jobs they know, and believe they do well. Most of us do not welcome risk, do not seek experiences where we are in the position of a beginner, of learning a new skill, of starting at the bottom. We stay with what is safe, what is known, and where, despite all negative consequences, we know we can handle our tasks. Many involved in crime are no different, particularly the true professional criminal, the big-time robber or forger, the one we now appropriately call "career criminal." For these individuals, their specific best-performed work is in one area of crime. Usually they have been relatively successful in their occupation, and have developed their expertise through practice. After a period of time, their criminal career does indeed reflect what they do best.

Criminal justice efforts to modify their behavior are often our most expensive, sophisticated, and, so far, ineffective. It is doubtful whether we can harden enough targets, or patrol enough streets, to ever make opportunities for experiencing a success in certain criminal activities a difficult achievement. Nor can we continue with efforts to offer these offenders our often pathetic employment alternatives. What they have experienced is some measure of success and self-esteem; what we ask is that they instead return to zero, learn a new skill, and give up the real rewards they have experienced. All that we see are the negative consequences of their profession, and fail to understand that some very fundamental needs have been met that may always override the risks and penalties we create.

IV Conclusion

For many, crime in America is a primary or secondary form of employment, and can best be prevented, reduced, or controlled if viewed in that perspective. Our jobs, our professions, our careers, all have significance and motivational factors far beyond their economic rewards. There must, for most of us, be a payoff, be it cognitive, economic, or ego-related, in the work that we do.

The major public policy question is whether we devote our resources to the creation of employment opportunities that are truly responsive to human needs, or whether we utilize them for control and confinement. Although our theories related to criminality differ from year to year, the self-stated reasons of the offender have varied little. We should make sure that we attempt to talk to those about whom we theorize at least as often as we talk to each other.

SUGGESTED POLICY INITIATIVES
FOR EMPLOYMENT
AND CRIME PROBLEMS

BY
RICHARD A. TROPP

RICHARD A. TROPP - As Special Counsel to the Presidential Clemency Board in President Ford's White House, he organized a new White House temporary office and drafted the administrative process and the substantive criteria under which 25,000 cases were adjudicated. Representing the Secretary of the Department of Health, Education and Welfare (HEW), he participated in early drafting of sections on offender rehabilitation and pretrial diversion of the President's Special Message to Congress on Crime (1975). As the Secretary's representative, he chaired an interdepartmental staff group on offender rehabilitation. He supervised staffing out by HEW's Office of the Secretary of regulations on the protection of human subjects involved in Federally-funded research, including social science research. He has been consultant to the Director of HEW's Office of Child Development, Special Counsel to the Committee for the Study of Incarceration, and Legislative Assistant to U. S. Senator Charles E. Goodell. He has published, drafted legislation, and presented testimony to Congress on public opinion survey regulation and is presently consulting with major national organizations. He taught in the Yale University Department of Political Science on the decision-making process and on Congress. He attended Yale Law School and the City College of New York (Phi Beta Kappa, Honors in Political Science).

As political campaigns approach Election Day, several major pollsters ask their public opinion poll respondents to answer "forced choice" questions -- those to which the only permissible answer is the name of one of the candidates. The respondent is not presented the option of replying "don't know," because the campaigns are so close to the wire that politicians and newsmen need to make their best guess on who will win, and on how remaining campaign resources should be allocated.

Careful survey researchers will say that the price of meeting these needs is that forced-choice surveys may mask the existence of a large bloc of the electorate -- apparently between a third and a half of it, in some recent elections -- which is "undecided" until Election Day itself. The conclusions offered on the basis of forced-choice responses may, therefore, be skewed and misleading to the people who make decisions based upon them. Nonetheless, those people need to make *some* decision, and when it is a minute before political midnight they will take the best conclusory data that they can get.

The criminal justice policy-maker is in much the same position. It is not sufficient for his staff to tell him, "The data is inconclusive and we don't really know what to recommend except more research." He has to invest government dollars in some alternatives, and to reject others, *right now* -- not when the results of carefully-designed evaluations and demonstrations come in five years from now. He has to select *right now* the legislative proposals, the new litigation, the regulatory initiatives to which he is going to commit political resources and his time and energy.

This paper on the relationship between unemployment and crime is written in the spirit of the policy-maker; the data may not yet support robust policy conclusions, but the policy-maker in the real world has to make choices between alternatives today. The question is, what conclusions about unemployment and crime can we tentatively and perhaps heroically draw from the conflicting and generally methodologically inadequate data available, and what policy decisions follow from those conclusions?

To reach those policy recommendations, this paper will address several

questions:

- i. Is there a causal relationship between unemployment and crime?
What kind of unemployment, of what kinds of persons, with what kind of crime, by whom? What conclusions can we draw about the nature of the relationship?
- ii. Assuming arguendo that there is a causal relationship, what precisely is the nature of the phenomenon which we label "unemployment" of offenders? Is it one phenomenon, or several different ones with different causes? If several, what are its components?
- iii. Having unpacked "the problem" into its component parts, what do we have to find out in order to get at remedies for each component? What questions need we answer, and how should we go about collecting the data which we require? What are some of the constraints on acquisition of the data which we think we need?
- iv. What is the range of possible remedies which can be implemented now, without protracted research? What kinds of labor market interventions should the Federal government make, based upon a reasonable anticipation that those interventions will impact on crime rates? Which interventions require money, which legislative changes, which litigation, and which amendments in regulations already issued under existing statutes? What constraints are there on the implementation of each possible remedy?

I Is There a Relationship Between Unemployment and Crime?

"...The relationship between unemployment and crime is not yet clearly understood... We strongly suspect that unemployment contributes to crime, but it isn't known to what extent, nor is it known with certainty that there is a direct causal relationship..."¹

It is commonly assumed, by laymen, economists, sociologists, and policy makers alike, that there is an obvious and measurable correlation between aggregate unemployment and crime rates, and an obvious causal relationship between them.

The layman or policy-maker looking for evidence on this point, and for a disaggregation of what kinds of unemployment relate to what kinds of crime increases, is overwhelmed by data. There are dozens of germane econometric studies based upon aggregate unemployment and crime data, and hundreds of criminological evaluations which purport to relate recidivism rates to the labor market status of individual offenders.

Reading a sample of these studies leaves one with a feeling of intellectual indigestion, since (a) they frequently jump from an inadequate data base to overbroad conclusions, and (b) those studies which are precise in their findings and reliable in their methodology are in sharp conflict with one another.

For example:

- i. There is evidence suggesting that aggregate adult unemployment and property crime are highly correlated, and there is evidence, of equal methodological rigor, suggesting that they are not.
- ii. There is evidence suggesting that aggregate adult unemployment and violent crime, particularly homicide, are significantly correlated, and there is equally respectable evidence suggesting that they are not.
- iii. There is evidence suggesting that aggregate youth unemployment and property crime are significantly correlated. Other evidence suggests that youth "unemployment" per se does not affect property crime rates, but that variations in the youth rate of labor force participation does. Still other evidence indicates that neither youth unemployment nor youth drop-out from the labor force is significantly related to property crime.
- iv. There is data showing that youth unemployment or youth labor force non-participation affect violent crime rates, and there is equally respectable data showing that they do not.
- v. There are studies showing that although neither adult nor youth unemployment affect the rate of violent crimes committed against strangers, aggregate unemployment is significantly related to the rate of violent crime committed against family and friends. Other studies fail to find such a relationship.
- vi. There are studies which show a strong relationship between absolute family income and adult crime or between aggregate income inequality and crime rates.
- vii. There are studies which show a robust relationship between either absolute family income and youth crime or variations in family income inequality and youth crime. Other studies do not.
- viii. A number of states and Federal projects have experimented with the provision of sharply increased gate money to parolees. Some experimental results show significant recidivism reduction; some show trivial, statistically insignificant recidivism reduction; one study shows that theft recidivism is reduced, but that violent recidivism is not; some studies show no effect.
- ix. There have been numerous program evaluations of various permutations of job training and placement for prison releasees and parolees. Some of these, generally methodologically dubious, show a robust relationship between training and/or placement services and diminished recidivism. Most studies show a trivial relationship or none at all.

Of those that show none at all, some attribute that to the failure

of training programs to train, some attribute it to the failure of placement programs to place, and some attribute it to placement in a job which is unrelated to training received prior to release. Some show that even ex-offenders successfully placed in a job for which they have been well trained continue to recidivate at a rate no different from comparable ex-offenders who have not been trained and placed.

- x. Some studies show that although job training or placement per se are unrelated to parolee recidivism, employment stability and wage rate -- perhaps as proxies for "job satisfaction" -- are significantly related. Others show that stability and wage are unrelated to recidivism, or that they are initially related but the effect decays steeply over time.
- xi. Several evaluations suggest that job training and placement alone have little effect on post-release employment status and recidivism rates, but that "job readiness" training -- on attitudes toward such variables as absenteeism and lateness -- does. Other evaluations suggest that job readiness training alone has no effect, but that in combination with training and/or placement, it does.

Still other evaluations show that job readiness training has no effect whether presented with or without skills training or placement services.

- xii. Some evaluations of job training and placement programs conducted within correctional institutions show that although those programs have no effect on adults, they do affect post-release employment and recidivism either of juvenile offenders in general or of particular categories of juvenile offenders. Other evaluations fail to find any such effect on any class of juvenile offenders.
- xiii. Some of the gate money experimental results cited earlier find that provision of gate money frees ex-convicts to search for jobs, and therefore increases their propensity to become employed after release and diminishes the duration of their post-release spell of unemployment.

More plausible data suggests that income support immediately upon release actually prolongs the duration of their post-release spell of unemployment, since they are supported while they spend more time looking for a better job. The income support presumably raises their reservation wage, and thereby diminishes the pool of acceptable jobs available to them.

If it is employment per se which is thought to be positively correlated with diminished recidivism, then this effect of increased gate money is perverse. If, on the other hand, diminished recidivism is correlated with increased earnings over the life cycle, then the prolonged job search

is desirable if it actually results in a better job.

- xiv. A number of studies show that employment status is per se related to parole and post-release diminished recidivism. Other studies fail to find such a relationship.
- xv. Several evaluations of halfway houses find that parolee recidivism is significantly diminished by provision of employment services. Other studies find such an effect over several months, with decay thereafter. Still other studies find that post-release employment status is not affected by halfway house services, or that even when employment status is affected, recidivism rates are not.
- xvi. Reports of several demonstration projects purport to show that remedial education programs, either in juvenile or adult correctional institutions or in community-based programs, have an effect on post-release employment status and/or recidivism. Many other studies show no such relationship.
- xvii. The studies on work release are particularly interesting, because a few have been rigorously designed by econometricians and are based upon reliable data, extensive data sets, and comparable control groups. No studies find that work release diminishes propensity to recidivate, but some studies do suggest that work release diminishes frequency and seriousness of recidivism.² Other impressive data, however, flatly denies that work release affects either frequency or seriousness.³ One Federal review of the evidence on work release and halfway houses has concluded that the more reliable the data and the more rigorously analyzed it is, the more pessimistic the findings.⁴

The findings of these hundreds of studies become yet more ambiguous when one examines particular classes of offenders instead of all adult and youth offenders in a sample, or when one looks at particular characteristics of training and placement programs instead of merely the dichotomous presence or absence of a program. When one tries to break out the variables which compose employment status (perceived job satisfaction, duration of post-release spells of unemployment, wage rates, quit rates, wage mobility, inter alia), it is difficult to find statistically significant data sets.

It is even more hopeless when one tries to reach conclusions about the components of recidivism (propensity, duration, frequency, severity, violence/non-violence).

Faced with this inconclusive and chaotic mass of data, what's a policy-maker to do?

Even were the data consistent in their findings and implications, the policy-maker would have great difficulty in relying on them. Consider just a small sample of the problems in using the data:

- i. The "collinearity" problem: It is possible that employment status and criminal behavior are both simply effects of a third factor, rather than one being cause and the other effect.
- ii. The "simultaneity" problem: It is possible that employment status and criminal opportunities simultaneously determine one another. Each may be in part an effect of the other. Some persons will spurn good legitimate job opportunities because they are quite satisfied with the returns available from their potential criminal "employment" opportunities.

Unemployment may, in other words, be an effect as well as a cause of crime. Within a given cross-sectional data set, it may be both simultaneously for different members of the sample. Within a given longitudinal data set, it may be both serially for the same members. Econometricians' simultaneous equations to deal with this problem may be elegant, but they are of little real-world relevance when the coefficients are based not upon evidence, but upon assumptions.

- iii. "Unemployment" is by itself a poor proxy for the several different variables which make up a person's perception of his current labor force status and his future opportunities. Weeks worked and hours worked over the year are better measures of underemployment and of job stability.

Ample data indicates that, assuming a given post-release employment level, criminal behavior will vary with job stability and wage rates (as presumed proxies for job satisfaction). Assuming a given turnover rate, criminal behavior will probably vary with the proportion of quits to layoffs.

Since there is data indicating that most youth crime is committed by teenagers not in the labor force (and therefore not identified as "unemployed" by the U.S. Bureau of Labor Statistics [BLS]), it is important to know much more than how many teenagers are unemployed. A low rate of reported unemployment tells the policy-maker nothing about the need for employment programs, because a low rate of unemployment may exist simultaneously with (and may in part be a product of) a high rate of drop-out from the labor force.

Preliminary ongoing econometric analysis has found that property crime rates are related not to current employment status, but to expectations of the availability and the quality of future legitimate employment opportunities over the long term.⁵ Assuming that this preliminary finding is sustained, it becomes particularly important to acquire sophisticated data on the labor market participation variables for which

gross "unemployment" has served as a proxy in most previous research.

- iv. It is heroic to draw conclusions from aggregate data on unemployment and on crime because aggregate data, by its very nature, is insufficient to permit inferences about which individual persons commit which kinds of crimes in response to which employment problems.

Consider a hypothetical neighborhood in which the unemployment and crime rates go up. The increased crime may be committed by the persons who have lost jobs or have dropped out of the labor force in discouragement. Alternatively, it is equally plausible to hypothesize that the increased crime is committed by teenagers not yet in the labor force who are discouraged about their future employment opportunities by what has happened to their older neighbors.

It is possible that the disemployed persons had been committing a fair amount of unreported crime while they were employed, but that they have become more visible to the police because they now hang around the neighborhood all day. Their reported crime rate may increase, as an artifact of police behavior, while their actual crime rate remains constant.

- v. We may be misled in reaching conclusions because of a similar artifact in police behavior. If the employed person is less visible to police than the unemployed one, and if the police impute to an employed person a lesser propensity to commit crime, then the employed person will be less likely to be arrested than the unemployed person for a given crime.

If this is true, then the economists' theory that having a job diminishes the perceived rewards of criminal behavior (by creating the opportunity cost of losing the income stream from the job) may be invalid. It may be, instead, that getting a job increases the perceived rewards of criminal behavior by reducing the perceived probability of arrest.

It may be, moreover, that getting a job increases the worker's physical access to the potential gains of criminal behavior (e.g.: a cash register). The combination of increased physical access to criminal gains and diminished risk of losing the income stream from the job may, for some workers in some job settings, mean that the expected reward from crime varies directly -- instead of inversely -- with employment.

If this is in fact true for some workers in some jobs, then it stands the economists' theory on its head. Economists have generally assumed that legitimate and illegitimate opportunities are substitutable and mutually inconsistent. It may be, instead, that for some classes of persons in some classes of employment illegitimate opportunities vary directly with, and as a consequence of, the level of legitimate opportunities.

vi. In part because of such artifacts arising from police behavior, the criminological literature abounds with criticism of reported crime and recidivism rates as measures of actual criminal behavior. The policy-maker cannot assume that the reported crime rates used in analyses of aggregate unemployment and crime data, and the recidivism rates used as impact measures in evaluations, are true measures of criminal behavior.

Not only is the data internally inconsistent in its findings, then, but it is also insufficiently reliable by its very nature for the policy-maker to base upon it any conclusions on the relationship of unemployment and crime.

The bottom line seems to be that, on balance, the evidence does not support the conclusion that unemployment is either robustly correlated with, or a major cause of, either property crime or violent crime, by either juveniles or adults, either at the point of first offence or after release from incarceration.

Programs that attempt to reduce crime by affecting an offender's employment status -- generally do not in fact improve his employment status, and therefore cannot plausibly be expected to diminish his propensity toward criminal behavior, its frequency, or its seriousness; decay steeply in their impact after several months, at an accelerating rate, in those few instances where there is good data indicating transient positive effect upon employment status and post-release recidivism; and generally decay steeply in their crime reduction impact even in those very few instances when the data indicates that the employment status gains are not transient. Moreover, most program evaluations extended over too brief a follow-up period to report whether employment status or crime reduction gains do or do not decay over time.

Like the aggregate data on unemployment and crime, the program evaluation data does not support any conclusions or choices by the policy-maker, save perhaps that he needs to know a great deal more and that he had best invest large chunks of money in rigorously designed research and evaluations.

II What Is Offender "Unemployment"?

Were we to adopt an agnostic posture toward the data on unemployment and crime, and perhaps to assume arguendo that there is a causal relationship for some kinds of offenders and some kinds of crime, we would then want to know just what the malady is that we are calling "unemployment." Is it one phenomenon, or many? If many, can we break it out into cyclical, structural and frictional labor market factors, as well as secular factors exogenous to the labor market?

Offender unemployment is evidently in part a function of many offenders being teenagers, in part of their being unskilled, in part of their being minorities, and in part of their being disproportionately located in depressed central cities. Only in residual part is offender unemployment a function of their being offenders.

once their other characteristics are controlled for.

The problem is that we have no data on how much of offender unemployment is attributable to that residual part. It is possible that most of their problem is derived from discrimination directed uniquely at offenders and from incarceration. It is also possible, however, that all offender unemployment is explained by their being disproportionately young, unskilled, minority, and poorly located.

It seems at least intuitively obvious that a great deal of offender unemployment is explainable by these shared characteristics. To specify what data we need in order to understand the problems which underlie "unemployment," and to suggest plausible remedies, we had best examine what the components of offender unemployment are:

i. The Labor Market Problems of Minorities - There is data which indicates that age, sex, labor force experience, skills, education, and other personal characteristics are held constant, the duration of each spell of unemployment is perhaps 16% higher for blacks than for comparable whites. When personal characteristics are held constant, the rate of layoffs resulting in unemployment is 20% greater for black young males than for comparable whites. When quit rates are held constant, the probability that blacks will quit into unemployment is disproportionately high. And when early unemployment propensity is held constant, black youth are more likely to have subsequent employment difficulties than white youth.

The gaps between black and white teenage unemployment rates and employment-population ratios have been increasing steadily for the past thirty years. Even controlling for geographic location and parents' income, a large black-white teenage differential remains.

ii. Migration of Industry Out of the Central City - Secular trends in industrial location and occupational composition have exacerbated the problems of nonwhite teenagers in central cities. Employment growth in the central cities has been substantially below growth in suburban areas in recent years. Manufacturing industries which have traditionally offered unskilled and semiskilled jobs in central cities have increasingly migrated to suburban areas and abroad.

The secular trend toward migration has also changed the occupational composition of labor market demand in the central city, to the detriment of minorities and youth. Retail trade, for example, traditionally a heavy employer of youth, has shifted out of cities faster than most other sectors. The jobs which have remained and have been created within cities increasingly demand education and skills that inner city youth do not have.

iii. Changing Occupational Structure of the Economy - There appears to be a secular trend toward a greater proportion of white-collar and service sector employment opportunities, particularly within cities, as against unskilled/semi-

skilled and manufacturing sector jobs. Offenders are, in their education and skill levels, disproportionately suited for the kinds of jobs whose availability is diminishing over time across the whole economy.

iv. The Demographic Bulge - The postwar baby boom produced a doubling in the number of teenagers in the last twenty years. To the extent that youth unemployment is a transient product of this demographic bulge, youth unemployment rates should fall in this country, Canada and France.

The drop in the youth unemployment rate will, however, be limited by the secular trend toward increase in the rate of youth labor force participation, especially student labor force participation. Moreover, the demographic bulge for minority youth has not yet hit its peak and will not for several years.

v. Student Need for Part-time Employment - Several economists attribute a major share of teenage unemployment, including minority teenage unemployment, to the high proportion of students in the teenage labor force. Fifty percent of the teenagers classified as unemployed in 1976 were in school. These teenagers -- including offenders -- have disproportionately high needs for part-time jobs.

vi. Cyclical Change in Labor Market Demand - Economists argue heatedly over whether, and to what extent, teenage and minority unemployment is a function of cyclical variations in aggregate demand, and over whether and to what extent countercyclical policy measures can therefore affect teenage and minority employment.

Although teenagers accounted for only 9% of total employment at the start of the 1974-75 recession, for example, 1 out of 4 recession job losses was incurred by a teenager. On the other hand, variations in aggregate demand account for a relatively small fraction of the total of teenage and nonwhite unemployment. Macroeconomic policies alone, therefore, would leave the teenage and nonwhite jobless rate substantially higher than that of white adults.

vii. Secular Changes in Aggregate Demand - Secular changes in the availability of labor market opportunities complement cyclical changes in their effects upon offenders, as upon teenagers and nonwhites generally. Industries that typically employ large numbers of the semiskilled and unskilled, particularly minorities -- construction, primary metals, transportation, teaching, domestic service -- offer declining employment opportunities. Moreover, the industries which move production abroad -- textile and television components producers, for example -- are disproportionately those in which there are no licensing barriers to offender employment.

viii. Military Enlistment and Draft Rates - Over the past decade, employment opportunities for 16-24 year olds in the military have declined by over 1 million. As the military tightens up on its AFQT score enlistment requirements, potential offenders are increasingly barred from enlistment.

ix. Secular Changes in School Enrollment and Attendance Rates - Because school enrollment rates are rising among teenagers, then if school enrollment is a valid proxy for school attendance there should be a concomitant diminution in the youth full-time labor force participation rate. However, school absenteeism by enrolled students may be rising, and reported enrollment may not be a valid proxy for actual attendance. Many enrolled teenagers are seeking full-time jobs, and some need the jobs to complete school. Schools, moreover, have an incentive to report nominal enrollment even when enrollment over-represents actual attendance, since Federal assistance to school districts is based upon enrollment and nominal attendance numbers.

x. Secular Trends in Female Labor Force Participation

The explosion in female labor force participation over the last decade creates competition with youth and minorities for unskilled and semiskilled jobs, particularly in the service sector. Married women are particularly competitive with student teenagers for part-time jobs. Female employment has been increasing at treble the rate of male employment over the last 5 years.

Recent increases in the minimum wage may have motivated adult females to transfer from the part-time to the full-time labor force, forcing teenagers out of low-wage full-time jobs and into the part-time jobs that those females have vacated. Employers may be motivated to substitute adult women for teenagers with higher quit rates and less stable labor force attachment.

xi. Secular Trends in Fertility and in Household Formation

When teenage and young adult males become "household heads," their unemployment rate drops precipitously to a point only marginally higher than that of adult males generally. It follows, therefore, that the current trend toward fewer and later marriages will exacerbate youth unemployment. The offender who is a household head and seeks work will have less male competition for jobs.

The countervailing trend is that as fewer women marry, and as they marry later, the labor market behavior of young women will converge with the behavior of single men, and female turnover rates will drop. That will create more competition for the offender.

A secular trend toward diminished and postponed fertility should reinforce the effects of the household formation trend: more young males unemployed and out of the labor force for a longer period, and increasing numbers of young females moving into employment and the labor force.

Assuming that trends generated by increasing illegitimate fertility do not cancel out the other trends noted, the net effect of marriage and fertility behavior will probably complement the effect of the secular increase (marriage and fertility behavior held constant) in female labor force participation. Offenders

are going to have a great deal more competition in the near future for the marginal jobs that are available to them.

xii. Increases in Level and Coverage of the Minimum Wage -

There are reams of studies on the disemployment effects of increases in the level and coverage of the minimum wage. These studies are nearly unanimous in agreeing that there is a significant effect on adult marginal workers and a drastic effect on teenage employment, but the evidence is inconclusive on how large each of the components of that disemployment effect is. The evidence supports the conclusions that --

- (a) The minimum wage generally reduces employment in the labor market sector covered by the Fair Labor Standards Act (FLSA), and particularly affects employment opportunities for teenagers.
- (b) Labor flows from the covered to the uncovered sector of search of jobs, thereby reducing wages in the uncovered sector.
- (c) Increases in coverage aggravate both trends and, when combined with simultaneous increases in level, cause a radical imbalance in the uncovered sector as the number of uncovered job opportunities drops while workers flow out of the covered sector.
- (d) Another consequence of increases in coverage and level, and particularly of simultaneous increases in both, is that labor is squeezed out of the uncovered sector and thence flows out of the labor force altogether.
- (e) All of these things happen disproportionately to minorities, and particularly disproportionately to teenagers. Offenders will therefore be disproportionately affected by last year's FLSA amendments.
- (f) Young males (20-24) are more likely to become unemployed as a consequence of minimum wage hikes than teenagers, whereas teenagers are more likely to drop out of the labor force.
- (g) Increases in the minimum wage drive teenagers from full-time jobs into part-time jobs, in which (i) they are underemployed, and may receive a wage which fails to meet their family's needs for income contribution, (ii) they are likely to have to compete with women entering the labor force, and (iii) the employer is least likely to invest marginal resources in training them.

The teenage flow into the part-time sector presumably will increase the attractiveness of illegitimate opportunities to them.

- (h) The minimum wage inhibits teenagers from accepting low-wage jobs which offer useful training and experience. This has the perverse effect of perhaps drastically lowering their lifetime earned income stream.

To the extent that the effects of last year's FLSA amendments are not mitigated by noncompliance, some teenagers and adults will be driven into unemployment, demand in the uncovered sector for the rest will be reduced, and many -- particularly minority teenagers -- will leave the labor force because of (i) discouragement at their inability to find a job in the legitimate uncovered sector, and (ii) an increase in the gap between the wages offered by the uncovered sector and their reservation wage.

Some of these teenagers will presumably be induced to enter the uncovered illegitimate sector, although wages there may also be diminished by the increases in level and especially coverage.

xiii. The Frictional Problems of Initial Entry and Reentry into the Labor Force - For adult male workers, by far the greatest cause of unemployment is job loss. Involuntary job loss accounted for 2/3 the adult males unemployed in 1977. Teenage unemployment, by contrast, is overwhelmingly associated with duration of the initial period of unemployment while looking for a job. Over 2/3 of unemployed teenagers in 1976 and 1977 were either entering or reentering the labor force, and over 60% of those were new entrants.

Black youth have a rougher time at entry than white youth, in part because black youth have fewer job search role models and fewer connections to interviews through their parent's job. Black youth also rely on formal institutions, such as schools, the Employment Service, and training programs, to discover vacancies and to gain access to them. White youth tend to find jobs through an informal network of neighbors, parents, relatives, and especially friends.

For those who receive no useful labor market information from their schools, their parents, and their informal neighbor and friend networks, unrealistic expectations about their own capacities and about what the market will offer them probably prolong the duration of the initial spell of unemployment at entry. Their reservation wage is frequently unrealistic in comparison with their productivity, and their expectations about the non-pecuniary rewards of jobs which they expect to be offered are fantasies.

Much of the same kinds of problems await the reentrant to the labor force, including veterans, housewives, teenagers who have left the labor force, and the offender.

xiv. Frictional Problems of High Voluntary Turnover - Aside from the dominant problems associated with entry and reentry, the major source of unemployment among teenagers, blacks, and parolees is a pattern of frequent voluntary quits, not an inability to either keep or find jobs.

Youth typically go through a period of high voluntary movement into and out of the labor force, as they alternate work and school or work and leisure. They frequently take jobs for just long enough to earn the amount necessary to travel or to buy a car or some other durable goods. Parolees and blacks also quit jobs and withdraw from the labor force at twice the rate of white adults.

A high quit rate indicates that they all are using voluntary turnover and job search to acquire the labor market information which they never received in school, in prison, from probation or parole officers, or from friends, parents, and relatives. The voluntary turnover process is a healthy expression of their desire for wage and status mobility, and the process does in fact sometimes result in such mobility.

As they move in and out of easily acquired but unsatisfactory jobs, they

learn about their capabilities, what they enjoy doing, and what labor market options are available to them. This learning process brings about a realistic adjustment of their expectations about themselves and the market, and presumably induces their reservation wage to converge with the market's measure of their productivity.

One unfortunate side effect of this pattern of casual attachment to the labor market is that employers know that young, minority, and ex-offender workers are probable quit candidates. Employers are, therefore marginally less eager to hire members of these classes, and are unwilling to invest training dollars in them. Reluctance to hire means that the duration of each spell of unemployment following a quit will be marginally longer. Reluctance to train perpetuates the cycle of job turnover, since one of the reasons that jobs are perceived as unattractive is their disconnection from any clear path of upward mobility.

In contrast to the longer duration of the spells of unemployment experienced by adults generally, youth and parolees tend to experience brief spells, in part because one-third of them already have other jobs identified and arranged when they quit. Over half of unemployed teenagers had continuous spells under 5 weeks in 1975; slightly over 15% had spells exceeding 15 weeks, and under 3% had spells exceeding 27 weeks.

xv. Availability of Attractive Illegitimate Opportunities -

Many economists have hypothesized, though none have proved, that many minority teenagers never enter the labor force, or drop out, because of the availability of a more attractive alternative in the illegitimate labor market.

One would expect this tendency to be particularly true for those who have reservation wages which are unrealistic with respect to the legitimate market, and for those whose informal networks of friends and relatives transmit to them detailed information about the illicit market but little or no information about the legitimate market.

xvi. Employer Discrimination Against Offenders -

There is a substantial literature citing employer prejudice against hiring offenders, and indicating that a criminal record is perceived by employers as a barrier to hiring. Offenders, however, generally do not perceive their criminal records as actually having been barriers to their getting a job.

Whatever the expressed attitudes of employers may be, those attitudes do not seem to be translated into significant discriminatory behavior. Either employers do not enforce their prejudices through actual hiring discrimination, offenders successfully conceal criminal records from potential employers, or offenders do not apply for jobs offered by those employers who would discriminate.

xvii. Licensing and Other Statutory Restrictions -

Offenders are statutorily barred from employment in over 350 occupations licensed or otherwise restricted by state law, including architect, barber, beautician, butcher, taxi driver, dental hygienist, electrician, junk dealer, nurse, pharmacist, plumber, mortician, real estate salesman, social worker, teacher, and watchmaker.

State alcoholic beverage control (ABC) laws in many states (New York, California, New Jersey, Connecticut inter alia) prohibit the employment of any person with an arrest or conviction record as a waiter, bartender, bellhop, busboy, dishwasher, or in any other capacity wherever alcohol is sold -- retail liquor stores, restaurants, nightclubs, grocery stores, and even private garbage trucking concerns.

* * * * *

These are but some of the factors involved in offender unemployment and drop-out from the labor force. Since offenders are disproportionately minority, unskilled, poorly located with respect to job opportunities, and poorly informed about the labor market, many of the problems which cause their unemployment are the same ones that cause the unemployment of all persons who share those characteristics.

Since offenders are disproportionately young, and since the more violent offenders are increasingly younger teenagers, the labor market problems which afflict teenagers generally are particularly pertinent to offender unemployment.

Some of these problems involve structural barriers to the labor market. The most broadly distributed problems involve frictional factors which are transient, while the most intractable problems involve secular trends arising from variables exogenous to the labor market. Few of the problems from which offender unemployment arises affect offenders alone.

If we are to understand the components of offender unemployment, then, and if we are to specify policy-relevant research and to fashion plausible remedies directed at each of those components, we must address economic and social variables which impact upon the broader classes of which offenders are a small part. We can help offenders, and perhaps diminish crime, more by doing so than by restricting our attention and our remedies narrowly only to offenders themselves.

III What Do We Need to Find Out?

*"Despite widespread interest in such programs, and substantial public funding of their activities, there has been relatively little systematic analysis of employment services program impact...Without such outcome studies, conclusions regarding program impact will continue to be based largely on impressionistic and anecdotal information, rather than substantiated analytical evidence."*⁶

As is readily apparent by now, there is no lack of questions to which the policy-maker needs definitive answers before he proceeds to invest public funds

in possible remedies. We need to collect a great deal of data which is not currently available, and we need to perform new kinds of analysis on that data.

Policy research and evaluation funded by the Federal government has suffered from the tendency of planning and research shops to try to do too much, too cheaply, and too soon with their money. The product that they have bought has been generally useless to the policy-maker for a number of reasons.

They are generally unwilling to commit enough money to buy large enough samples which can be disaggregated into policy-relevant data sets. They are generally unwilling to commit enough money to buy a truly comparable control group of sufficient size, and protect that control group from the effects of deterioration over time. They are generally unwilling to tie up large amounts of their funds over enough years to purchase longitudinal evaluation data, which is very expensive and which yields results long after current policy-makers are gone.

Research and evaluation funded by the Federal government frequently asks questions which are not interesting to the people who make policy because the analysts who control research and evaluation investments are generally divorced from the policy-makers. The planners and researchers generally worry about different kinds of issues, on a less urgent time horizon, in a different language, with different perception of political constraints, in comparison with the policy-makers.

The persons with the most influence within the government spend the least time worrying about the long term. Because the specification of research and evaluation questions has a payoff long after their current problems will have been passed on to someone else, policy-makers do not generally get involved in that process and do not generally grant access to those analysts who are involved.

The prescription seems obvious, if difficult to implement: research and evaluation staffs should do fewer things better at a much greater unit cost per research finding and over a longer projected yield period. They should fight to capture the attention of the policy-makers who are the logical consumers of their product. On the other hand, those persons should set aside time and energy to specify research and evaluation questions which will not yield definitive pay-offs until their successors are in office.

Were policy-makers to invest time in specification of the data which needs to be collected, and the analysis which needs to be performed, they could generate a nearly infinite agenda. For example:

- Controlling for each of the other components which contribute to offender employment, can we specify how much -- if any -- offender unemployment is explained by the presence of a disclosed criminal record.
- Although section 705(d) of the Comprehensive Employment and Training Act

(CETA) explicitly requires an annual report to Congress of offender unemployment, the U.S. Department of Labor reported to Congress in 1977 that it would be prohibitively expensive to get at that data. We need to collect straightforward demographic data on what kinds of offenders are unemployed or out of the labor force.

- We need to become sophisticated in the specification of the data sets to collect on what kinds of offenders have different employment problems. There should, at a first cut, be separate data sets on juveniles versus adults.
- We need to be able to analyze the effects of employment status on the criminal behavior of persons who differ on some non-traditional personal dimensions: (a) Presence/absence of learning disability, particularly for juveniles? (b) Presence/absence of current or previous malnutrition? Presence of malnutrition in combination with diagnosed hyperkinesis? (c) Prior residence in neighborhoods with high crime rates generally? with high rates of crimes against the person? (d) Prior membership in a peer group or "subculture" which condoned or encouraged criminal behavior?

One particularly intriguing line of inquiry stems from child development research on the increasing isolation of children. The fragmentation of the extended family, the increasing labor force participation of mothers, the separation of business and residential areas, the disappearance of streets with small shops and substantial pedestrian traffic, zoning ordinances, the disappearance of the apprentice system, and separate patterns of social life for different age groups increasingly deprive children of the opportunity and incentive for real contact with adults in general, their parents and relatives in particular, and children more than a couple of years older or younger than they.

Will one offender be more likely to recidivate than another if the first offender, ceteris paribus, (a) was more isolated from adults in general during his preschool, primary, or teenage years? (b) was more isolated from his parents? (c) was more isolated from children older or younger than he, or from adults in his grandparents' generation? (d) allocated more of his time to television versus communication with either his peers or others?

Controlling for other personal background variables and for criminal history, do any of these indicators of isolation explain particular kinds of employment difficulties? Are any of these measures of isolation correlated with duration of the initial spell of unemployment at entry, for instance? duration at reentry? reservation wage? in comparison with the job opportunities available? realism of other expectations about the nature of the job opportunities available, about the match between the worker's skills and productivity and those job opportunities, and about successful job search?

- Military service history is another personal background variable which deserves

careful examination. Controlling for other background variables and for criminal history, does an offender have different employment problems than a second offender, or do they have different offence patterns during the research, if the first offender (a) served in the military, while the second offender did not? (b) served longer in the military? (c) received a discharge "under conditions other than honorable," in comparison to an Honorable or a General discharge for the second offender?

• Having become more sophisticated in our specification of personal variables, we then need to become more refined in specifying the data which we want to collect about criminal behavior. Less obvious variables are:

- (a) Is there a "criminal career" pattern, either in property crime or violent crime, which differs by personal background variables or by employment status variables?
- (b) Is the criminal behavior part of a group/gang pattern of behavior, or does the offender operate alone?
- (c) Do victims tend to be family/friends or strangers?
- (d) Does frequency of offence vary with employment status variables?
- (e) Seriousness of recidivism?
- (f) Duration of the period during which recidivism takes place?

For similar reasons, we must go beyond the dichotomous unemployment/employment variable in collecting data on the labor force experience of offenders:

- (a) What is the labor force non-participation rate? length of non-participation? reasons for drop-out?
- (b) How serious is "subemployment" which is masked by statistics that show the subject as employed? What is the level of actual "weeks worked" and "hours worked" over the year, and how do those compare to preferences? How many who want full-time work have only part-time work? Why?
- (c) For different types of people, offences, and jobs, is duration of spells of unemployment (and labor force drop-out) really as short after quits as it is reported to be? Does duration of spells differ significantly after layoffs in comparison with quits, and with what criminal behavior effect?

When we consider not merely duration of spells of unemployment, but of the period of combined unemployment and drop-out from the labor force, is duration after quits as brief as it is reported to be? after layoffs? What about duration of the period of combined disemployment at entry and at reentry into the labor force?

Duration as reported by the BLS understates periods of disemployment not only because (1) discouraged workers who leave the labor force are not represented, but also because (2) reported duration fails to aggregate all spells of those who experience more than one spell of unemployment during the year, and (3) the data collected represents duration at a point in time instead of duration of completed spells.

- (d) For various classes of persons, offences, and jobs, what are the turnover patterns? What is the gross turnover rate within each data set? What proportion of turnover is explained by the quit rate? Of those who quit, how many had their next job lined up when they left? Of those who did not have their next job lined up after a quit, what was the duration of the following spell of disemployment?
- (e) For various classes of persons, offences and jobs, what is the effect upon criminal behavior of (i) differing wage rates? (ii) wage mobility patterns? (iii) relation of actual wage to either expected wage, reservation wage, or average wage in the labor market? (iv) job stability

versus quit or layoff patterns? (v) subjective job satisfaction or non-pecuniary wage? (iv) perceived/actual status and occupational mobility either within the firm or within the industry?

What are the measurable components from which "job satisfaction" or "non-pecuniary wage" may be derived, and which may hypothetically be manipulated to produce greater satisfaction?

(f) Do any of these variables, or any of the criminal behavior variables which may be dependent upon them, change when we control for the level of aggregate demand in the national economy or in the local labor market, measured by the employment-population ratio?

- Is the problem really one of labor force experience, or one of income? What happens to criminal behavior when we hold labor force experience constant and vary (a) absolute family income, (b) variations in family income over time, (c) income inequality in relation to others in the local labor market or nationally, and (d) variations in income inequality?

- We need to mount a series of expensive experiments which will yield longitudinal findings on the impact of various kinds of innovative interventions on all the labor force and criminal behavior dependent variables laid out above.

- For example, (a) If the data shows that job training, placement, readiness, and remedial education within prisons are unproductive, what about those programs immediately after release? (b) What about intensive guidance and counselling within institutions during the 3 months prior to release, on what is available in the labor market, and on how to go about job search and goal-setting? (c) What about involvement in a restitution program either during or after incarceration? (d) What about community service restitution, along the lines of sentencing in Great Britain?

The permutations of possible experimental program design are infinite. On the model of the plans recently sketched out by the new Office of Youth Programs in the Labor Department, we need to fund an extensive series of planned variations to figure out what works.

The findings of these experiments will be convincing only to the extent that individually-linked micro data -- as opposed to the kind of aggregate data which has been analyzed by most economists who have studied the relationship between unemployment and crime -- is collected.

- As a surrogate for experiments, Federal researchers should mine the currently available sources of micro data for all of the inferences which can possibly be drawn from them. We have not extracted as much knowledge about criminal behavior as is probably available, for example, from the two National Longitudinal Surveys (the "Parnes sample" funded by the Employment and Training Administration, and the sample of 1972 high school graduates funded by the Office of Education), the Continuous Longitudinal Manpower Survey, and the various income maintenance experiments -- especially the Seattle-Denver and the rural experiments.

- For each possible kind of experimental program intervention, and for each program outcome as to employment and criminal behavior, we need to collect data on unit costs. Cost data should be analyzed for sensitivity to variations in increments of program interventions and of outcome levels.

- One "natural experiment" which DOL has conducted since the passage of the FLSA in 1938 is its administration of the section 14 *exemptions from the minimum wage* for over 700,000 learners, student-learners, student-workers, apprentices, messengers, handicapped workers and other classes of individuals whose productivity, and therefore earnings capacity, is impaired by age or other factors.⁷

We have no serious study available to assess the effects of the section 14 subminimum, and no demographic data on what kinds of employees are certified under it. It is clear that section 14 exemptions are underutilized by employers, but we do not know whether that is because they are generally unaware of it, because it is unattractive to them as a consequence of record-keeping or other requirements, or because it is unattractive to potential employees because of the wide difference between the prevailing wage and the minimum wage in most local markets.

We ought to invest some money in finding out who has taken part in the FLSA "natural experiment," who has not and why, and what the effects of the exemptions have been.

* * * * *

This is by no means a complete research and evaluation agenda, but it is quite enough to chew up massive amounts of funds over the investment period available to policy-makers currently in office. Were we to address most of the questions framed here, we would have moved far along the path necessary to yield a comprehensive agenda of remedies to the problems of "unemployment and crime."

IV What Can We Do Right Now?

*"Far from its being true that we know nothing about crime, there is available now a fund of information on the subject which were it acted upon responsibly and steadily would substantially reduce crime...."*⁸

Without further protracted research, we know enough already about employment and criminal behavior variables to justify taking some actions right now. Even as we begin to take those steps, however, we ought to be aware that their impact will be mitigated by a number of constraints. For example,

- We are unlikely to reach a societal consensus on the desirability of reversal of such secular trends as the diminution and postponement of fertility, the diminution and postponement of household formation, the accelerating labor force

participation of married women with children, the decline in military employment opportunities, the rise in the labor force participation of students, the migration of industry out of the central city, and the changing occupational structure of the economy in favor of the service sector. Even were we to reach a consensus on the reversal of these trends, it is unclear that we would know how to implement it.

The effects of these trends may well dwarf, to the detriment of offenders, the effects of any measures which we take to help either youth or minorities in general or offenders in particular.

- The over 2000 statutes which restrict or prohibit the licensing of persons with arrest or conviction records for over 350 occupations are state statutes, and the states can elect to enforce them stringently irrespective of the policy of the Federal government. State minimum wage statutes constrain experimentation with subminimum wages in industries and occupations not federally preempted by FLSA coverage.

State law forbids the sale of prison-made products on the open market, requires that wages in prison industries be substantially below the minimum wage, restricts the entry of prison industry products from other states, and requires that goods produced by prison industries be clearly labeled as such.

- A number of studies have shown that an overwhelming proportion of felonies are committed by a tiny proportion of apprehended felons. The more serious and violent the felony, the higher the proportion of the total which is attributable to a small group of apparent incorrigibles, and the tinier (and younger) the group.

It may be that there is nothing which we can do to ameliorate the employment problem of the career criminal which would also diminish his propensity to recidivate. This is particularly plausible if, as some data indicates, a high proportion are clinically psychotic or afflicted with a learning disability.

This may also be true for addicts, although there is apparently no data to support the allegations of some criminologists that it is.

- A number of anthropologists and sociologists have argued that poverty and criminal behavior are characterized by class and neighborhood characteristics that tend to reinforce and sustain both from generation to generation, and to spread both within a community. Language styles, work values, aspirations and expectations, alleged incompetence in abstract problem solving, hopelessness and other attitudes dysfunctional to work success are passed on within the community.

If indeed there is a set of real world phenomena which correspond to this notion of the "subculture of poverty," or to the criminologists' sister concept of the "deviant subculture," then presumably the subcultural norms will impede

program interventions to improve the employment status of members of these sub-cultures.

Aside from the dominant problems associated with entry and reentry, as we have seen above, the major source of unemployment and labor force drop-out among teenagers and minorities generally, and offenders in particular, is a pattern of frequent voluntary quits and intermittent job search rather than a structural inability to either obtain or retain jobs.

Demand side interventions such as public service employment and wage subsidies for these groups, therefore, are addressed at an apparent problem which generally does not in fact exist. Such interventions are unlikely to change teenage minority and offender patterns of voluntary turnover as a means of learning about themselves and about the labor market, especially when turnover is motivated by aspirations of upward wage and status mobility.

If public service jobs and wage subsidies do in fact raise aggregate demand for unskilled labor and thereby do succeed in diminishing aggregate unemployment, then the effect on youth, young minorities, and offenders will be counterproductive -- the level of frictional unemployment associated with quits and job search will go up. The evidence indicates that quit rates, like job dissatisfaction and propensity to strike, vary inversely -- not directly -- with unemployment.

Apparently as the rate of unemployment diminishes, those who use intermittent voluntary turnover as a labor market exploration mechanism feel freer to quit because they feel more certain about their probability of finding another transient job and about the brevity of their spell of unemployment.

- Supply side interventions such as provision of skills training or of an employer training subsidy may reduce the duration component of unemployment by making more vacancies accessible to the trainee. Those interventions may also have the effect of increasing duration, however, by raising expectations -- and particularly the reservation wage -- to unrealistic levels.

- We have seen that there is preliminary evidence that property crime rates are related not to current employment status, but rather to expectations of the availability and the quality of future legitimate employment opportunities over the long term.

If someone is provided training, a training or wage subsidy, or a temporary public job, he is unlikely to see those benefits as assuring him any employment opportunity over the long term. He will accept the temporary employment assistance, and simultaneously continue his pattern of criminal behavior as long as his expectations about the future are unchanged.

- There comes a point when demand side interventions cease to enlarge the pool of job vacancies and, instead, begin to accelerate the inflation rate. At

that point, further subsidy has the effect of inserting youth (or minorities, or the unskilled, or offenders) into the queue at the expense of displacing others at the margin either into unemployment or out of the labor force.

- Even when public employment programs have the short-term effect of increasing the pool of available jobs, the evidence suggests that their long-term effect overwhelmingly is revenue sharing rather than increased employment in state and local governments. "For public service employment not limited to [segregated] project-type activities, these estimates suggest substitution approaching 90% within 2 years after a job is first funded."⁹ Wage subsidies to employers may have the same effect.

- Even when presented with a reasonable wage or training subsidy, a private employer will be uneager to hire youth and the unskilled because the subsidy is unlikely to overcome the high costs to him and the "hassle" of doing so. Since these kinds of workers are more likely to quit, for instance, the firm is likely to lose its investment in hiring and training costs. Experience rating of unemployment insurance tax payments results in many firms' having to pay high UI taxes almost equal to the UI benefits received by a laid-off employee.

- Although increases in the level and coverage of the minimum wage clearly diminish the number of employment opportunities available to youth and to offenders, it does not follow that expanded use of the FLSA section 14 exemptions or legislation of a subminimum will result either in a drastically increased number of available vacancies or in acceptance by youth and offenders of new vacancies.

Some economists believe that the availability of job openings to teenagers is affected by the ratio of the average teenage wage to the average adult wage, rather than by the legal minimum. Others believe that actual wage levels in local markets are the prime determinant of the availability of vacancies and of job acceptances and that changes in the minimum are immaterial where the actual wage is significantly above it.

- The voluminous evaluation literature on manpower training programs indicates that participants do have modestly higher earnings, a modestly greater probability of non-subsidized employment, and marginally greater employment stability in the immediate post-training period of several months to a year. The earnings and employment gains wash out at a steep rate after a year, however, and stability seems to follow. Most program graduates apparently are not placed in sectors of growing labor market demand, in jobs with substantial skill requirements or training content, or in career ladders with a potential for advancement -- all of which would contribute to employment stability.

Where there are earnings gains, however transient, they generally involve several hundred dollars per year on average -- an amount insufficient to raise most program clients out of poverty.

The evidence indicates that education interventions and resource increases, in the rare cases in which they actually impact positively upon educational achievement, have even more marginal effects on income and employment.

If manpower programs have an insignificant impact upon employment and earnings even when they successfully train unskilled clients in general, and if education interventions have at best a trivial impact upon employment and earnings even when they successfully affect the achievement of the average poor student, then how and why can we reasonably expect training and education programs for prisoners and other offenders to do better?

Despite these constraints, there is a range of initiatives which can be taken with a reasonable expectation of some impact upon offender employment and thence, possibly, upon crime:

Offender Licensing Restrictions

The Federal government can exert its funding leverage to induce states to amend licensing and ABC statutes which prohibit or restrict the employment of offenders. The government can condition employment-related grants to states after a specified date, for example, on repeal of such statutes. It can also --

- (a) Generate test litigation against state and local licensing and ABC statutes which discriminate against offenders as a class,
- (b) Propose Federal civil rights legislation making it illegal for an employer or a union to discriminate against an ex-offender solely on the basis of an arrest or conviction record, on the model of Hawaii's 1974 Fair Employment Practices Law amendments,
- (c) Propose legislation tightly restraining Federal dissemination of arrest, detention, investigation, arraignment, and conviction records, providing that such records be sealed except for national security purposes, and providing that, where appropriate, they be expunged,
- (d) Use the funding leverage of Federal grants to induce states to enact similar legislation,
- (e) Prohibit Federal employment discrimination against offenders as a class, and
- (f) Enforce, to the extent legally appropriate, civil rights legislation already on the books to protect the employment status of offenders.

Prison Industry

Prison industries suffer from overmanned shops; low productivity; outdated machinery and techniques, and the absence of investment capital and of the technical and managerial expertise necessary to bring them up to date; lack of qualified staff with job skills, training, proper work habits, and motivation; constant labor turnover; severely limited marketing efforts; poor financial records, controls, and cost accounting; statutorily restricted inmate wages far below state minimums; truncated work days and inflexibility of staff work shifts; constant work interruptions; and statutorily restricted markets.

"There is frequently a severe mismatch between the jobs in which prisoners are engaged [and for which they are trained] and the labor market demands of the

geographical areas to which these workers will return. Moreover, relatively few prison industry workers express an interest in working in a related job upon release; for those who do, little or no job placement assistance is provided."¹⁰

Prison industry generally is useless for improving the employment prospects of offenders after their release. There are several things that can be done about this:

- (a) The restrictive state laws cited can be repealed. The federal government can condition some of its grants to states, and perhaps contracts between the Federal Bureau of Prisons and state correctional system, on the repeal of those statutes.
- (b) The Federal government can propose the repeal or amendment of the Hawes-Cooper Act and the Ashurst-Somners Act, which permit states to subject products of state and Federal prison industries to statutory market restrictions, even though those products pass through interstate commerce; prohibit the interstate transfer of most goods produced in state prisons; and require the clear labeling as convict-made of the few classes of goods which are permitted to pass through interstate commerce. The President could rescind or modify Executive Order 11755, issued December 29, 1973, which prohibits the employment of inmates by contractors working under Federal contracts. He could propose the repeal of other Federal statutory restrictions on inmate labor, such as the one which prohibits the Postmaster General from purchasing equipment and supplies manufactured by inmates.
- (c) States could follow the example of Minnesota, and invite private industry to lease facilities within prisons for factories and shops which provide training and experience that will prepare inmates for reintegration into the outside labor market. Private businesses could establish and manage new prison ventures under contract to the state for management services, with the state owning the plant and taking the profits; as joint ventures with the state; as franchisees of the state; or under contract to owner-inmates, under state supervision.
- (d) With the cooperation of business and union advisory councils, states could reorganize their prison industries on the Free Venture Model recently proposed by Econ, Inc.¹¹ The objective would be to integrate prison industries into the outside market, so as to facilitate the transfer of inmate training and work experience to post-release employment.

Expansion of FLSA Section 14 Minimum Wage Exemptions

Although we already have a statutory subminimum available to ease problems of entry and reentry into the labor market for those with impaired productivity, and although an estimated 530,000 youth will be certified under the section 14 FLSA provisions in FY 1978, the statutory exemption is greatly underutilized in comparison to its potential.

The underutilization is partly attributable to widespread ignorance that the subminimum exists, particularly on the part of small entrepreneurs and unskilled workers, and partly attributable to the record-keeping costs which are imposed upon employers who seek certification to use it. The gap between average wage and the minimum probably discourages job offers and acceptances below the minimum in most markets. One study has shown that even when employers have taken the trouble to obtain DOL certification, almost 6% of the certificates issued were never used to hire anyone and only 2% were used to their ceiling.

The "learner," "student-learner," "student-worker," "apprentice," "handi-

capped," and perhaps the "messenger" exemptions (for community-based activities such as supported work) offer a great potential for easing the entry and reentry problems of offenders, both juvenile and adult. State and Federal corrections agencies, probation departments, CETA prime sponsors, and employers should make a major effort to use the Federal subminimum to facilitate the reintegration of offenders into the labor market.

The subminima, particularly the "apprentice" and the "student-worker" exemptions, can be an incentive to private entrepreneurs to establish new prison industries. The "handicapped" exemption could be especially useful for the training, vocational rehabilitation, and placement of the high proportion of juvenile delinquents who have learning disabilities.

Creation of an Induced "Friendship Network"

As we have seen, unemployment attributable to entry and reentry is in large part a function of the absence of informal friend, neighbor, and relative networks to help many youth and minorities. Bureau of Prisons data indicates that offenders also rely heavily on relatives and friends to find post-release jobs, and that their post-release unemployment is explained by isolation from such an informal network.

The conceptually obvious remedy to this problem is for states to use Title XX social services and CETA dollars to encourage the formation of volunteer "friend" networks which will create new contacts in the community for offenders. It would be a productive investment for states to pay the transportation costs of offenders on furlough to visit these volunteer friends, and the transportation costs of the volunteers, old friends, and family who have inadequate funds to visit institutionalized offenders.

Subsidize Maintenance of Family Contact

Parolee and releasee recidivism is highly correlated with either having a family to go home to or marriage immediately upon release from prison. We have already seen, moreover, that the employment rate of minority and young household heads approaches that of the average adult white male.

It would seem a productive investment, therefore, for states to use Title XX and other subsidies to provide help to offenders and their families to keep the families intact, including counselling and frequent transportation of the family to the institution. To the extent that prison industries enable offenders to send money home and thereby to maintain a sense of connection with their families, the state is maximizing the probability that the offender will reenter the labor market immediately upon release.

Expand Apprenticeship Programs

The Apprenticeship Services program, on which DOL is spending an estimated

\$33 million in outlays in FY 1978, assists 220,000 minority youth in qualifying for and gaining entry into industry-sponsored and union-supported apprenticeship programs, predominantly in the building and construction trades. The number of clients served through this program has dropped by over 150,000 since FY 1975.

The Pre-Apprenticeship Training program, with an estimated \$38 million in outlays for 30,000 young teenagers in FY 1978, prepares minority youth to enter the apprenticeship program through counselling, remedial education, and social services.

Under agreements concluded with the U. S. Bureau of Apprenticeship and Training (BAT) over the last 3 years, the Army, the Navy, and Federal and state correctional institutions have begun to introduce new apprenticeship programs for thousands of youth. Programs run by the services and by correctional institutions can, because they are registered with the appropriate state units as well as with BAT, be continued by the offender upon his release from prison and by the veteran after discharge. This is an excellent transition, which provides him with continuity during a period of extreme change and stress and with a place to go and familiar people to see on the morning after his release or discharge.

Apprenticeable occupations eligible for the section 14 minimum wage exemption are overwhelmingly in the construction trades, and DOL regulations have explicitly excluded from eligibility apprenticeship programs in selling, retailing, management, clerical occupations, and professional and semiprofessional occupations.

West Germany, Great Britain, and Japan employ apprenticeship routinely as a way to facilitate entry into the labor market and, in good part because of this system, teenagers in those countries do not experience the entry problem which is the dominant component of youth unemployment in this country. They know several months before leaving school exactly where they will go on the day after graduation. Because apprenticeship requires a commitment of several years, moreover, it inhibits voluntary turnover.

One school of analysts has argued that apprenticeship thereby inhibits upward mobility, which in this country is facilitated by the iterative series of quits and new jobs that teenagers move through. Another school believes, however, that the stable employment provided by apprenticeship encourages the employer to invest in the training of his teenage employee, facilitates the acquisition of really useful work experience, and leaves the teenager with a reference who knows him well and is motivated to help him find a permanent journeyman's position.

It has been argued that "bridge employment," for youth in the process of moving from a series of transient jobs toward a longer-term commitment, is disproportionately in small firms which train in a broad range of skills. Those

firms are recruiting grounds for large companies which have "primary" jobs to offer, and which rely on the small entrepreneurs' recommendations.¹²

Small firms are also useful because they maximize the opportunity for a troubled juvenile to form a close personal relationship with a successful adult who can teach him about the labor market, help him to learn about himself and to frame realistic expectations about what he is good at and what reservation wage he should set, and serve as a role model for him.

BAT, state correctional agencies, industry, and unions would probably diminish the rate of offender unemployment, and perhaps of recidivism as well, if they launched a major effort to expand the number of apprenticeship slots available to offenders, and to expand the scope of BAT's apprenticeship program to include jobs in the growing service occupations and in many small firms. Together with provision of labor market information to the offender, this is perhaps the most useful measure that can be taken to address the offender's reentry problem and, simultaneously, the problem of offender employment instability.

It may well be that first offences by juveniles could be substantially reduced if we were to initiate a similar national expansion directed at all teenagers. The major component of teenage unemployment, the duration of the spell at entry, would certainly be reduced.

Emphasize Placement and The Provision of Labor Market Information by Schools and Correctional Institutions

A number of analysts have commented caustically on the complete inadequacy of school guidance and counselling systems. Most guidance counsellors are ill-equipped to help students engage in a career goal-setting process during the year before their graduation. Counsellors tend, in sharp contrast to Great Britain and other countries, to be not very helpful in teaching students about how and where to find and to choose jobs.

The Parnes sample and other sources have shown that youth earnings, propensity to employment, duration of the initial spell of unemployment at entry, and job stability are robustly related to the level of occupational information the teenager has when he sets about finding his first job. If he has received useful information prior to leaving school, his initial spell is likely to be brief, and he is far less likely to engage in an iterative series of quits as a means of gaining more labor market information.¹³

Partly because West Germany, Great Britain and Japan engage in extensive counselling and placement for youth, teenagers there are able to attain their first job after leaving school without experiencing any unemployment. Several economists have recommended that this kind of effective provision of labor market information, counselling on career goal setting, and placement be made a major activity of schools

in this country, and that school administrators be held accountable for the employment success of their graduates.

Were we to require schools to do this for their students, and probation, parole, and pretrial services staffs to perform the same function for offenders, we would probably be investing in the single most useful measure directed at ameliorating unemployment which derives from problems of entry (teenagers generally), reentry (offenders and veterans), and patterns of voluntary turnover.

The Federal government could provide incentives and training for school and correctional staffs to perform this function of mediating between their clients and the labor market. We should begin to plan for the time when, as a matter of administrative routine, we hold those staffs accountable for client employment success on the first job after graduation or release.

Expansion of Federal Higher Education Assistance into a Broader Education and Training Voucher System

A number of analysts have noted that Federal educational subsidies skew student choices toward academic high schools, colleges, and formal vocational schooling as against on-the-job training. Both because on-the-job training is much less expensive and more effective than institutional vocational education and training, and because many teenagers would be happier and would earn more in the long run if they were diverted from the academic "track," this pattern of incentives is perverse.

Offenders in particular are little helped by such Federal subsidies as the Basic Opportunity Grants program (BOGS) and Guaranteed Student Loans (GSL), since most of them are neither equipped to enter college nor interested in it. They frequently cannot, however, secure assistance to get trained and placed in semi-skilled or unskilled jobs.

Coleman, Feldstein, Leiberg, and others have suggested that we broaden the BOGS/GLS concept toward a voucher which would be given to all citizens at a specified age, say 16, and which could be used (a) not only for college, but for any other type of schooling, (b) not only for schooling, but for any type of on-the-job training and perhaps even as a work experience subsidy, (c) at any time during the life cycle, not just immediately after high school, and (d) intermittently, without losing value if it is not used in one increment.

Federal provision of low-interest "human capital investment loans," or Federal guarantee of such loans made by private institutions, would be a less expensive means toward the same end.

Demand-Side Interventions

The Federal government could take steps to increase the aggregate number of jobs available in areas in which teenagers and minorities, and therefore presumably

offenders, are concentrated:

- (a) The government could subsidize, guarantee, or provide low-cost insurance to firms as an incentive for them to remain in the central city. Alternatively, the government might act as reinsurer for private insurance companies which would otherwise be unwilling to insure business in central cities, or which would insure it only at prohibitively high cost.
- (b) The government could subsidize, guarantee, or provide business renovation/modernization loans.
- (c) On the model of the Canadian Local Initiatives Program and of the Chicago Alliance of Business Manpower Services, the government could subsidize new mixed public/private sector intermediary firms to do the entrepreneurial and promotional work involved in creating (1) new private-sector OJT slots and (2) new small businesses, including cooperative ventures run by ex-convicts.

The intermediary firm could provide supplementary services such as remedial education, transportation, counselling, financial aid and access to day care and medical care. Firms that have provided OJT, such as Control Data Corporation, have found that supplementary services are essential for job retention.

- (d) One analyst has suggested that the Federal government provide start-up loans, loan guarantees, and management assistance to ex-convicts motivated to establish new cooperative ventures involving 5 to 15 employees.

Financing the Relocation Option

Fourteen thousand mostly unskilled persons were relocated under MDTA during the 1960's, with apparently spectacular returns in propensity to employment, earnings gains, and job stability. The Work Incentive Program (WIN) has financed sporadic mobility projects under the 1962 Social Security Amendments.

Under the Indian Mobility program administered by the Bureau of Indian Affairs, relocation financial assistance, job placement and counselling are provided to Indians and Alaskan natives who move either to new areas on or adjacent to their reservation, or to distant urban areas, to gain employment.

Using the Employment Services and Job Banks, ETA is currently investing about \$2,000,000 per year in experimental relocation assistance to 1900 CETA clients.

Since the days of the western frontier, the notion of pulling up stakes, leaving behind an undesired identity and perhaps a pathogenic neighborhood, and resettling where the jobs are has been a well-trodden path toward employment and earnings gains, and has reportedly been a highly successful way of changing the criminal propensity of offenders. There is substantial precedent for Federal funding of such voluntary resettlement.

We should expand the funding available for this option, make it available to convicts upon release, and begin to employ it as a sentencing option in lieu of confinement.

Pumping More Money into the System

Should it be desirable to funnel more money into the criminal justice system for offender employment services, there are a number of ways in which that can readily be done:

- (a) CETA primes, state corrections agencies, and local education agencies (LEAs) can package money from several different Federal sources under the Joint Funding Simplification Act. LEAA and CETA dollars could, for instance, be packaged with (1) Elementary and Secondary Education Act (ESEA) Title I compensatory education funds for neglected and delinquent juveniles receiving vocational education or any kind of training approved by the LEA; (2) Community Mental Health Centers money under an NIMH grant to help juvenile offenders; (3) Developmental Disabilities money, particularly to the extent that the mental retardation or the learning disabilities of juveniles are neurologically based; (4) HUD section 8 "Special Housing" subsidies to handicapped --including mentally handicapped persons--in order to pay the shelter costs of deinstitutionalizing offenders; and, inter alia, (5) HUD public housing funds, for the same purpose.

The packaging possibilities under the Joint Funding Simplification Act are endless, limited only by the imagination of state and Federal Agencies in devising projects.

- (b) Correctional systems can initiate efforts to ensure that they are maximizing their rehabilitative use of third-party payment and entitlement programs such as Medicaid and Supplemental Security Income (SSI). SSI and AFDC funds have in the past, under HEW waiver, been employed as third-party payments to fund training, work experience, and drug abuse counselling and treatment under supported work programs.
- (c) Veterans Administration (VA) entitlements are particularly pertinent since about half a million veterans are under some form of correctional supervision --including 30% of the inmates in state prisons. The General Accounting Office (GAO) has found that incarcerated veterans have woefully under-used the veterans benefits to which they are entitled.

VA will subsidize wages for 2 years of OJT or full-time apprenticeship training certified either by a state or by BAT. VA's rehabilitation program entitles veterans to vocational rehabilitation services to overcome loss of employability arising from a service-connected disability, and assists veterans in preparing for finding and retaining employment. Veterans can receive subsistence allowances while they are in training and for 2 months thereafter.

Correctional systems, the VA, CETA primes, and LEAs should use the VA Assistance Centers around the country, and the Office of Education's Veterans Cost of Instruction Program (VCIP) extensive office network, to expand OJT, apprenticeship, and vocational rehabilitation programs to all eligible offenders -- probably a couple of hundred thousand not now receiving services.

Creative Sentencing Options Involving Employment

Federal funding agencies should encourage, judges should try, and CETA primes and probation divisions should initiate the use of creative sentencing options such as restitution (on the model of the State of Minnesota, the French, and the Dutch programs) and community service (widely employed in Great Britain).

Both options could also be stipulated as conditions of pretrial release and diversion.

Creative Use of the Military to Facilitate Market Entry

Were the military to expand, to be complemented by a civilian community service program along the lines that ACTION is about to experiment with, or to take in increasing numbers of enlistees who score in category IV on the Armed Forces Qualifying Test (AFQT), the services could play a major role in diverting teenagers from entry into the labor market.

To the extent that juvenile crime is attributable to the employment problems of teenagers at entry, that would undoubtedly contribute to its diminution.

Were we to require that the military provide to those about to leave it the same kinds of counselling and placement services proposed as functions for schools and correctional agencies, the services could make a major contribution to elimination of reentry problems among potential offenders and to reduction of the voluntary turnover job search pattern among reentrants ignorant of the labor market.

Reallocation of Correctional Training and Placement Funds

Since we are pretty sure that training and job counselling within correctional institutions does not work, and since there is evidence that training, counselling and placement of some kinds of offenders in some kinds of jobs after release does work, the Federal government should use its funding leverage to encourage state correctional systems to massively shift their investment out of institutions and into employment services which will await the offender on the day of his release, a point at which he is subject to stress and uncertainty, needs support, and is therefore likely to be receptive to those services.

Linkage of Training with Placement

The evidence on training programs in correctional and parole systems, like the evidence on training programs in general, indicates that unless placement is into the job for which the client has been trained, his employment and wage gains will be highly transient and his job stability will be marginal.

The evidence also indicates, both with respect to training in correctional systems and to training in general, that very rarely is there subsequent placement into the kind of job for which the client has been trained.

The obvious, if controversial, solution is to fund vocational education, vocational rehabilitation, job counselling, and training programs only when (a) the grantee has first identified the firms and the jobs in which trainees can subsequently definitely be placed, and (b) only when the training and counselling is precisely directed at the skills and the work behaviors and attitudes required for those jobs.

* * * * *

However well implemented it may be, this agenda of initiatives will avail us naught unless business and union leaders in each community jointly take the lead in providing employment and employment services to teenagers generally and to offenders in particular, and unless those leaders work on a day-to-day basis with government staffs in order to translate each initiative from concept into reality.

Footnotes

1. Blair Ewing, Acting Director of the National Institute of Law Enforcement and Criminal Justice, testifying before the House of Representatives Sub-committee on Crime, September 28, 1977.
2. See, for instance, Ann Dryden Witte, Work Release Effects in North Carolina: An Evaluation of Its Post-Release Effects, (1975; Chapel Hill, N.C.: Institute for Research in Social Science, Univ. of N.C.); pp. 5-9, 96, 100-02, and Witte, Earnings and Jobs of Ex-Offenders: A Case Study, Monthly Labor Review (December 1976), at p. 35.
3. Cf. Gordon P. Waldo and Theodore G. Chirocos, "Work Release and Recidivism: An Empirical Evaluation of a Social Policy," Evaluation Quarterly, 1:1 (February 1977), pp. 96, 100.
4. National Institute of Mental Health, Graduated Release, (NIMH, Center for Studies of Crime and Delinquency, Rockville, Md.: 1971), p. 23.
5. Michael K. Block et al, Preliminary Estimates of the Effect of Unemployment on Crime Rates (Center for Econometric Studies of the Criminal Justice System, Hoover Institution, Stanford University), January 1978, at p. 18; Personal communication from Michael K. Block to author, January 6, 1978; Block et al, Property Crime and the Returns to Legitimate and Illegitimate Activities (First Draft), March 1978, pp. 28, 31. It must be emphasized that the Hoover findings are preliminary.
6. Washington, D.C., The Lazar Institute. National Evaluation Program, Phase I Summary Report: National Institute of Law Enforcement and Criminal Justice, LEAA.
7. Employment Standards Administration, U.S. Department of Labor (ESA/DOL), Workers Certification Under Section 14 of the Fair Labor Standards Act (A Report of Certification of Learners, Apprentices, Students and Handicapped Workers Submitted to Congress 1976), March 29, 1976; ESA/DOL, Minimum Wage and Maximum Hours Standards Under the Fair Labor Standards Act (An Economic Effects Study Submitted to Congress 1977), January, 19, 1977.
8. Norval Morris and Gordon Hawkins, The Honest Politician's Guide to Crime Control (Chicago, Illinois, University of Chicago Press) 1967.
9. Executive Office of the President, Special Analyses: Budget of the United States Government, Fiscal Year 1979, January 1978, p. 240.
10. Analysis of Prison Industries and Recommendations for Change (Vol. VI, Study of the Economic and Rehabilitative Aspects of Prison Industry), Princeton, N.J., September 24, 1976, p. 4. The prison industry problems cited in the previous paragraph are detailed in Vol. V, Prison Industry: The State of the Art, at pp. vi, 27, 42-44.
11. ECON, Inc., Vol. VI, Analysis...and Recommendations....., ibid., pp. 21-22.
12. Paul Osterman, The Structure of the Labor Market for Young Men (Boston, Mass.: Department of Economics, Boston University, undated, apparently 1976), pp. 22-31.
13. That information could also help him to arrive at a realistic reservation wage, thus expanding the scope of job options which he will consider.

COPING WITH
SOCIOCULTURAL CAUSES
OF YOUTH UNEMPLOYMENT
AND CRIME

BY

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Although economics is the prime mover in human history, new ways of seeking a livelihood cause problems that money alone cannot solve. This point is especially well-illustrated by two of the most frustrating domestic dilemmas in the United States -- youth unemployment and youth crime. Government efforts to reduce these closely-linked burdens on society are severely retarded because they ignore the social and cultural handicaps of many youths who seek legitimate employment. Increasingly, both the offenses and the job problems of young people result from: (1) separation of the activities of juveniles from those of older persons; (2) alienation of students from school; (3) insufficient experience of these adolescents in formal groups. This paper discusses the origins and implications of these three conditions, and how they may be altered.

I Age Segregation

Transition from the roles of childhood to those of adults was once easier than it is today, partly because these two worlds were never as separated as they have now become. Indeed, the farther back in history we go, the more continuity we find between the activities of juveniles and grownups; this is evident when we look back fifty years and is even more pronounced over a full century. For example, before today's technology made possible the widespread use of electric home appliances, automatic furnaces, preprocessed food and no-iron clothing, domestic chores were much more numerous and time-consuming, hence more shared by children and adults. Family businesses predominated, especially farming, and their work was almost always a collective effort of both parents and any offspring old enough to help. Furthermore, many children were apprenticed at an early age to learn trades from master craftsmen or were placed as domestic servants.

Formerly, in all but their earliest years, boys and girls spent more time in close interaction with adults than they do today. Even before they were full-grown and while still in school, they were often employed at the same work as adults; their classroom vacation schedules were designed to free them when there was peak demand for farm help. By their early teens most youths sought full-time jobs, for until the beginning of the twentieth century a majority did not enter high school, and until about 1950 more entrants dropped out than graduated.

When youths are economically self-sufficient, they have much of the independence of adults. But if we define adolescence sociologically, as the period of transition from child to adult roles and statuses, we must conclude that it is now longer than ever. It is a period that provides independence due to isolation from adults, but with few responsibilities, and most of these easily-evaded.

Schooling has increased about one year per decade in the United States, from medians of 8.6 years in 1940 to 12.1 in 1970, for all persons over 24 years old. The academic year has lengthened by more than one-third during the past half-century. Schools at every level, from elementary to college, are larger, give more specialized courses, and frequently have a smaller range of grades; these changes usually increase the number of students dealt with by each teacher, and diminish the number with whom a personal relationship can be developed. Meanwhile, technological changes have caused the replacement of most family businesses by corporate enterprises, a great reduction in household chores, and much more full-time employment of both parents away from the home. In addition, burgeoning public and private recreational centers and businesses cater exclusively to youth during the non-school hours. (For documentation and fuller interpretation of the trends described in the foregoing paragraphs, see: Gillis, 1974; U.S. President's Science Advisory Panel on Youth, 1974; Glaser, 1978: Chapter 8.)

The result of all these trends is that most children and adolescents now spend a larger number of hours per day in personal interaction only with their age group, in addition to more years as adolescents. Because they are more separated from older persons, they are more autonomous in deciding how to behave. Girls especially are much less chaperoned than formerly. The greater separation of young persons from the parents or parent substitutes who provide for them makes it difficult to impose obligations in exchange for this economic support, such as the duties that an employer might assign to employees. Thus, despite more economic dependence today, adolescents have more behavioral independence than did youths in the past; the upkeep given them has few strings attached. These features of adolescent life appear to prevail in all social classes.

Today's teenagers and non-working young adults seem more worldly than the youths of earlier generations and more independent in their views. Their language, and their taste in clothes and music, differ more than ever from those of the older generation. Contrasts in conduct were statistically highlighted by the 1977 Gallup Poll findings that most Americans 18 to 30 years old had smoked marijuana, but only five percent of those over 50 had done this. Such divergences reflect a basic law of sociology and anthropology: Social separation produces cultural differentiation. When efforts to reduce youth unemployment and youth crime ignore this law and its relevance to the age segregation in our society,

they are unlikely to achieve maximum effectiveness. These programs should also consider the sociocultural divergence among adolescents.

II Cleavages in the Student Years

As youths spend less time with parents or in workplaces, the school's potential influence on them expands. For those who like school and are successful there, it provides a good preparation for adult roles. These students usually identify with at least a few teachers and, especially in extracurricular activities, may have some close interaction with them. Their school experience gives them not only the substantive knowledge required for occupations or college entry, but also the facility to deal with higher-status adults, cope with bureaucracies and thus hold jobs in urbanized societies.

A quite contrasting preparation for adulthood frequently characterizes youths who have very poor grades or, for whatever other reasons, have predominantly unpleasant experiences in school. If they become seriously retarded in basic learning skills in their elementary classes, the later grades are especially frustrating. Then the classroom becomes a place of humiliation and boredom. Since virtually all youths seek respect, or even eminence, those who do not find it in studies tend to seek it more in alternative activities, including just "hanging out" with peers (Coleman, 1961; Stinchcombe, 1964; Turner, 1964; Hirachi, 1969). For these, even misconduct in school may be a source of prestige and viewed as an accomplishment; probably more often their classes become intolerable mainly because their instructors abandon hope of teaching them much and strive only to keep them quiet. The longer such students are forced to attend classes, the more the foregoing describes their experiences, unless they are among the few for whom an unusual teacher, school program, or other intervention reverses this trend.

More than ever before, research finds that dislike of school, poor grades, and classroom misconduct are predictive of later law violations. Such relationships of school to youth crime have been demonstrated repeatedly, both when offenses are measured by infractions that youths admit on questionnaires or by their arrest records (for details and references, see Glaser, 1978: 161-67). Intelligence test scores have almost always been found inversely related to delinquency rates, probably because low I.Q. scores, whatever their causes, are correlated with poor schoolwork (Hirschi and Hindelang, 1977). Perhaps most pertinent is the finding that when juveniles acquire a delinquency record while in school, their rate of further offenses generally diminishes if they drop out, and declines even more if they also marry, get jobs, or both, thus shifting from adolescent to adult roles (Elliott and Voss, 1974). Although educational institutions provide paths for traversing childhood, there are detours and crossroads

that lead some youths away from rather than towards legitimate adult statuses. Most "straighten out" eventually, in or out of school, with or without help, but often only after a career in crime.

There are some who flounder academically and some who progress, regardless of social class or ethnic group. Probably the most important parental aid in schoolwork is not any tangible assistance but the transmittal of a high valuation on education. In addition, however, parents educated in approved English usage give their children a headstart over those from homes where English either is not spoken or is used in a style rejected by teachers. Consequently, the offspring of some groups of little-educated recent migrants to our cities have been frequent among those having difficulty in schoolwork and acquiring records of delinquency. Yet as life becomes more urbanized and employment is more often in large corporations, the bifurcation of students into prospective law-abiding employees and intermittent or professional offenders reflects not only grades, but also subtle aspects of behavior that pervasively differentiate humans.

III Formality in Collective Conduct

Because urbanization and industrialization affect our daily lives more than ever before, we must deal with large organizations. To work, to shop, to obtain any government service, and even to use recreational facilities, we must interact on an impersonal basis with strangers who carry out standardized roles as functionaries of complex corporations or official agencies. Our interaction with them contrasts with the personal style of social life within the family, a small business, a neighborhood shop, or a small village government.

In informal groups with familiar associates, collective decisions are routinely made not only by discussion, but also by entreating, cajoling, nagging, or shouting. These informal processes do not disappear in larger organizations, but there is more expectation of making decisions by dispassionate procedures, such as orderly negotiation, perhaps with voting, or by directives from higher offices in an administrative hierarchy. Also, for a large proportion of transactions and agreements the final decisions are recorded in contracts, memoranda, invoices or other written documents. Innumerable aspects of work and business, and even of voluntary service, play, and worship, are thus more often formalized and bureaucratized than they were in past eras.

To become successful adults, most adolescents must bridge the gap between informal and formal group conduct. The school and various groups that youngsters join may facilitate this process, but only if these settings provide the training and experience needed in formal organizations. For some, this training begins in early childhood, but there are youths who rarely receive it and are only comfortable in informal social settings. The influence of juvenile social worlds on

how well their participants bridge this gap becomes evident if we contrast, following Loeb (1973), various aspects of formal and informal adolescent groups:

1. Informal groups, such as a set of youngsters who usually "go together" in school or play, readily change their members and often end abruptly, while formal groups, such as a scout troop or a high-school club, usually have continuity for years despite complete turnovers in membership.
2. Informal groups arise without a clear and lasting purpose other than momentary attraction of members to each other, whereas formal groups are established for particular interests or objectives and organize their activities to serve these goals.
3. Informal groups have free-flowing and face-to-face communication between members, usually without intermediaries, but formal groups have deliberate and orderly communication, often through representatives, and much of it is recorded in memoranda or minutes that later may be cited as official.
4. The roles of the various members in an informal group generally are ambiguous, but in formal groups there are definite roles assigned to all members.
5. Control of informal groups emerges only from the personal influence of some members on others when collective decisions are made -- reflecting whatever respect, fear, sense of obligation or other sentiment each happens to arouse in the others. While these personal influences do not disappear in formal groups, they are constrained by written rules that prescribe the rights and duties of the membership and of every office, as well as the decision-making procedures.
6. Differences in roles and responsibilities develop spontaneously in an informal group, but in a formal group such variations occur only after a deliberate procedure, such as the election of officers or appointment of committees.
7. Persons join informal groups only because they and the members "like" each other, but entrance into a formal group is based more on official criteria and application procedures.
8. Decisions of informal groups emerge spontaneously from interaction among members in a manner that is often impulsive and arbitrary, while decisions in formal groups are reached through more orderly discussion that elicits more explanations and rational arguments.
9. Informal groups tend to ignore or to be unconcerned or defiant about any laws or social norms against their preferred activities, while formal

groups tend to be informed and concerned about the relevance of laws or customary norms to their activities.

10. From the foregoing, it is evident that participation exclusively in informal groups during childhood and adolescence impedes the acquisition of some skills and habits needed for adult roles in urbanized and industrialized societies, whereas these skills and habits develop in formal groups.

Research has demonstrated that participation in adolescent formal groups, such as extracurricular activities in high school, is correlated with non-delinquency (Hirschi, 1969) and with higher status attainment in adulthood (Spady, 1970; Otto, 1976). These groups tend to be of two types: authoritarian or democratic. Authoritarian formal groups are exemplified by most teacher-dominated classrooms, but especially, by athletic teams and bands directed by an adult who demands strict obedience and receives it. Democratic groups are illustrated by student government and clubs run more exclusively by the membership, through elected officers, although usually with a faculty advisor. Subordination to the discipline and teamwork of authoritarian formal groups prepares youths for compliance with strictly-regulated employment in large factories and other routinized corporate enterprises. Participation in democratic formal groups, however, prepares youths with the skills needed to rise in large-scale bureaucracies, to become managers or other types of executives.

Youths who hate school generally do not join any formal adolescent organizations. Their customary mode of relating to others, therefore, is that of their informal groups, with impulsive decision-making, no clear recognition of authority, and little scheduling or other predictability of conduct. They tend to be casual about time commitments and specific role responsibilities, being more accustomed to spontaneous collective conduct than to precise routines, punctuality, and obligatory tasks. Regardless of their actual or potential work skills, therefore, they are poorly prepared for most types of employment in a modern industrialized society.

IV Practical Implications

Research has shown a correlation between unemployment and crime (e.g., Glaser and Rice, 1959; Fleisher, 1966; Votey and Phillips, 1974; Greenberg, 1978), but efforts to reduce offenses by providing job training or even jobs for unemployed youths, particularly for ex-offenders, have often been unsuccessful. This paper contends that such failures occur mainly when the three types of sociocultural gaps described here are ignored; it argues that vocational training or job experience for unemployed youths will result in more retention of employment and avoidance of crime if (1) the youths are socially integrated with persons of other

age-levels; (2) the system for rewarding performance is much different in these programs than in most schools, and (3) the youths gain the skills and experiences needed in formal groups, especially formal democratic groups. Let us consider the possible means of attaining each of these objectives.

Age Integration - When trying to help unemployed youths attain law-abiding adult roles, to keep them in large and fairly homogeneous groups is to perpetuate a major cause of their difficulties. In peer groups they are exposed primarily to the habits and subcultures that impede getting jobs in today's urban and industrial society. Yet to surround them at once only with persons of markedly different background is to make them ill at ease and prone to withdraw from the program, either by departure or by inattention and insincerity. Consequently, for these youths the age and cultural gaps can often best be bridged by paraprofessional instructors or counselors, such as former offenders with the same background as their clients but only slightly older, who have clearly traversed the route towards legitimate employment. However, complete transition of clients and paraprofessionals to self-sufficiency in the legitimate adult world is impeded if they work only with each other.

It is reasonable to infer that an optimum program for ages and cultural integration employs a casework-team approach. Each team is staffed by a mixture of paraprofessionals and professionals, from one to three of each, who are diverse in age, background, gender, and length of service in this type of team. Presumably paraprofessionals are best at gaining rapport with newly assigned clients, while professionals (such as social workers or teachers) have more technical knowledge and skill for paperwork and for negotiation with bureaucracies. Clients, though assigned to the team rather than to any individual staff member, are dealt with on an individual basis as much as possible. Their initial contacts are mainly with the paraprofessionals, but not exclusively, and they are encouraged to work with any available member of the team whenever mutually convenient. Team members inform each other of their actions for each client. Probably the various clients will develop personal attachments to different staff members; but staff members should try to be partially interchangeable in their services and relationships, so that at least one of them is available and useful for crisis intervention at any time.

A major concern of such teams is to increase the bonds of their clientele with other law-abiding persons. Consequently, they should try to get their clients into schools, jobs, and leisure-time activities with law-abiding persons not connected with the program. This might initially be done on a part-time basis, to make the transition easier. In addition to the primary missions of the agency--vocational training or job placement and crime reduction--the teams would work to-

ward resolution of any problem on which the client requires aid or seems to need, and be receptive to, assistance (e.g., medical, family, housing, money, or simply loneliness).

The optimum team-casework depicted here may be unavailable, but it can be approached with whatever is practical in a given situation, to increase age integration. Other problems arise in any instructional program, and their solutions may also reduce the segregation of youths.

Innovative Academic Reward Systems - Youths who are both chronically unemployed and delinquent, have usually been unsuccessful in traditional school settings. They may require special educational programs to increase their employability. To return them to a typical classroom is at best, to renew their expectations of humiliation by mediocre accomplishment and at worst, their disruption of the teaching process, inattention, failure to do homework, and frequent truancy. To avoid the entrapment of such youths by earlier habits and experience, it seems wise to alter pedagogical procedures and settings, and to make their learning efforts more gratifying. For this type of student the greatest educational gains have generally been achieved with programmed instruction, supplemented by personal direction and assistance, and by immediate praise or more tangible rewards for progress.

Programmed instruction employs a large variety of specially-designed books, worksheets, individual slide or filmviewers, and assorted other "teaching machines," that divide instruction into logical units. Each unit is just long enough so that the student can complete it and then be immediately tested on it and pass perfectly or almost perfectly. The student does not go on to the next section until this mastery of the studied unit is demonstrated. Expert counsellors can recommend for each student the learning programs that fill educational needs and are challenging but not frustrating.

The ideal instruction programs have built-in review, and some are computer-controlled or are in other ways designed to diagnose errors in a student's responses to instruction items; on the basis of such diagnosis, subsequent learning units are provided that correct the particular type of misconception or erroneous procedure that the student has been using. Students thus have almost continuous success in programmed instruction, an experience that often contrasts sharply with their earlier classroom performance. Perhaps as important is that their success is in their own clearly visible progress through the lessons, rather than in relation to other students. It is not competitive. Often this sense of accomplishment is heightened by special recognition or tangible rewards--even money--for each set of properly completed tests.

Once a student makes appreciable progress through programmed instruction,

after being an underachiever in classrooms, the return to regular courses may be desirable, but at first, preferably in favorite subjects and in classes with adults. Under these circumstances, the prior misconduct in school is unlikely, and academic progress should be normal. A student in such a sequence of learning experiences acquires not only knowledge of the subjects studied, but also, the habits and skills for the bureaucratized settings of most employment today.

Participation in Formal Groups - Transition from the habits of informal group life to those needed for secure employment in formal organizations is often made only gradually. A casual attitude about tardiness or absence does not help to retain a job. The jocular and horseplay appreciated in casual settings will be welcomed in the work world only on a limited scale. The angry outbursts, threats or actual violence that may be customary sources of authority in delinquent gangs will elicit prompt expulsion where an orderly and obedient work force is necessary.

Participation in formal groups usually begins in authoritarian ones, such as a typical class or job situation. A harsh and tactless display of power by the person in charge evokes rebellion, especially if it demeans individuals in front of an audience of their peers. A group thus dealt with often unites to defy or evade control. Conversely, a teacher or work supervisor extremely meek and permissive with youths who have never been very orderly and obedient is likely to be exploited by them. Either of these extremes tends to perpetuate in youngsters an ineptness for adult work situations. Reasonable order requires a tradeoff in which there is good-humored indulgence of some disruption but clear indication of when it has gone far enough. It also requires some predictability in a teacher's manner or style. Usually a new supervisor tends to be tested by the less orderly youths to see "how much they can get away with." Thus norms are set on the degree of conformity to rules and the diligence of study or work acceptable in a given authoritarian group setting.

Persons accustomed primarily to informal groups, and adapted only to a low level of order in class or at work, will most readily develop more orderly and formal behavior habits and norms if they have gratifying experiences in group settings where such conduct and norms prevail. They will also change most readily if they enter a new group alone -- without others who have their prior habits -- and must conform to new standards to gain approval. Thus, if persons with problem conduct are dispersed to different units of a large organization, and they get pleasant personal contacts or other immediate rewards in the new situation, their behavior may be changed more than if each new cohort of entrants is kept together.

Optimum preparation for success in the adult work world requires that youths not only conform to authority, but have personal norms of responsible conduct

that express consideration for others and recognition of organizational needs. This type of autonomy distinguishes persons who try to make fair decisions for others, and comes from being given responsible roles in an organization, including participation in formal and democratic decision-making. Of course, acquisition of these character traits may be impeded if persons are not assigned as many of an organization's decisions as they can handle. Instead of the teacher or work supervisor giving orders on all details, so that the youths are always told what to do and come to expect this, it is appropriate to have them decide schedules, rules, and assignments to meet the organization's needs most satisfactorily. These may be responsibilities given to individuals or to formal democratic groups. It is also instructive for youths to be involved collectively in rule making and rule enforcement, including specification of penalties, rather than having rules imposed on them only by older or higher-status authorities. Of course, some limits on the autonomy of their subordinates may have to be specified by adult authorities; monitoring and veto-power may have to be exercised in some matters. Yet it is only by experience in the exercise of power in a formal and responsible manner that youths can learn to deal with power wisely.

V Needed Policies and Policy Evaluations

This paper has indicated that not only the provision of education, jobs and other assistance to youth, but how they are provided, may determine their impact on subsequent employment or crime rates. It suggests that dealing with offenders en masse, in a highly regimented manner, may not help them nearly as much as jobs or instruction in which they are mixed with tasks or lessons they complete, with nonoffenders of diverse ages. Paying such youth with cash for the separate tasks or lessons they complete, with prospects of increases as they progress, may improve their employability much more than paying them for mere attendance at a school or job. Also, assigning youths most clearly unable to get jobs to subsidized work should reduce chronic unemployment in our society more than does the common practice of recruiting for these programs only youths most likely to get jobs on their own. Similarly, sending offenders with least resources at release to halfway houses should reduce crime more than does the common practice of selecting only the best risk prisoners for these facilities.

It follows that the effectiveness of assistance to youths should not be evaluated simply by comparing the subsequent work or offense records of those given or denied this aid. Instead, (1) the recipients of special services and any comparison groups should be matched in their need for these services, and (2) the help provided should be classified by whether it was delivered in a manner designed to overcome the social and cultural handicaps of its clientele. Of course, more research is needed on relationships between ways of providing train-

ing or other assistance and some of the subtle things people may learn from it, such as being at ease in law-abiding social circles, and participating well in formal groups. Reports thus far suggest that optimum programs for changing the job performance of young people enhance not only their technical skills, but their experience in today's corporate work world. Such experience is apparently best acquired by trial and some inevitable error at actual jobs, preferably procured by themselves, rather than through extensive counseling and training in special programs. Therefore, subsidizing job opportunities may often be the most cost-effective way of providing really relevant training.

Unavailability of data on the manner of delivering services and failure to control appropriately for the selection of clients probably are important reasons for the findings of Lipton, Martinson and Wilks (1975) that very few correctional programs "work." Whether offenders who receive assistance are less likely to return to crime must depend not merely on their exposure to such aid, but on: (1) what they experience and learn in it; (2) its reduction of their segregation with persons of their own age and criminality; (3) its contribution to their rapport with noncriminal persons; (4) its effects on their ease in conforming to the behavior expectations of formal organizations; (5) their prior record in legitimate employment; (6) their prior rewards from crime. Both programs of assistance to unemployed or delinquent youths, and evaluations of these programs should take at least these six variables into account.

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YOUTH UNEMPLOYMENT
AND OTHER ISSUES
AFFECTING VIOLENCE LEVELS

BY

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I Introduction

In the "Foreword" to his recently published collection of essays, E.B. White writes:

I think some people find the essay the last resort of the egoist, a much too self-conscious and self-serving form for their taste; they feel that it is presumptuous of a writer to assume that his little excursions or his small observations will interest the reader. There is some justice in their complaint.¹

My "little excursions" in this paper take routes already heavily travelled.

They are as familiar as the path one takes to walk the dog in the evening.

What I offer here is not "new" but rather bits and pieces of what may be seen as conventional wisdom. Yet, even the collection and display of conventional wisdom, arrayed in a slightly different pattern with a slightly different focus, may have some value -- if none other than to remind us of feelings and thoughts which still have meaning, and of national work which remains to be completed.

What follows are the impressions of a mind perambulating through some recent publications which examine crime, unemployment, schooling, and the general forces shaping our present existence.

Emphasis is placed on general themes in each of these areas. Little attention is given to reported studies which analyze the relationship between employment and crime. It is assumed that much of this territory will have been covered in the collection of essays composing this complete volume.

Special attention is given to youth, for the worst societal conditions affect youth more than older people. The preponderance of criminal offenders are youthful; the unemployment figures for youth are as much as five times greater than they are for adults; national events over the past decade appear to have affected youth more noticeably than the over 24 population; and the impact of youthful disaffection with national events has the greater potential for national disruption.

These notes do not fall exclusively on criminal offenders but rather on young people. The conditions elevated in this paper affect youth universally, particularly those with fewer advantages than others; thus, solutions applied to ameliorate these conditions should be addressed to the whole age category instead of a special audience within that category. If the solutions work for the whole

group, they will resolve the most significant problems which the special group experiences.

At this point in history our scientific skills are not sufficient to untangle the complexity of causal factors which generate the criminal act. As noted in On Further Examination² in reference to another but related problem, circumstances which induce the criminal act are "a virtual seamless web of causal connections." The conclusions of our best studies only tease us into suggestions about what causes people to commit crimes. At best we are able only to conjecture about the causes of crime and in the case of this paper, to conjecture about the relationship between unemployment and criminal activity.

In the most recent studies of the causes of crime, the unemployment factor appears as a key causal variable. Part of this explanation may be found in the fact that the economy in the last few years has not been healthy. And youth have suffered most from it. At the time President Carter was signing the Youth Employment Bill in 1977, there were more than 3,500,000 people under the age of 24 on the unemployment lists. This number is half of the total unemployment figure for that period. To focus more sharply, the unemployment rate for youthful urban minorities hovered around 40 percent, with a five point plus or minus variance depending on particular cities. General teenage unemployment was at 18 percent. The condition was even worse than these data indicate, for they measure only those individuals who are seeking work and can't find it. They do not count those people who have stopped looking. In the article reporting these figures, Ray Marshall, U.S. Secretary of Labor, is quoted as saying about these numbers: "They don't tell you about the teenagers who have turned to crime and drugs because they have lost any optimism about the future."³

At the same time, and in tandem according to some reports, the prison population and youth crime rates escalated.

It is almost aphoristic to suggest that those offenders who are caught, prosecuted, convicted and incarcerated (a very difficult parlay to achieve as shown by recent studies of incarceration rates as compared to reported crimes) are generally those individuals who are lacking in education, in significant job histories, and in marketable skills. These offenders are young. They are minorities. It would be a shock to have discovered that a good number of these individuals would have been employed upon arrest. They have little that would interest an employer. To suggest then that unemployment is a major causal factor in the commission of crimes is to vastly oversimplify the complex scene in which such acts occur.

II Meaning of Work

Employment is significant for all people. It is significant for each of

us, not only because it permits us to purchase the necessities of life and sometimes to permit us to satisfy our wishes and wants, but beyond this and equally important is the fact that what we do defines in an important way who we are and what we are.

A distinction needs to be made here between work and employment. Employment is what we must have in order to satisfy essential physical needs; it is a job which earns for us sufficient funds to purchase the necessities and, assuming an adequate pay level, some of life's niceties. It is not something we would choose to do if there were some other means of satisfying our support needs. In its extreme, employment (or jobs) under this definition can be visualized through the factory scenes in Charlie Chaplin movies or in the myriad descriptions of dehumanizing assembly line work characterized by the machines controlling the movement and lives of the people who supposedly run them. "Most of us, like the assembly line worker, have jobs that are too small for our spirit. Jobs are not big enough for people."⁴

Work, on the other hand, or "good work" in E. F. Schumacher's terminology,⁵ is an activity which is personally fulfilling, establishes an identity for us within the community, and produces something of value. In the words of Terrel H. Bell, former U.S. Commissioner of Education:

Work in America is the means whereby a person is tested as well as identified. It is the way a youngster becomes an adult. Work shapes the thoughts and life of the worker. A change in atmosphere and life-style can be effected by an individual by simply changing the way he or she makes a living. For most of us in adult life, being without work just is not living.

Under the happiest of circumstances, such work may also provide a wage or salary. More often than not, however, this sort of work takes the form of after-job activities, the pursuit of hobbies, studies, community volunteer work and family activities.

It would be soaring optimism to suggest that work for which one is paid a salary can be constantly of the variety which at once taps our finest qualities, produces goods which are clearly valued by those for whom they are designed, permits personal expression, builds a clear sense of self-worth, and identity within an institution (company, agency, etc.) and/or community, and offers a reasonable measure of security and opportunities for advancement. But all work must have some of these qualities, at least some of the time, to be at all attractive to an individual. This sense is captured by the steelworker in Studs Terkel's Working. The steelworker talks animatedly about his work, stressing at some points its brutal qualities and then focusing on the chance it offers to leave his mark on the structures he helps build. The mark is a symbol of his existence, one that will remain beyond his life. The mark does what his children do for him. When

the steelworker is asked about his hopes for his son, he responds in part:

"I want my name carried on; I want a part of me to survive beyond my own time."⁷

It is exactly this element which is essential for workers of all ages, to ensure against the disenchantment many people feel about work today. It has become drudgery; hectic work, something any idiot can do and something for which there is no personal value.

We have succeeded in downgrading work which does not require a university degree. At the same time, employers are requiring academic credentials for an increasing number of positions which formerly demanded little such training. According to Garth Mangum, University of Utah labor economist, (offered in remarks presented at the Great Debate on Career Education Conference, Washington, D.C., June 9, 1977), one-third of all jobs can be achieved effectively by persons with a seventh grade education and a driver's license, one-third require some modest pre-entry training, and the final third demands some college experience. He suggests further that in spite of the fact that 20 percent of the jobs in this country are held by college graduates, a good number of these jobs do not require such highly trained persons.

Employers' increasing insistence on higher and higher credentials has created three serious disjunctures in the employment system. It has developed an expanding cadre of working college graduates who are underemployed and discontent.⁸ It has made it increasingly difficult for the non-graduate to find employment opportunities with some modicum of career potential. And it has served to diminish the acceptability of low status service jobs.

To develop the latter point, blue collar work, service jobs, assembly line employment, and similar kinds of positions (especially those which pay minimum wages and fall in the category of service - janitor, sweeper, porter, etc.) are avoided even by those people who have been and are currently unemployed. We have been taught that there is nothing about such work which adds to us, which shows our capacities, which rewards us beyond the base of the pay scale. In fact, we are taught that such jobs exploit us, that it is better to work the streets, take welfare, or run one's own operation (legally or illegally) than it is to accept such work. This attitude in large measure explains why many jobs go begging.

Most of the entry level jobs available to youngsters are those without significant career potential. They don't lead anywhere. These jobs include those in fast-food establishments, supermarkets, and other service areas.⁹ This fact is particularly true for inner city minority youngsters. Young people generally find their first jobs through their working friends, their families, and their relatives. Since many inner city dwellers work in jobs without great career potential, the likelihood is strong that children from these families will tend toward these

second tier industries. There is little opportunity (not withstanding the American dream), for example, for a dishwasher to advance to a management position. It has been argued, as Paul Blustein does in regards to the government's Public Service Jobs program, that service jobs have no value.

It hardly helps the unemployed if offered a deadend job "serving society" when their problem is that they frequently leave such jobs in the private sector -- as shipping clerks, dishwashers, porters. If people can find low-wage, deadend jobs in the private sector fairly quickly -- jobs that consumers are willing to pay for on the open market -- why pay them taxpayer money to earn low wages at dead-end jobs in the public sector?¹⁰

But, these jobs are not without value. For any worker, it is as important to learn technical skills as it is to learn attitudes, habits, and social skills. The most skilled worker is of little use to an employer if he cannot get to work on time, perform well while he is there, take directions from his supervisor, and work effectively with his fellow workers. These attitudes, habits, and social skills can be learned on nearly any job.

In spite of the limited potential of such work, they do provide youngsters with incomes, a clearer awareness of the meaning and demands of the workplace, and the beginnings of a work history which make them more attractive to employers with positions offering more career potential.

Further, it is possible to find dignity and significance in all kinds of work. Self-fulfillment through employment comes as much from how others view positions as from how we view it. Porterage, waiting on tables, janitoring can be seen as important service functions the lack of which would diminish the quality of our lives. Experience shows that at least some individuals who have such jobs hold them with pride and perform them capably. Particularly in the service industry, it is important that more of the workers do.

Schooling and guidance systems have not encouraged youth to view such jobs with this perspective. Parents have not helped either. Rather, this work is viewed only as a means of making money without any attendant value. The result is the long term impact of the work is lost in the short-sighted understanding that the job is only important for the money it provides and, further, because it is demeaning work, the quicker one leaves the job the better. The larger perspective should be taught in the schools, the home, and in other appropriate social institutions where youth spend their time.

III Social Distractions

Volumes have been written about the decline of social institutions and the abdication of their responsibilities for nurturing and acculturating youth. The percentage of single family households increased 4.6 points from 12.3 to 16.9 in the six year span from 1970 to 1976. In the same period the percentage of divorces rose from 3.5 to 5.0. The percentage of families with both parents working in-

creased from 39.5 to 41.0 in the period 1970 to 1975. The U.S. Bureau of the Census, which reported these figures, suggests that this upward trend will continue.

The general decline of church influence, extended family patterns, and the prestige of public leaders, police, employers, and other resources significant in the youth maturation process have curtailed youth opportunities to gracefully transit into the adult world. In fact, in important ways youth are "protected" from the adult world (and from an understanding of what useful role they might take in it both as youngsters and adults) and closed out from important experiences. Federal legislation has encouraged this isolation. Examples of this legislation include the long-standing child labor laws and the mandated schooling age for youth. Both of these laws were designed as mechanisms for protecting youth, for giving them adequate time to learn and grow before entering the adult world. They did what they were intended to do, but they have also eliminated important learning opportunities.

Responsibilities for assisting youth to mature, once shared among various community institutions, have been delegated to the schools. In addition to providing basic instruction in the three R's and teaching the foundations of American society, the schools have taken on the roles of: policeman, parent, nurse, adviser, and moral guide. And for the most part, the schools have performed these roles in the protected environment of the classroom. Little outside, real-world assistance is requested or desired.¹¹ Issues are dealt with on a theoretical level without the guidance or advice of community adults who might be appropriate, experienced resources. In general terms, the schools have accepted these roles without a great deal of reluctance, and, once accepted, they have resisted the intrusion of the outside world into the broad scope of their affairs. (Generalizations like these tend to obfuscate the variety among school systems and reduce to simple terms the complexity of conditions, but they are useful in describing broad trends and depicting gross weaknesses in the system). In short, the schools have become the single, most significant institution in our society for shaping youngsters.

The multiple roles they have assumed are beyond their capacity to adequately fulfill alone. It appears that these additional roles have diverted the attention of the schools from its primary purposes.

IV National Test Scores

In addition to the distressing decline in student competencies as measured by standardized tests, in the last few years significant drops in Scholastic Aptitude Test scores have been reported. The drop was sufficiently disturbing to warrant the formation of a special study group to examine the test and to explain the falling scores. The College Entrance Examination Board supported the establish-

ment of a blue ribbon panel, chaired by Willard Wirtz, former U.S. Secretary of Labor, with Harold Howe, former U.S. Commissioner of Education, as vice-chairman. Between 1963 and 1977 average scores on the Scholastic Aptitude Test Verbal section fell from 478 in 1963 to 429 (total possible score is 800) in 1977; the Mathematical scores declined from 502 to 470 (total possible score is 800) in the same period. In 1975 the College Board and Educational Testing Service created the Advisory Panel on the Scholastic Aptitude Test Score Decline. Its tasks were to:

... audit the steps already taken to insure the psychometric integrity of the tests, to suggest additional ones if appropriate, to examine other kinds of research already done, and to identify research that still needs to be done in order to deal effectively with the score decline issue as it relates to candidate population, secondary education, and society.¹²

The panel produced its report in 1977.

The SAT (in the 1976-77 academic year 1,401,000 tests were taken) is designed to predict the performance of junior and senior high school students in their early experience in college. It does not gauge the relative achievement of the secondary school systems from which the individuals come.

In spite of this fact and in spite of the College Board's warning against using test scores to evaluate school performance, the tendency to use this gauge to measure school performance is almost irresistible.

What is most interesting about the Panel's report is the galaxy of probable causes which they suggest have influenced the score declines. These suggestions are useful beyond their importance for explaining the drop in SAT scores. They help provide insight into the issues which are at the center of this paper.

The test scores declined in two phases during the 14 year period. In the first six or seven years of decline the make-up of the test-taking group changed considerably. During this period the full impact of the baby boom was felt on the schools and colleges, special efforts were made to reduce the school dropout rate (in 1964 about 67 percent of the student population was completing high school, in 1970 approximately 75 percent were remaining through the 12th grade), and federal legislation and enforcement policies expanded educational opportunities for youth formerly denied them because of race, sex, and family income. These factors expanded the number of traditionally lower-scoring test takers. These lower-scoring categories included members of minority ethnic groups, students from lower economic-status families, and women. (Women have traditionally scored lower on the Mathematical sections but not on the Verbal parts). Further, student plans for college showed important changes during this period. While the number of SAT-takers going on to prestigious liberal arts colleges and universities remained constant, an increasing percentage of students were moving toward less selective institutions, to community colleges, and to vocational technical institutions.

The Panel estimated that approximately two-thirds to three-quarters of the average score decline during this six to seven year period is attributable to these factors.

Near the end of this period and into the second phase of the score decline, pervading social changes affected the averages according to the Panel. These factors affected not only scoring on the SAT but also the results of standardized tests applied nationally. Scores generally fell significantly on all of these tests during the period 1970-1977.

Although the Panel's report suggests that its analysis of causal factors affecting the second phase decline "is essentially an exercise in conjecture," the significance of the factors and the logic of their impact are undeniable. The factors include:

A. Schools:

1. Fewer "basic" courses are currently required with a greater emphasis on electives. This trend is particularly true in the verbal areas in which there has been a diminished emphasis on reading and writing skills.
2. While retention rates have improved, absenteeism has escalated to 15-25 percent of the student body.
3. Grade inflation and automatic promotion is a fact of life in most schools today.
4. Less homework is assigned.
5. Education tests are written at modest reading levels (9th-10th grade) and include undemanding exercise sections.

B. Social:

1. Family statistics indicate that less than 80 percent of youngsters under 18 years old are living with both parents. Each year the number of youngsters in one-parent households or without parents is increasing by 300,000. Desertion rates are increasing and the number of children from divorced families has doubled in 10 years. More than 50 percent of the women with school age children are in the work force with full or part-time jobs.
2. Television has become a surrogate parent and substitute teacher. Nearly 40 percent of our leisure time is spent watching television, and, it has been estimated, children by the time they reach 16 years of age will have spent between 10,000 and 15,000 hours watching T.V. This is more time than the total hours students will have spent in the classroom by the time they finish school.

The National scene during this period included burning cities, assassinations of national heroes, high level government corruption, and an unpopular war.

Although little direct connection can be made between these events and falling test scores, their influence was substantial if only for the distraction they created.¹³

Special attention is given here to these conjectures not only because they help explain the troublesome declines on SAT scores but also because they help suggest reasons for other national "declines." They present some helpful guideposts for examining and thinking about the confluence of pressures affecting American behavior, particularly that of youngsters who are most sensitive to them because they are in the process of identifying their places in the world.

V Television

The impact of T.V. and the media on youth behavior deserves more development. Arguments persist about the influence of T.V. on viewers. It has been suggested that television viewing involves an immediate, visual affective response from the right side of the brain, while line of type involves a linear, verbal, logical response from the left side.¹⁴ The effect of right side brain development or use in concert with little left side use conjures up the frightening image of generations of simple minded, spontaneous, emotive individuals increasingly incapable (from lack of brain exercise) of thinking clearly, verbalizing, and understanding the influence of present behavior on future conditions.

Other theorists have suggested that television is producing a population of passive spectators increasingly uninterested in direct involvement of any kind with the real life around them.

Still, others (and more directly related to the issue of this paper) believe that television violence is partly responsible for the increase in youth violence on our streets. In the long debate over T.V. violence (triggered initially on the national level by Estes Kefauver in the early 1950's in the U.S. Senate), a constant battle has raged concerning the impact of screen violence on viewers. In an unusually candid response to a question, a university communications expert has suggested that the primary reason for the preponderance of violence on T.V. is economics. Violence costs less.

"Almost any story must show people changing in some way: winning or losing, learning, getting rewarded or punished. If you want to show all of this in terms of complex human psychology, you need a highly talented playwright and talented actors. That costs money. It is much easier and cheaper to resolve the story just by having the good guy shoot the bad guy. Violence is the quick way of showing who wins, who has power."¹⁵

Further, experts have suggested that viewers, whatever their public positions on T.V. violence, are drawn to violent programs. Some experts have stated that such programming may have a cathartic effect on the viewer for it depicts other victims of terrible events thus affording some perspective on (and release from) their own condition. If such viewers bemoan the effects of addictive view-

ing of violent T.V. shows, it is generally the "other guy" or the other guy's children about whom they are concerned. They are confident that such shows do not affect them or their families.

Supporters of violent television hold that there is little or no negative impact on the viewer. Opponents state that the impact is severe. In addition to the negative effect T.V. generally has on viewers (passivity, distance from reality, under-developed sense of logical connections, etc.), the opponents suggest that it encourages violent behavior in real life, particularly for those individuals who may be violence prone. As has been noted, T.V. solutions to difficulties are simple: if a person becomes an important barrier to what you want, you kill him or her; if you want something, you take it. Verbal encounters achieve little; they are also dull, slow, unsatisfying. Violent encounters are thrilling. Power always gets you what you want. Ultimate consequences of impulsive acts are meaningless, for what is important is immediate gratification of present needs and desires. Life is cheap. Things have value above all else.

More specifically, the impact (although there is little agreement on its nature among the experts) of television viewing takes on special meaning when it is understood that: by the time a child reaches five years of age he has undergone as much intellectual growth as he will in the next thirteen years. At present levels of violence, by the time a youngster graduates from high school he will have witnessed 18,000 T.V. murders and many assaultive scenes not resulting in murder but in some form of harm to others. Highly publicized criminal cases in the last few years have made direct connections between specific T.V. shows and criminal behavior. (The Zamora case in Florida last year is the most recent example but earlier ones are also recorded). Studies too have provided evidence that such viewing tends to increase aggressive behavior and to encourage greater tolerance for violence in real life.¹⁶

While the evidence suggests that television violence stimulates anti-social tendencies in the young viewer, it is clearer that television viewing reduces the opportunity or interest in other kinds of developmental activities. Reading has become less attractive. Outdoor play and social encounters with others is diminished. Youngsters have less time for quiet, contemplative thought. And, because parents generally watch T.V. as much as youngsters, there is little time for parent-child interaction. For these reasons, television has become one of the most significant sources of values instruction.

These ethical and moral values pervade a good bit of the violent programming on T.V. This message coupled with what remains as deplorable conditions for less fortunate people (particularly those in the inner cities and especially in regard to young people in these areas), those who have been and continue to

be targets of discriminatory practices, inferior education, limited work opportunities, produces a fecund condition for the growth and perpetration of violent behavior.

VI Print Media

T.V. should not take the full force of this accusation, however. The print media deserves some attention. Large numbers of newspapers and magazines (written at about the sixth grade level) are available to more people today than ever before. The specificity of news coverage is impressive, but its general tendency is to emphasize the bizarre event, the incompetencies, the abuses of power, and other negative events. Seldom is a balanced picture of any item offered to the reader. This emphasis communicates a sense that everyone is on the take; no one is honest; ethics and morality are criteria applied to others. Stories focus on violence and disorder, elevating these behaviors to the point at which they appear to be ubiquitous and appropriate modes of expression. Public addiction to these sorts of stories (and national awards given out for superior reporting in these areas) push reporters to examine minutely the lives and tendencies of all public figures, looking for the chinks in even the most upstanding people in the hope that a new "revelation" might earn them national recognition.

Much of what appears in newspapers may slip the attention of young readers. But other sources help make up for this lack. Television newscasts and special talk shows, discussions with reading peers, classroom studies, and references made at home, in churches, and in other adult gatherings provide them with information. And what have they read and heard in the last several years? A quick list indicates the consistent strain of it:

1. Vietnam:
 - . interference in Civil War
 - . high level corruption
 - . bombing of a neutral country
 - . deaths without victory or honor
 - . drug problems brought home
 - . disregard (even disrespect) for the veteran
2. Political disenchantment: corruption, paranoia, dishonesty
3. Diminishing value of college education
4. Growing awareness of the irrelevancy of much of what is offered in schools and colleges
5. For minorities, lack of access to decent jobs and education
6. Abiding tendencies toward discrimination in employment, schooling, etc.
7. Increased awareness of the fragility of life and the danger of leading even the most quiet of lives:

- . auto accidents
- . drugs
- . unhealthful foods
- . extinction through the "bomb"
- . reliance on foreign countries for energy sources
- . danger of atomic energy plants
- . street violence and growing acceptance of it as evidenced by prosecution and incarceration rates and the handling of juvenile offenders
- . continuing deterioration of core cities

All of this encourages narcissism which places personal comfort and satisfaction before all considerations. It elevates concern for immediate gratification as opposed to an examination of the consequences of present behavior on future events. In extreme terms, it produces hedonism to the point of hysteria. It encourages the development and acceptance of simple, spontaneous solutions to immediate problems.

The abundance of such information, bombarding young (and older) people daily, produces an explosive base of hopelessness, especially for the disadvantaged. Hopelessness is the forerunner of violent behavior.

Aggressive behavior may be an innate human characteristic, but it need not lead to violence. Jan Fawcett in his text Dynamics of Violence writes that one of the principle causes of violent behavior is hopelessness.¹⁷ Individuals aspire to goals which they have been led to believe are achievable by anyone who is willing to work hard. When they discover that they are not achievable, violent behavior can be the result. The violent behavior generally has at least two purposes: to get what one wants or a piece of it and to offend the system (or a symbol of it) which holds out the promise then snatches it away.

Violent T.V. programming, sensational print media coverage, incompleting national goals concerning equal access to opportunities of all kinds, and the continuing deterioration of traditional institutions which have played an important part in the maturation process of young people have all contributed to our serious youth crime problem. While more and better employment opportunities for youth might help resolve some of this disorder, attention must be paid to the broad spectrum of forces which contribute to the difficulties. The following section offers some recommendations.

VII Problems and Recommendations

Problem: Adults are generally wrapped up in their own employment concerns and thus do not recognize nor respond to youth problems.

Recommendation: Specific information about youth employment conditions needs to be generated and distributed to a wide national audience. More aggres-

sive federal policies and programs need to be created to address the specific problems identified. These policies and programs should include income subsidy efforts and other activities which, while providing the youthful worker with adequate income to live reasonably, should offer skill training, attitude development, occupational counseling, vocational aptitude assessments, and job placement services. Jobs designed to keep kids off the streets without the benefit of creating long term career opportunities are at best short term solutions. The problems are serious enough to warrant comprehensive action now rather than wait as some writers have suggested for the aging process to take care of matters.¹⁸

Further, the details of youth employment problems should be localized as much as possible. Specific conditions, needs, and issues, vary from one location to another. What is true in Detroit may not be true in Grundy County, Tennessee. Solutions, therefore, must be tailored. General directions may be set by the federal government and assistance funds released by it, but particularized solutions should be created and implemented at the local level.

One potential mechanism to produce and administer this research, publicity and program implementation approach is currently being tested with U. S. Department of Labor, Employment and Training Administration, Youth Program Office funds. The project is based on Willard Wirtz's The Boundless Resource¹⁹. The particular mechanism is called a community education-work council. The Community Education-Work Council Program is sponsored by the American Association of Community and Junior Colleges, the National Manpower Institute, the National Alliance of Businessmen, and the states of New Jersey and California. Thirty-two communities across the country are provided funds to create a broadly representative group of local leaders (from parent and student groups, and other sectors) to address youth issues. They assess the local situation, publicize these conditions, encourage the improvement of youth education and training and employment services, and implement their own improvement programs if no appropriate local organization is able or willing to do what is necessary. These councils have been operating for only one year, but the results to date suggest that they have the potential to contribute significantly to solving local youth problems.

Although little direct reference is made in the Wirtz book and no specific emphasis has been given to the issue of youth crime in local education-work councils, whatever impact these bodies have should affect the statistics which characterize youthful offenders.

Problem: Schools are not providing students adequate information about work opportunities, requirements, and compensations. Counselors generally carry huge student loads, tend to concentrate on the college-bound student, and know

very little about the work world. The schools, further, make very little use of community human and material resources useful in helping youngsters enter and remain in the workplace.

Recommendation: The most comprehensive and potentially effective approach to addressing these problems (and related ones) may be found in the career education movement. Although there remains some national confusion and suspicion over the meaning of career education, its intention is to build upon secondary and elementary school instructional systems, to infuse present curricula with career information related to individual disciplines, to use the community to improve student awareness of local work opportunities as well as the requirements and contributions of the work, and to expand counseling staff interest and competency in the occupational arena.

Career education has gained respectability and acceptance generally in the last few years, particularly as the result of the U.S. Office of Education's Office of Career Education whose single purpose is to expand the adoption of this concept nationally. The office currently works with a \$10 million budget, adequate to encourage some important activities in the states (all states now have career education programs triggered partly by Office of Career Education funds) but not sufficient to encourage the kinds of serious and widespread programming necessary to importantly affect youths. Programs for the most part remain in a demonstration stage. We have learned enough now to warrant an expansion of these efforts and, necessarily, an expansion of appropriations. In addition to increasing state generated funds for these purposes, the federal office budget should be tripled to permit it to assist states directly with financial support, expanded technical assistance, and training programs to help work the kinks out of local implementation and comprehension.²⁰

Problem: Federally supported programs while providing valuable income support services and valuable work experience for young people do not provide adequate skill training, support assistance, nor useful credentialing as significant portions of the program package.

Recommendation: The U.S. Department of Labor through its Youth Programs Office under the Employment and Training Administration has embarked on some key youth job programs. These programs fall into four categories.

1. The Young Adult Conservation Corps provides employment and other benefits to 16-23 year old youths currently un-or underemployed. Work under this program involves maintaining and improving federal and non-federal public parks, forests and recreational areas. Funding is \$233 million; it will produce 23,000 jobs.

2. The Youth Incentive Entitlement Pilot Projects guarantees a job and/or training for all economically disadvantaged 16-19 year olds in selected locations.

To be eligible, applicants must be in school or returning to school. The central intention of this program is to encourage high school retention, return, and completion. The funding level is \$115 million; it will create 19,000 jobs.

3. The Youth Community Conservation and Improvement Projects offer unemployed 16-19 year olds (either in school or out of school) employment, work experience, and skill training. The budget is \$115 million and will create 23,000 jobs.

4. The Youth Employment and Training Programs supports work experience opportunities; on-the-job, institutional and other training; services including outreach, counseling, occupational information, education to work transition, job restructuring and child care. Funding is at \$536.6 million; it will create 150,000 jobs.

In addition to these special programs, Job Corps has been expanded from a \$274 million budget in 1977 to a \$417 million budget in 1978. With these funds approximately 88,000 youths between 16 to 21 years of age will be served.

As impressive as these programs are in print and magnitude, their long-term impact on youth will be minimal unless the service provisions are stressed along with significant job skill development. Beautifying parks, renovating homes, and instructional programs of any sort, do address important needs:

- . providing youth income
- . keeping youth off the streets
- . developing in youth a sense of self-worth through work achievement and community service
- . instilling work habits
- . creating job histories

But for these programs to realize their fullest potential, other considerations must be stressed. These considerations include:

- . job placement services with an emphasis on work that has career potential
- . skill training in occupational fields in which there is current demand and to which future prospects are sound
- . counseling services which stress aptitude and occupational interest inventories, career awareness instruction, goal-setting and decision-making.
(The intent of such services should be to help youngsters learn methods -- usable all their lives -- by which to identify their own career interests and to plan logically how to pursue these interests.
- . academic credit for whatever instruction and/or work experience is offered.

As has been noted earlier, credentials of various kinds are required increasingly for jobs. Much of this demand for credentials is unrelated to the kinds of skills required to complete work competently, yet, it is one of those illogical facts of life which requires response. Thus, all

federally sponsored programs (as well as local and state efforts) must include provision for the award of college credits when appropriate and opportunities for high school completion when it is necessary. (For more on this subject as well as other points made in this paper, see Our Turn to Listen, Vocational Foundation, Inc., 44 East 23rd Street, New York, New York 10010).

follow-up activities designed not only to assess the achievement of the special programs but also to provide continuing assistance to graduates in the form of guidance and counseling, job changes, identification of other community resources for training, testing, and related help, and opportunities to interact with other graduates. After the initial training and job opportunities are provided, the most significant component of any such effort is to offer continuing support to participants once they leave the program and enter the job world.

An habitual weakness in federally supported special programs like those noted here is that they often fail to develop local mechanisms for continuing the efforts once federal support is completed. The result is programs are barely underway when they are finished. Local jurisdictions are unable to carry this financial burden, thus they die. Expectations and hopes are raised and then the means to achieve them are withdrawn. All such programs must build upon existing community organizations to help ensure continuity. Local Comprehensive Education and Training Administration (CETA) employment services, education and training institutions, the private sector, and other significant community organizations must be built into these delivery systems, their experience and commitment must be solicited, and, eventually, their resources must be tapped.

Problem: Federal and state labor laws often handicap youth employment programs. In the interests of protecting youth from employment abuses (characteristic of labor practices in the decades surrounding the turn of the century) and in protecting them from both work hazards and negative adult influences, a good number of work opportunities are legally closed to youth. Further, employers have been reluctant traditionally to hire young people because they are viewed as unreliable and careless. They are seen as liabilities. Confusion over insurance responsibilities for young workers have also discouraged employers from hiring youth.²¹

Recommendations: Efforts should be made on both the federal and state levels to alter current laws to permit youth to gain work experience while in school and full-time employment once they leave school in positions now closed to them. Work experience programs should be expanded into these areas. Some states are already attempting to flex these laws. Both Maryland²² and Massachusetts have

proposed legislation recently which addresses these problems.

Further, to validate or discount employer impressions about youth worker accident rates and the quality of work they perform, a national study should be funded. Preliminary investigations suggest that accident rates are no higher than those of adult workers and that youth are as reliable generally as older employees. The results of these studies, were they to support the preliminary findings, could serve to encourage insurance companies to reduce employer costs for insurance to cover young workers.²³

Problem: Sufficient jobs with important career potential are not available to many youth. Publically supported jobs programs (like those noted previously in the CETA section) are useful and help resolve the problems on a short term basis. But what is needed is to involve the private sector in a much more aggressive way. Long term job opportunities in small businesses and in larger industrial operations must be encouraged so that the advancements made in federally supported training and work experience programs can be realized.

Recommendation: Recently, tax incentive proposals have been advanced by the Administration and supported by national writers. These tax incentives are aimed at local private sector companies to encourage investment and job creation. They are targeted on those rural and urban locations most affected by unemployment. The intention is to take work to the workers, to stimulate local private sector investment in areas where the unemployment rate is above the national average.

The procedure suggested for this approach is to use the present investment tax credit system. The current rate is 10 percent. Either through a flat increase of from 1 to 10 percent or through a sliding scale arrangement based on the level of unemployment in any given area, additional stimulus could be given to companies deciding to locate, expand, or improve their businesses in high unemployment areas. The tax differential idea is one that has been used successfully in Europe as part of a national growth policy.²⁴ Such an approach would be consistent with the 1970 Urban Growth and New Community Development Act.

A second related federal initiative is gaining momentum. With a multi-billion dollar budget, the National Development Bank (to be administered by either the U.S. Department of Housing and Urban Development or the U.S. Department of Commerce) would offer incentives to businesses willing to increase or create jobs in high unemployment areas. These incentives would include direct grants and low-cost loans.

While neither of these proposals has been implemented, their potential is strong for providing effective solutions to some of the problems noted in this paper.

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UNEMPLOYMENT AND CRIME:
A SOCIO-ECONOMIC APPROACH

BY
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I Introduction

The purpose of this paper is to suggest there is indeed a relationship between unemployment and crime which, if not addressed in a major policy effort, will endure.

There exists some correlation between unemployment and crime: whether viewed on a macro level, wherein high rates of unemployment appear to be followed by later increases in crime and conviction; or a more micro level, wherein many new offenders have never been employed, have been underemployed, or have only been briefly employed. Transforming such correlations into causal statements (i.e., unemployment creates crime), often in the form of planned new construction, carries substantial implications. If a causal relationship exists, the practice of building lacks merit on two grounds: (1) it is only a treatment of symptoms and (2) should unemployment (and therefore crime) fall, a misallocation of resources will have taken place. If there is no causal relationship, then a misallocation of resources will still have taken place, one with very long-term effects.

It may be as informative to state that unemployment causes crime as that crime causes unemployment. A variation of the latter statement is the focus of this paper. If persons are believed to commit crimes because of the unavailability of legal sources of income, then a criminal history should exacerbate this tendency. Stigma, licensing and bonding restrictions, and requirements of "good moral character" only serve to narrow the set of legitimate employment opportunities. To the degree that training, education and other "rehabilitative" correctional programs do not train or educate, prepare an individual for declining or restricted occupations or, fail to provide facilitative skills, this is "causing crime." When contact with the criminal justice system creates job, education or training interruption, similar results ensue.

The intent is not to be facile. Rather it represents an attempt to look behind the broad issues of unemployment and crime and consider whether allocating more resources to correctional efforts as currently practiced is the correct response, the only response, or no response at all. It may be that a non-traditional allocation is warranted, a redirection.

Institutional corrections has expanded its mandate beyond removal of an individual from society to the provision of services and programs to promote personal change. Counseling, education, vocational rehabilitation, industries and work-release activities are undertaken with the intent of reducing further tendencies toward criminal behavior. These efforts are meritorious and probably work for some. The purpose here is not to say that such activities are meaningless, but rather that their present framework is incapable of producing a broad-based effect.

II What Do We Know?

Much has been learned about factors relating to unemployment generally, characteristics of entering and leaving prison populations, and the results of programs designed to assist these populations.

Why People are Unemployed - A gross, nationwide unemployment rate of 7.7% (for 1976; 7.0% for 1977) tells very little about the characteristics of that unemployed population. Yet, to the degree that these characteristics are manifest in the potential and accused offender populations, they merit examination.¹

1. Age - Young people, aged 16-19, typically experience the highest unemployment rates. The year 1976 was no exception, with this group averaging 10% unemployment -- over twice the national average.
2. Race - Blacks and other non-whites average almost twice the unemployment rate of whites. In 1976 the rates for black males and females 20 years and older were 11.7% and 11.5% respectively, vs. 6.2% and 7.5% for their white counterparts. The rate for blacks aged 16-19 was 36.9%, twice the overall rate for that group and over four times the national average.
3. Occupational Training - Several occupational areas exhibited higher unemployment rates than the national average. To the degree that such occupations represent an individual's sole area of training, expertise or experience, such a person is more likely to be unemployed. For 1976, the prevalent occupations were: Operatives (except transport) -- 14.7%; non-farm labor -- 15.6%; and service workers -- 8.6%. The highest employment occurs in the white collar and professional occupations (4.7% unemployment). The occupation within this category with the most unemployment was clerical work, at 6.6%.

The prospects for long-term unemployment were higher for these occupations as well. Of operatives, 20.5% of those unemployed in 1976 had maintained that status for 27 weeks or longer; 14.1% of craft workers; 15.1% of clerical workers and 12.5% of workers providing services. The lowest long-term unemployment rate (3.7%) was incurred by sales workers.

4. Industry - The choice of industry by a worker may affect his/her chances

of finding work. Construction and manufacturing exhibit the highest levels of industry unemployment, at 18.1% and 10.9%, respectively (1976).

5. Education - The difference between completing high school and dropping out is reflected in the kinds of employment obtained by these groups. The majority of high school graduates (46.9%) aged 16-24 years, found employment in white collar occupations, while only 10.1% of dropouts did. Blue collar occupations were dominated by the dropouts (59.1%), as were services (22.5% vs. 15.3%). Since unemployment is highest for those occupations frequented by high school dropouts, an incomplete education disproportionately increases one's chances of being unemployed.
6. Remuneration - Many of those unemployed have been offered jobs which may have been turned down for a variety of reasons, one of which is pay levels. Twelve percent of a representative group of 53,000 unemployed stated that \$100 or less per week was acceptable to them. Sixty percent said they would accept earnings of \$100-\$199 per week. So, approximately 88% of the unemployed will not work for less than \$5,000 per year, and 28% will not work for less than \$10,000.
7. Job Search Methods - Of the several methods available for securing a job (public or private employment agencies, friends and relatives, direct contact with employer and placing or answering ads, a survey of unemployed revealed that less than two of these methods were used. For persons aged 16-19, less than 18% used public employment agencies while 30% of older individuals did. Usage by this age group of private agencies was also lower. Overall, blacks used public employment agencies more than whites; whites were more likely to contact employers directly and to place or answer newspaper advertisements. Among females, both black and white, the practice of using a friend or relative was one-third less prevalent than for males.
8. Work Experience - Although no detail is currently available, 6.4% of those unemployed in 1976 had no prior work experience. This group would include new entrants to the labor force, such as housewives and teenagers and possibly some ex-offenders who had not worked prior to conviction and incarceration.
9. Vietnam-era Veterans - Only recently recognized as an emerging problem, Vietnam veterans aged 20-24 years experienced a 19.8% unemployment rate for 1976. For non-vets in this age group, the average was 13.4%; these differences do not disappear until the 30-34 age bracket is reached.
10. Other Exclusions - These relate to criteria that are not necessarily job or skill related. This includes bonding and licensing requirements which may exclude trained and otherwise qualified individuals from obtaining work.

We know about institutional populations and that they reflect many of the preceding characteristics: youth (40% of arrestees are under 21² and 27% of all state inmates are under 24³); low educational attainment (although I.Q.'s are not significantly lower⁴); occupational training (a recent survey of Federal releasees revealed that 50% had unskilled or service jobs prior to incarceration, and, the inmate population is overrepresented in laboring jobs⁵). Generally, incoming prison populations are characterized by unemployment, lack of a regular work history, low pay and "intermittent and low status work patterns."⁶

Programmatic efforts have done little to alleviate these problems. Educational, counseling, vocational and other work related services are available, but not used by all. Looking particularly at prison work and vocational programs, a 1972 survey identified only 12,900 inmates enrolled in 855 vocational programs offered at 202 institutions. Fifty percent of the institutions offer five or less vocational programs.⁷ An earlier survey estimated that 5% of all inmates receive institutional training and 20% were enrolled in educational programs.⁸ This survey of major training areas⁹ disclosed not only a preponderance of laboring and blue-collar jobs, but some misalignment with growth fields as identified by DOC's Occupational Outlook. Of the occupations listed which permitted comparison with Occupational Outlook, 20% will exhibit no growth or below-average growth through 1985; another 40% will experience average growth. All right perhaps, for the non-criminal applicants -- more difficult for an individual with a conviction record.

Pownall discovered that much prison work was oriented toward combating idleness or maintenance of the institution, and that job-related skills (work habits, job-search training, interviewing) were largely absent.¹⁰ Prison industries, by and large, are labor-intensive and less than perfectly related to industrial needs and skill requirements which characterize the world awaiting the released offender.¹¹

Programs for released or almost-released offenders have brought little relief. In gross terms, the cost has been great and the impact small. Supported work, for example, has turned out 3,462 "graduates" of which 25% found work, at a cost of \$62 million.¹² Work release is generally a placement program for those skillful enough to obtain employment. Participation is low, and the programs usually ignore the larger population in search of job and facilitative skills.¹³

A released offender carries with him/her most of the educational, vocational and behavioral characteristics exhibited prior to incarceration or other disposition. In addition, time away from the marketplace has also elapsed; and, now a criminal record is present. Post-release employment tends to be part-time, in semi-skilled capacities; in addition, only one-third of ex-offenders trained

during incarceration obtain related employment.¹⁴

When economists speak of the problems of unemployment, two commonly cited concerns are deterioration of skills (for those unemployed) and underemployment (persons working, but producing less than their potential marginal product). Underemployment, besides reducing aggregate output, typically provides less income to the worker than does full employment. Part-time crime is one method of supplementing income. This effect is as insidious for criminal activity as for human capital generally and its presence mitigates the apparent success of job placement activities.

Unemployment, in addition, does not always imply a total excess of applicants over jobs (supply greater than demand), but lumpiness in the job market -- an absence of qualified individuals for available jobs.

The solution to this (or any) malaise ideally should be of such a nature that even if the assumptions are wrong, participants should be no worse off for the action taken. If unemployment and crime are related (in both the senses cited above), then planning for crime during periods of high unemployment will result in wasted resources should unemployment (and therefore crime) decline. If they are not related, then whatever is done makes no difference. While this may seem drastic, the issue here is unemployment and criminal activity, not generally whether programs and services should be provided to correctional clients, but why they are being provided.

A Prelude to Action - None of this is to say that such efforts are meaningless; rather, they are merely scratching the surface and indeed, can do little more in their present structure. Vocational efforts within prisons, with exceptions such as license plate production and other state-use industry endeavors, are of a horizontal, non-integrated nature. That is, they tend to be isolated training efforts in different occupational areas, concentrating on a particular skill level rather than the many skills (or efforts) required for a total production process. Skill levels are varied through the kind of occupation for which training is provided, rather than through different jobs in the same process. As such, one outcome is the underdevelopment and underutilization of the skill levels of much of the population.

Others have recognized the social value of meaningful work; they speak to its absence:

Social scientists identify four ingredients of alienation: (1) powerlessness (regarding ownership of the enterprise, general management policies, employment conditions and the immediate work process), (2) meaninglessness (with respect to the character of the product worked on as well as the scope of the product or the production process), (3) isolation (the social aspect of work), and (4) self-estrangement ("depersonalized detachment," including boredom, which can lead to "absence of personal growth");¹⁵

Moreover, a growing body of research indicates that, as work problems

increase there may be a consequent decline in physical and mental health, family stability, community participation and cohesiveness, and "balanced" sociopolitical attitudes, while there is an increase in drug and alcohol addiction, aggression, and delinquency.¹⁶

Consequently, if the opportunity to work is absent or if the nature of work is dissatisfying (or worse), severe repercussions are likely to be experienced in other parts of the social system.¹⁷

and its presence:

... the functions of work; its centrality in the lives of most adults, its contribution to identity and self-esteem, and its utility in bringing order and meaning to life. Work offers economic self-sufficiency, status, family stability, and an opportunity to interact with others in one of the most basic activities of society.¹⁸

Work contributes to self-esteem in two ways. The first is that, through the inescapable awareness of one's efficacy and competence in dealing with the objects of work, a person acquires a sense of mastery over both himself and his environment.¹⁹ The second derives from the view, stated earlier, that an individual is working when he is engaging in activities that produce something valued by other people. That is, the job tells the worker day in and day out that he has something to offer. Not to have a job is not to have something that is valued by one's fellow human beings. Alternatively, to be working is to have evidence that one is needed by others.²⁰

So the work experience, because of its centrality in our lives, has the potential of producing dramatic social effects. The devastating negative possibilities cited above represent what corrections has taken as its mandate to overcome.

What is being suggested here is not to scrap correctional work, education and other programs because they do not work, but restructure them so they do work.

III The Correctional Employment Model

The model proposed here is designed to simultaneously maximize social and economic benefits through a restructuring of the prison work experience. As presently structured, correctional industries are saddled with conflicting objectives: combating idleness, providing productive work opportunities and realizing a profit. The first and last are nearly mutually exclusive under current practices; in addition, there is little evidence that the arrangement contributes to positive social attitudes.

The model would remove entirely the work, training and educational functions from correctional purview and place them within a single organization: privately managed, inmate-operated, with participatory management, wage rates which correspond to productivity, and profit-sharing. A private-sector, profit-making firm would operate within prison walls; this new orientation is toward profit and worker* self-determination.

That the educational, training and counseling functions be subsumed under this employment model is neither illogical nor unusual by private-sector standards.

* A useful nomenclature is suggested: inmates are referred to as workers, or correctional workers; correctional staff refer to the non-inmate population.

Many elements of the correctional setting are mirrored in large-scale, private enterprises. Companies provide, for example, drug and alcohol programs to their employees; educational opportunities (not all directly job-related) are made available either through the company or via reimbursement schema; on-site recreational facilities are not uncommon.

The major distinguishing characteristic between the production activities of the private firm and the correctional institution is the profit orientation. Activities undertaken by a private firm, both in terms of the production process and ancillary services (see above), take place to ensure a stable work force, uninterrupted production and profit. The focus, or rationale is more short-sighted. Many similar activities occurring in correctional settings have seemingly longer-term goals -- changes in behavior which will endure after the "employee" leaves the "organization." If it is possible to restructure correctional activities so that such long-term goals (whose achievement is unknown) are left unaffected at the same time that more positive benefits accrue in the short-term, then reallocation is appropriate.

These suggestions may require some changes in perception about the function of a correctional institution and what its clients do while they are incarcerated. Too, the private sector "intrusion" may concern some. However, there is no overriding reason for corrections to run (in the top management sense) such an operation. Correctional managers and line staff are not entrepreneurs and in any case have enough responsibility in managing the institution. The clear production and profit orientation brought by a private entrepreneur is necessary to maintain the distinction between security and production activities. The profit accruing to the firm varies little from fees and indirect costs now charged by organizations providing services to correctional clients and agencies.

Since corrections, as other public sector activities, does not operate under a market model, it may be appropriate to address first the differences which may be present. It may be argued, for example, that corrections is one of those goods, the production of which Adam Smith and others suggested be removed from the private sector. Actually, the major relevant correctional functions are provision of security and safety for both inmates and the general population. These functions would continue in the domain of correctional management and would in no way be compromised by the existence of a profit-centered industries effort. Again, the orientation is the only element affected; arguments which pertain to the "captive" population may be addressed in much the same way.

Other implications for the production process do arise, however, when one considers the existence and nature of an in-house population. First, there is

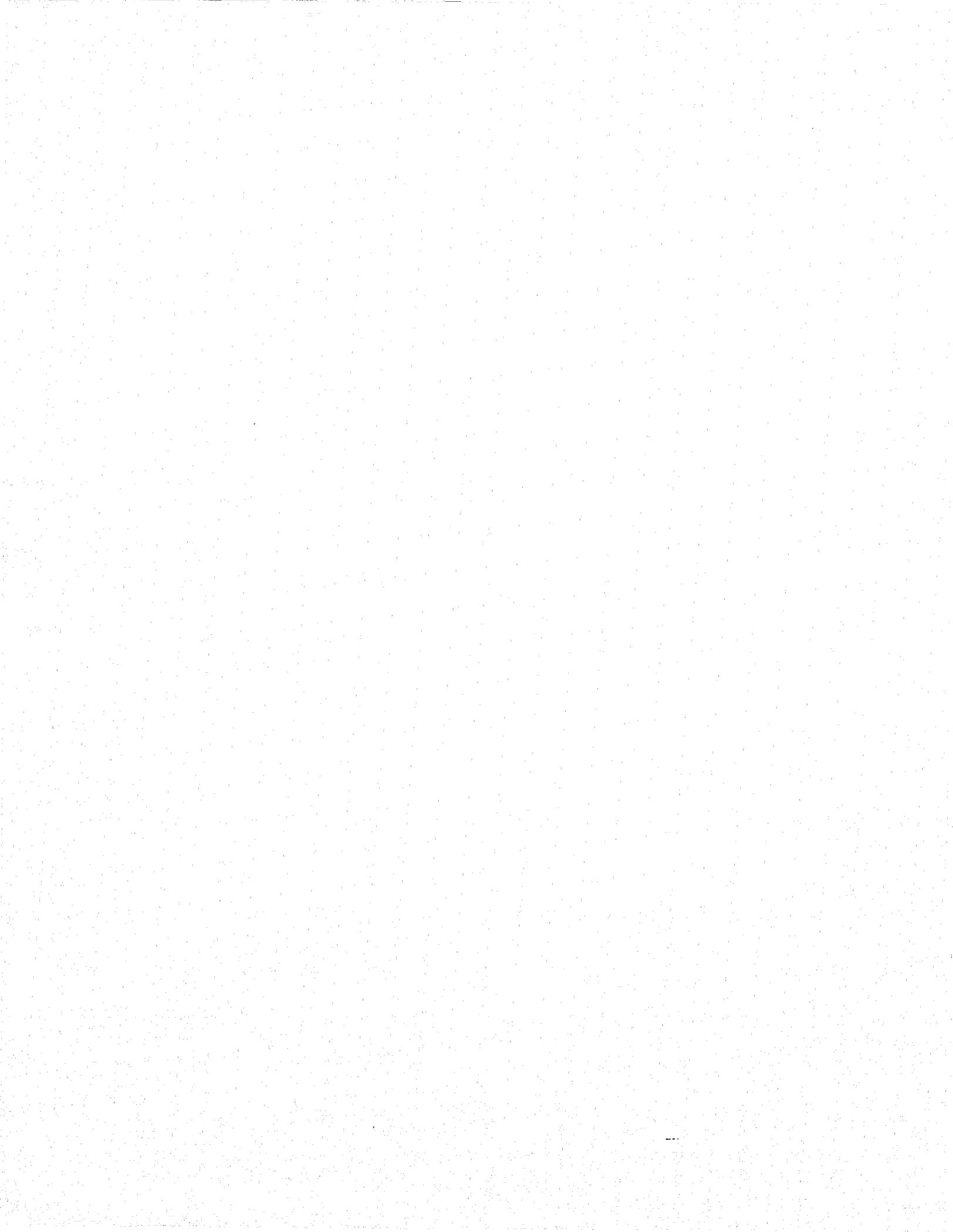
no "free" selection of the labor force. This "given" labor supply, often in excess of institutional needs, has had the potential of reducing production processes to less than optimum, in order to accommodate it. It is suggested here that the labor force does not have to dictate such selection of production process. The private market is not perfect either, and not all jobs are filled with ideal workers; on-the-job training and general education are used to ease such incompatibility. The approach, again, is positive, as problems are seen as capable of solution. Excess labor problems, should they arise, may be partially handled through training, i.e., at any time a certain proportion of the inmate population is preparing to work (and will, before release). Turnover, while not necessarily of a higher rate than for many private firms, may produce some inconsistencies of supply and demand. However, exit patterns are known (not always the case for the firm) and can largely be handled through the training pool. Admissions may be managed through screening and training by "inmate faculty."

State-use and interstate commerce considerations are not insurmountable problems. While the precise approach would depend on the state, there are additional state-use markets (and shares of current markets) that could be serviced by such an enterprise. To the degree that correctional activities become more self-sufficient (see below), there may be more willingness to entertain change (consider local-use, for example).

The Structure - Given the orientation and the major worker role, it remains to address some broad characteristics of the production process, a possible organizational structure and the benefits to be expected from this model. In general terms, the choice of a firm should emphasize production requiring as broad a complement of skills as possible -- from cleaning machines to marketing the product or service to providing R&D. Promotion within the ranks should be possible as well as job exchange.

The following brief schematic presents an overview of a possible organizational structure. A board, consisting of worker's representatives and management advisors, would accept input from workers and provide advice on the production process. To the degree necessary and useful, representatives from institutional staff might also serve on this board. Top management would be comprised of private entrepreneurs. Beyond that, the operation would be essentially worker-run, with guidance provided during start-up and on an as-needed basis once the system was underway. More detail internal to the operation is deliberately omitted here and elsewhere, since the overall concept is our first consideration.

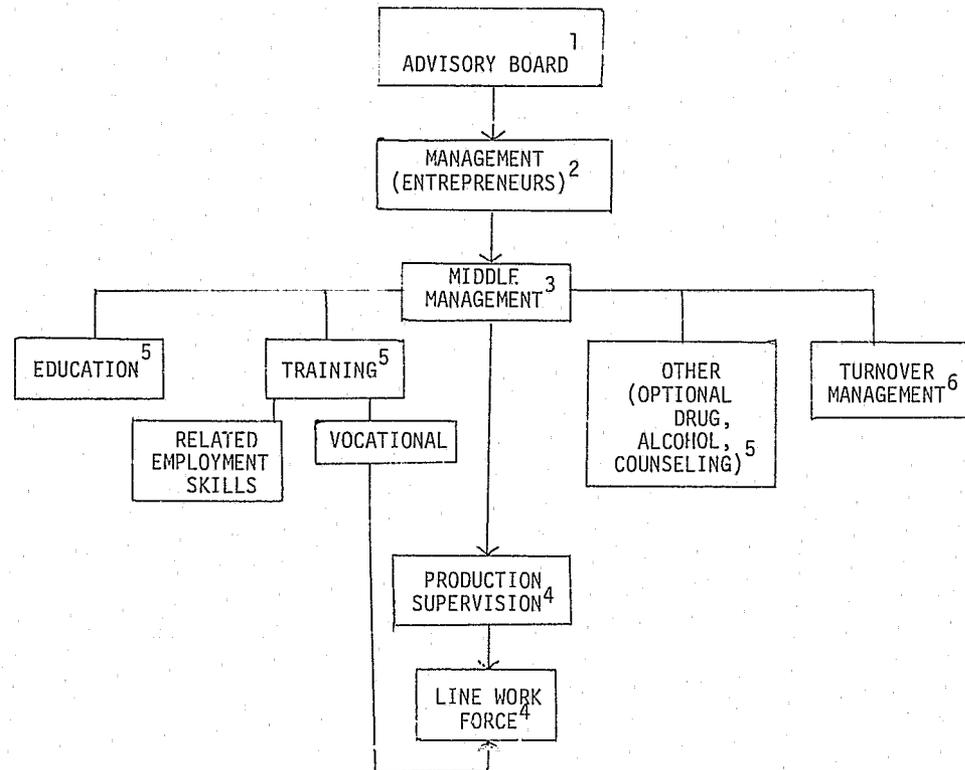
Some Positive Factors - Besides the opportunity to put industries on a



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paying basis, and the larger worker role, other elements make this a potentially desirable undertaking. The use of a fairly complex production process (or processes) provides greater opportunity to involve and develop all skills present in the population -- laborer, supervisor, salesman, middle manager, trainer -- and often a set of transferable skills (sales, bookkeeping, training, etc.). Worker development is enhanced by the break from blue-collar, single-



1. Includes managers and workers
2. Private, profit-making firm
3. Workers; includes functions such as bookkeeping, accounting, possibly R&D, sales, scheduling, etc.
4. Workers
5. Worker-managed, staffed by civilians as necessary
6. Worker-managed, possibly a middle management function

level training and work experience and the involvement in an organization with positive goals. Competitive pay should provide additional incentives and allow opportunities to provide for support of dependents as well as accumulate some cash reserve for post-release job-hunting. As pay scales stand now, many are too low to encourage widespread participation or highly productive efforts. Arrangements which permit workers to "purchase" room and board are possible and add an additional layer of realism to the model. Many institutions, for example, are characterized by more than one kind of housing: dormitories, single cells, cottages, etc. Within security constraints, as necessary, some choice could be

introduced. Similar possibilities exist for food service operations, including both the kind and number of meals. Other extensions and variations are possible.

Most important, the approach represents an alteration in the institutional environment from a system of sanctions to a system of incentives -- emphasizing productive, rather than compliant activity.

Some other countries regard imprisonment as, yes, a punishment, but also a hiatus in an individual's otherwise productive life. Emphasis is placed on maintenance of skills and contact with the outside world to reduce the effects of the "interruption." This is possible here, even if no skills are immediately apparent. In this case, we also would be promoting the assumption, as well as the resumption, of a productive existence. If unemployment causes (initial) crime we are helpless without an effort which transcends corrections. If crime -- conviction and incarceration -- causes, or does nothing to alleviate unemployment, we are in a position to act. In fact, we are the only ones who can.

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PROBLEMS AND PROSPECTS
OF VOCATIONAL TRAINING
IN A PRISON SETTING

BY

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The problems involved in teaching vocational skills in a prison setting begin with the fact that people are sent to prison for committing crimes, not because they lack vocational skills. Offenders are committed as punishment for wrongdoing and prisons are designed primarily for incarceration, in order to deter others, exact retribution for the crime, protect the public by containing the offender and only secondarily to provide rehabilitative services. Thus administrators seldom make job training a primary focus and, more typically, it is of little concern at all. Training is universally relegated to a subordinate position behind concerns for security and the daily management of the inmate body. Wardens are regularly replaced following major strikes, riots or mass escapes, but few need send out resumes because of poor vocational training. In the same manner, the Army may have job skill as a secondary objective but Generals are not removed when their training does not lead to good civilian jobs. Nor are they expected to forgo combat readiness to promote post-discharge employment. In prison, school hours must be worked in around existing "counts," feeding schedules and laundry exchanges while groups such as parole boards and classification committees demand and get the inmates' appearance during class time. The problems become more understandable when we keep in mind the purpose of prisons.

I Inherent Problems

Much of what is called training is an afterthought to some vital institutional routine intended to stretch scarce program dollars. Someone decides that as long as the function has to be performed why not introduce some formal instruction and call it training. This also serves to upgrade and provide a pay raise to the work supervisors since a "doer" and teacher makes more than only a "doer." Besides the public relations value, this can also help to make assignments more palatable to inmates. Thus, janitorial work becomes Building Maintenance, laundry workers become Vocational Dry Cleaning students and the shoe shop is renamed Vocational Shoe Repair. Such training, of necessity, becomes secondary to the actual operation. No institution could afford to postpone lunch to meet some training need. Efficiency tends to win out over job rotation and experi-

mentation. Tasks that are learned, such as ironing prison bed sheets, often have no industrial counterpart.

In addition, security concerns automatically exclude many inmates with identified training needs. For inmates identified as management problems (dangerous) the concern is to limit their movement within the prison and to deny them access to weapons. But, unlike the dining hall and gym, shops are usually located in inconvenient and out-of-the-way places and at some point almost all vocational assignments give inmates access to hand tools, metals and chemicals from which weapons and other contraband can be forged. Probably between 5% and 10% of the inmates are excluded because of this.

Among the remaining inmates, even if we count those in programs basically serving institutional needs, the number in training is comparatively small. In California, 16 institutions for adult offenders offer 157 courses in 45 different trades, for an average of ten courses per institution. With class size between 12 and 25 students, the typical institution would have around 10% of the inmates in training slots. By comparison it takes about 10% of the inmate assignments simply to maintain the kitchen. For those who are assigned it is likely that only a minority will complete the full training, with about one-half completing more than six months or 1000 hours. This is because of inherent factors in the system.

The population of most institutions is so unstable that a normal school schedule is very difficult to maintain. Arrivals and departures are continuous but erratic in number. It would be nice for the training programs if the courts would sentence everyone at the beginning of the semester, but they don't. Each day new inmates arrive and old ones are paroled. In systems with indeterminate sentencing laws, the term is often unpredictable and the parole release date not known very far in advance. Ideally, training should terminate just prior to release so as to minimize the "decay factor" in acquired skills. But problems, such as uncertain release dates, make this difficult to do. At one point the average time from the end of training to release in California, for example, was nine months.

Within the system inmates are constantly on the move. Changes in cell assignments are frequent. Disciplinary and security problems often require changes in program as well as living arrangements. Maintaining institutional routines, such as feeding, frequently require that manpower from training programs be reassigned. In complex systems, population pressures (i.e. too many inmates) or population needs (too few inmates) necessitate transfers between facilities which seldom offer the same programs. Data from fiscal year 1968-69 for two large California institutions serve to illustrate the point. At San

Quentin 210 inmates terminated vocational training during the year. Of these 15 men (7%) actually completed the training, 49% were transferred or paroled, 18% were removed as disciplinary actions and the remainder left for other reasons. The Deuel Vocational Institution at Tracy terminated 645 youthful offenders from training. Only 23% of these had completed their course.

The paradox of prison manpower is that while work supervisors, industry foremen, and instructors loudly complain of being under-manned, the bulk of inmates appear conspicuously idle, under-employed and many have no assignment at all. The reason for this is that programs compete for the same selected inmates. From the program point of view it would be ideal if inmates would fit into nice, discrete "needs" categories, but they don't. The instructor's standard of the ideal student is an inmate who is highly motivated, attentive, punctual, submissive to direction, with good learning ability and perseverance. But all staff who use or serve inmates look for these same qualities. The same inmates are usually diagnosed as the most amenable to therapy, classified minimum security for outside work details, urgently needed by prison industries, indispensable to maintaining some basic institutional routine, as well as the most likely to profit from vocational upgrading. Education, then, is only one of many departments who compete for this group of inmates.

To the extent that the better inmate has a choice of assignments between these competing interests, selecting vocational training will usually involve considerable immediate personal sacrifice for an uncertain post-release job. He will be deciding to forego the pay usually associated with a regular full time work assignment for a program that leaves him with no income. Since those with the most training needs are often the least likely to have outside resources, the inmate is relegating himself to being a "prison pauper." A contrasting problem is presented by inmates with outside resources and employable skills who manage to get assigned to vocational training anyway. Training is usually seen as a constructive and easy way to "do time" so that some inmates will maneuver their way into classes with no intention of pursuing that particular trade. This not only takes up much needed training slots but gives the illusion of much greater demand than already exists.

Other factors mitigate against the quality of the instruction itself. Two commonly identified problems are outdated equipment and limited supplies of material with which to practice. This sometimes results in inmates learning on machinery long since discarded by private industry and with such limited repetition that trainees cannot meet production quotas. Also important is the tenure systems required by most state civil service organizations. Unlike industrial arts instructors who are first of all teachers, most vocational instructors are first of

all tradesmen. Once hired, the institution is stuck with offering that trade for the career of the employee. The system can't be responsive to rapid changes in the labor market. Regardless of how glutted the market may be with upholsterers, you can't decide tomorrow to teach carpet laying instead.

In theory, one solution to outdated courses and poor instruction would be to let the enrollment demand determine what courses are offered. But instructors have job seniority rights so that a tenured instructor with an empty class could cause a more popular class to be closed to generate students. The administrative reality is that in order to overcome the problem of low interest (but already established) training programs, the supply of courses is kept lower than the overall demand, forcing students into unwanted trades. Few finance departments would allow a new trade to be offered while vacant training slots exist in current programs.

Another striking feature of prison training programs is the shortage of staff accountability. In this regard they resemble ghetto schools. Attendance, because of the security implications, is carefully watched and, on an individual basis, students are periodically graded and the number of course hours certified. But, in effect, all you can usually find out about a student is that he went to class for so many hours and did relatively better or worse than some other students. Even this meager information is not compiled in a fashion which would help the administrator to evaluate the program. For example, administrators typically don't know (probably because they don't care) about such things as rates of course completions or turnover. Are there courses that virtually no one completes? How many inmates drop courses before acquiring entry level skills? Are any students qualified beyond the first step apprentice level?

Along with the absence of administrative accountability there is an absence of other interest groups which might command attention and response. There are no complaining parents, for example, and just as inmate workers are said to have a "weak union," inmate students have an even "weaker PTA." To the contrary, when a quality training program is publicized, it is not uncommon for the institution to come under public criticism for providing inmates with opportunities not generally available free to law abiding citizens.

When training problems surface they tend to be interpreted as individual deficiencies rather than as a system problem, making long-term solutions more difficult. Staff's general view of inmates as lazy, irresponsible and uninterested serves as a ready-made rationalization for what are too often failures of programs and instructors. References to the inmate's prior failures in school or work are frequent while staff who haven't attended an in-service training class in years boast of how well they would do given the inmates' training opportunities. Prison teachers who explain poor students performance on the basis of low entrance

requirements find a willing audience.

Thus far we have discussed some of the problems inherent in providing vocational training in a prison setting. These begin with low administrative priority, and include calling institutional support routines training -- training provided for only a small minority and usually to the better inmates -- general population instability, competing program interests, instructor tenure and inflexible course offerings and the general lack of program accountability.

II Positive Factors

Two positive factors should be noted. When inmates are first received they tend to be very receptive to trade training. It's seen as a way of serving time constructively, of getting something of personal value out of the sentence and of being able to acquire marketable job skills without competing interests or distracting activities. Secondly, some training programs and their instructors have developed ingenious ways to deal with some of the inherent problems. Inmate instability has been met with breaking down courses into small modules, each leading to a marketable skill and a lesser but identifiable job. For example, automotive repair can be divided into modules of tune-up, brakes and front-end, emission controls, transmissions, etc. Programmed instruction and learning stations have made it possible to maintain open enrollment, certify specific skills acquired, and allow students to work at different paces. Some success has been achieved in getting modified parole dates which more nearly correspond with the completion of training.

A few systems are beginning to move towards meeting both institutional manpower and training needs by program "contracts" with the inmate. The inmate is guaranteed a desirable future training slot in exchange for a specified period of necessary work. Few, however, seem to be pursuing the more obvious solution of offering the training in the evenings, which is how most adults go to school. At least one institution has been able to set up inmate "pay numbers" for most training slots. Although these are at a minimum level, they make it more probable that inmates with the least resources will participate. Several systems have experimented with "contract" instructors. This can work in at least two ways. A service contract is written with the local school district and renewed each year. If the course is no longer needed, the district has an extra teacher. The institution may also enter into a limited term employment contract with an individual instructor offering specific training as long as it is needed.

III Applying the Training Outside

A separate set of issues involve what uses are made of the training once the inmate "hits the streets." Up to this point we have focused on the ability

of prisons to provide quality skill training for significant numbers of inmates. But quality training might be delivered in trades which no longer exist, or don't exist in the area in which the parolee is likely to reside or exists but he cannot get hired because of his race, ex-offender status, history of addiction, etc. The mere existence of training is no guarantee that there will later be social benefits. How well do prison training programs fare in terms of post-release behavior?

The answer to this is that we don't know, or rather that we don't know very much. Very few follow-up type evaluations have been done on prison training¹ and when they are done they tend to lack a base of comparison. Usually we find that about one-third of those with some training secure a release job in a directly related line of work. Some of these quickly change jobs while others drift into a training related job after trying something else. Training related jobs are more likely to be secured when the inmate earned better grades, logged more training hours, finished training closer to his release date, was older at the time of release, and had prior related work experience (Dickover, Maynard, Painter). But we don't know how this compares to other training programs. What percentage of those exposed to training in private trade schools are in a related job six months later? Do ex-servicemen use their training? How many college graduates are in careers directly related to their majors? What is the "track record" of vocational training programs for the chronically unemployed?

The evidence does not support the contention that vocational training will reduce the recidivism rates of state prisoners. One well controlled study by McKee, however, did find that vocational students earned more money on post release jobs than comparable men from other programs. Social Security records before and after incarceration indicated that students with over six months of training earned significantly more money, with the difference equalling the training costs in about one year. The highest income was associated with the more flexible skills, skills useful in a variety of jobs. Again those with more hours of training and better grades earned more while those with less than six months of training did not. In addition, some types of training led to lower than average income. These results should cause us to question the practice of basing evaluation simply on whether the jobs are training related.

In another study by Dickover, et al, using the same sample of trainees, 33

¹Lipton, Martinson and Wilks in The Effectiveness of Correctional Programs conclude, "In general, it appears that offenders can be taught physical job skills in both institutional and non-institutional settings, but the degree to which these skills benefit the offender when he is released from the training program needs to be determined" p. 538. The National Criminal Justice Reference Service for 1976 lists only five titles which suggest any type of actual evaluation of vocational programs.

employers of vocationally trained parolees were interviewed with some interesting results. One-third said the parolees were better prepared for the job than others and 39% said they had better than average skill. Only 18% of the parolees were seen as having less than average preparation. But when they were asked about the parolee's work habits, responses were equally divided between "better," "average," and "worse." More importantly, 62% said that they experienced problems with the parolee because of either absenteeism or personal problems and one-half of the parolees no longer employed were terminated because of absenteeism. "Lack of skill" or slowness in work" were each indicated for only 10% of the parolees. What this suggests is that the problem of maintaining employment is primarily related to the parolees' life style and personal orientation rather than his lack of job skills.

We noted above that vocationally trained parolees do report more earnings, in spite of all the obstacles. This, however, is in comparison to other parolees. Undoubtedly there were some earnings which did not fall under the Social Security reporting requirements and considerable inflation has occurred in the ten years since the data was collected but by most standards the overall income levels would still be considered extremely low. For the 1,649 parolees in the study, the average reported income of only \$2653. The highest income group (those with the most training) averaged only \$3163 for the year. Those who spent their time in correctional industries reported average post release earnings of only \$2277, or less than half of what the lowest paid prison employees were earning at the time.

This low income level, of course, reflects not only the menial type jobs available to parolees but also their job instability and extensive periods of unemployment. In another study, done in 1973 (Renteria), the employment experience of parolees from a medium size vocationally oriented institution was evaluated 90 days after release. The institution, with about 1,000 inmates, offers 16 different trades. Inmates paroled to a definite job offer (2/3 of the men) averaged \$2.95 per hour. Three months later, for all releases, 16% were unemployed and another 16% were in jail or had absconded. Of those employed, half had changed jobs at least once since being released three months earlier. For California parolees in general, slightly more than half usually experience one or more arrests during the first 12 months after release.

The picture we get, then, is of a group which, even when they receive training, experience high levels of unemployment, compete for low salaried jobs, and change jobs often. I will argue that this situation results from the general structure of labor markets under a capitalistic economy together with the poor match between the offender's basic orientation and the manner in which jobs are structured.

IV Labor Markets

We often talk about levels of job skills, work habits and job performance as if the economy required these in some absolute amount when in fact their level of acceptability is determined by the competition among workers (of which there are too many) for jobs (of which there are too few). It's obvious that not all workers will routinely show up every day on time and that not all workers can routinely be absent or late, but between these extremes, acceptable practices are determined by what most workers are willing to do. It's equally obvious, for example, that if all workers were absent two less days per year, the relative position of those at the bottom would not improve and no fewer workers would be terminated for this reason. Present day employers loudly complain that current workers have lost the American work ethic compared to the past generation but they don't hire any fewer workers because of it. Another illustration of this principle is provided by the continuous inflation of entry level education requirements which simply keep pace with the average increase in years of schooling.

A miracle happened to the job prospects of ex-convicts in 1941. It was more commonly known as the Second World War. Almost overnight skill levels regarded as prohibitively low became acceptable while employers began to tolerate any manner of work habits and personal problems for fear that the employee might not be replaceable. Much of the trained work force, of course, was in uniform for the "duration" and taking its place were those traditionally excluded from full economic participation; women, teenagers and the elderly; persons fairly new to the industrial labor force and those returning from or postponing retirement. Another important resource was the middle-aged experienced workers who held two jobs, at an unknown cost to performance. Compared to these other marginal workers our ex-convicts must have looked very good. A few excerpts may help catch the flavor of the times.

Early in the war and at the urging of the War Production Board, the California Institution for Men established a training program in welding. Interested inmates received four hours per day of instruction, on their own time and after their assigned institution job. Superintendent Scudder describes the placement efforts:

"The personnel officer at one of the large plants was at first cool toward the idea of ex-prisoners working in the shipyards, but finally agreed to try out two of them. He sent them to the company laboratory and put them through a series of tests. They passed so well that he reversed his position and asked us to send him all the men we could. He gave them his personal attention and relieved them of the necessity of having to go through the plant security tests and being tabbed as ex-convicts.

"They were paid one dollar and twenty cents an hour and gained for themselves the fine reputation of being 'the best trained welders in the state; they stay on the job and let liquor alone.

"We trained six hundred and fifty welders, four hundred and fifty actually reached the shipyards....At one shipyard alone there were two hundred and fifty Chino welders..."

But the war soon ended. Mr. Scudder describes the changing conditions:

"After the war it became more difficult to place ex-prisoners in industry. The great demand of war plants, where any man could get a job, gave place to a more careful selection. The man who said he was willing to do anything found no one would employ him because common labor was no longer in demand. We had well-established courses in laundry work, shoe repair, cooking, baking, dairying, and operation of farm machinery, and our skilled graduates could still find good jobs, but we had a lot of men who couldn't be employed because they had no trade training. It was pretty rough on a man with a good record to reach his parole date and find that he couldn't go out because he was unable to get assurance of a job or had no friends who could help him."

Parolees typically participate in what Schwendinger has termed the "secondary" labor market, characterized by irregular demand, low wages, and lack of opportunities for advancement. The jobs themselves tend to be of marginal utility in that the value added by labor produces marginal profits. In addition, when parolees do participate in the primary labor market (good pay, steady work, promotions) it tends to be in a marginal fashion -- non-union shops, small producers, and no seniority. The ex-offender's marginal relationship to the economy tends to be duplicated in his marginal relationship to other social institutions. Few have participated in the body politic. Surprisingly few enter prison with legal marriages intact (Holt and Miller). Transient spouse relations are more typical. Still fewer have experience with formal voluntary associations, clubs, lodges, or fraternal orders.

Corporate society, with its mass production of goods and services, is dominated, however, by the primary labor market where stable and relatively high wages are exchanged for dependability, subordination, discipline, responsiveness to rules and authority, routine behavior, and acceptance of organizational goals. Because of this dominance, it's axiomatic that the laws, rules and regulations adopted to promote the interest of "workers" or "consumers" will be detrimental to the marginal labor force. For it is this very force of surplus labor, of the under-employed and the chronic unemployed, of secondary workers trying to penetrate the primary labor market, which forms the basis for wage competition and thus the profit margins which maintain the system. And, it's against this competition that the primary labor force lobbies for protection.

But the typical parolee or ex-offender didn't change into one of the "marginals" simply by going to prison. The incarceration and subsequent stigma undoubtedly helps to reinforce and solidify his lowly position but the process is usually a long time coming. Beginning with the working class family and public schools, the processes of socialization are meant to develop primary type workers who can function if not excel in large corporate organizations. Schools are expected to emphasize submissiveness to directions, obedience to

teachers regardless of how stupid or obnoxious, the timely completion of tasks and regular attendance as well as to impart basic skills and technical information. Tardiness is equated with sin while awards are given for perfect attendance to those who drag themselves to class in a sickly condition and share their germs with fellow students. Secondary group relations are predominant and universalistic rules and achievement criteria are rigorously applied despite certain obvious differences (such as the different maturation rates of boys and girls) and the students' strong natural inclination to form primary peer reference groups.

When the process works it produces technically capable, dependable, punctual people able to behave in such a way that their efforts are synchronized with a highly complex division of labor. It even produces people capable of innovating, of developing imaginative solutions to problems and of doing the complex job of coordination. But it doesn't always work. More exactly, it fails to work in systematic ways which produces a population of young people who participate little and invest even less in corporate social institutions. Irregular school attendance soon becomes chronic truancy culminating in the time when the person can officially physically withdraw to complement the emotional withdrawal which has long since passed. As the rejection process proceeds those similarly situated tend to band together in search of alternative sources of status, satisfaction and pleasure. Alternative life styles evolve which emphasize immediate gratification, spontaneity, and strong primary relations within peer groups.

The process by which marginals are created selectively focuses on those who begin with the fewest advantages, those who because of family background, culture or personality are the least likely to fit the system. The disadvantages offenders suffer because of cultural differences and family background are well documented, while personality structure creates additional burdens. The most typical personality type found among inmates is the "4-9" MMPI profile which combines hyperactive, stimulus seeking behavior with poorly developed internal controls (Holland and Holt). Such individuals are seen as action oriented, excitement seeking, easily bored and impulsive, with a low frustration tolerance. They feel little guilt or remorse and generally act with less regard for the future consequences of their behavior. It's not very difficult to imagine the problems such personalities present to school systems with the long periods of tedium and enforced inactivity. But the schools simply reflect industrial requirements and the ways in which service and production jobs are structured. Now the marginal youths, with qualities antithetic to holding primary jobs, face the corporate labor market.

V From Primary to Secondary Markets

I've suggested that under normal labor market conditions ex-offenders are not very competitive. They can acquire the technical skills for primary jobs but because of personality, schooling, and life style (as well as the legal stigma) such jobs are difficult to get and even more difficult to keep. Kenneth Lenihan, director for financial aid and job placements for Maryland parolees concludes his evaluation with the following lament:

"We got jobs for the 'unemployed,' but they did not stay employed. At least that was our experience. We made many placements, but the men quit or were fired soon after. Apparently they are not prepared for our current job market, and the market is not prepared for them."

From the primary employers point of view, the ex-offender is of marginal value in the labor market.

Creating and maintaining primary jobs has become increasingly difficult as workers make more and more demands for social programs and benefits financed from payrolls rather than general tax revenue. The value added to materials by labor must not only cover wages and profits but also pensions, social security, disability and workman's compensation insurance, health care, unemployment benefits, Christmas bonuses, and the list goes on. Every new regulation meant to promote safety or otherwise benefit primary workers serves to increase the value margin needed to maintain primary jobs.

But the higher the ratio of capital to wages the more costly it becomes to create and maintain primary jobs. Enterprises without the ability to produce in huge volumes become increasingly unprofitable. Goods become more expensive to repair than to replace while less needed and optional services are ignored or the consumer does it himself.

Unfortunately, the model for vocational training in prison is focused on the primary labor market. Quality trades are usually defined as those requiring specialized skills for which there is a strong demand, steady work, and good wages. Our data suggests, however, that the most useful training is that which increases the marginal product of the trainee in many other fields as well as the particular trade. This seems logical in terms of the requirements for the secondary labor market and the parolees marginal relationship to the economy in general.

We can't do anything about the structure of the labor market and I doubt whether there is much we can do about the parolee's marginal relationship to it, but I think we can develop skills for a more viable economic role. This would take two directions. First, training would emphasize skills which allow for a broader range of job searching and the target jobs would be those with easier entry and less rigid expectations. Jobs which pay by commission or piecework might be one place to start. For example, standard interpretations of our "4-9"

personality type suggest that they do well in face to face sales work. As far as I know, however, no prison offers "salesman" as vocational training. I've heard that many addicts have done well as telephone solicitors. I know a fifth term auto thief who is doing well repossessing cars for a finance company. Now he steals them legally. Possibly this could develop into a good market. More traditional training might emphasize entry level skills in several areas rather than journeyman level skills in one.

VI Ex-Offenders as Capitalists

I believe the second direction training should take is based on the conclusion that the least expensive employee a person can hire is himself. You don't have to pay fringe benefits or provide vacations, and you don't get sued. While the offenders' work habits and industry may not make his labor profitable to others, it can be profitable and competitive if he works for himself. This should reduce from 20% to 50% the margin required for labor added value. His labor would thus be competitive at about 2/3 efficiency.

The types of services or products selected would be based on one man enterprises requiring little capital and which could be carried out in a garage, house, yard or a small truck or car. Examples would be things like gardening, ice cream routes, lawn mower repair, roofing, house painting, appliance repair, carpet cleaning, upholstery, independent trucking and general handyman.

What I have in mind is to create a class of what John Kenneth Galbraith calls "primitive capitalists." In a sense, some offenders are already self-employed. To the extent that they are involved in such things as burglary or drug sales, they must keep their own hours, show initiative, get paid only for what they do and work as little or as much as they want. Some of the typical offender personality traits which don't fit into primary jobs would be very useful in a more independent economic role.

The training would involve both the basic technical skills and exposure to whatever small business practices would be required. Presumably these would be such things as simple bookkeeping and advertising. Part of the prison's role might be to help the inmate acquire the basic tools prior to release. Some of the businesses would have to be pursued as supplemental income until enough customers were developed.

Most ex-offenders would presumably qualify for special assistance as minority or disadvantaged from government agencies such as the Small Business Administration. This might give access to government owned surpluses of tools and equipment. It might also be helpful for such things as farming cooperatives so that ex-offenders could share referrals, advertising and other services.

VII Summary

The problems inherent in teaching vocational skills in a prison setting are difficult indeed. Compensating for these problems requires considerable imagination and administrative determination. At their very best, prisons are poor places to learn a trade; all the more reason why scarce program dollars should be put to the most effective use.

We've suggested a theoretical orientation to capitalist labor markets and the offenders relationship to it which provide a way of understanding post-release employment problems. The offender's status is seen as marginal because of both predisposition and socialization. He is typically excluded from the dominant primary labor market where his lifestyle renders the value of his labor unprofitable. Instead, he participates in secondary markets characterized by low wages and irregular work. But training programs are usually directed toward primary jobs where the offender is not competitive.

This analysis has led us to suggest two directions for offender training. The marginal economic position of offenders should be first recognized. In the more traditional training, emphasis should be placed on jobs and skills which assist the offender in acquiring jobs more readily. Beyond this, we have suggested that the offenders labor would be cost effective if he worked for himself. A serious effort to train offenders for self-employment would build on their strengths, create services of considerable social value, and should substantially improve their own economic well-being.

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OFFENDER TRAINING
AND EMPLOYMENT;
THE POTENTIAL OF
PRISON INDUSTRIES

BY
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I Introduction - Defining the Problem

The magnitude of the crime problem and its resulting impact in social and psychological terms has long been recognized by all levels of government. In recent years, better data has also made society more aware of the economic cost: billions of dollars lost annually to crime and spent for police, courts, correctional institutions, probation, and parole.

For some time unemployment has been considered a major cause of crime, and offenders have been prone to repeat criminal behavior unless prepared for or provided with a job upon release. In addition, it has been widely accepted that increasing the employability of an offender is an important part of rehabilitation. However, whether it is a cause or an effect of their criminality, offenders are generally failures in the employment area.

Whether or not unemployment is related to crime, those people who come into contact with the criminal justice system are known to have poor work records, and those who are processed through the system are released with the same problems, but with the added barriers to employment which arrest and conviction bring. With the average annual cost of maintaining an inmate in the United States at \$7,041 for adult jails and \$9,439 for adult prisons, (Kroll, 1978) it would seem beneficial to deal with employment problems before they become crime problems, and to deal with offender employment problems to ensure positive post-release results.

In considering the employment problems of institutionalized offenders, it is necessary to try to train and place them before release. Current practice finds most offenders taking any available work in order to satisfy parole board requirements. This is then followed by dissatisfaction and high job turnover, resulting in the same pattern found prior to arrest and incarceration.

Perhaps, since correctional institutions have proven so adept at warehouse and security functions and so opposed to change, their responsibility should be limited to inmate room, board, and security, and the implementation and administration of education, training, and placement should be developed under contract by community organizations and companies with experience in training, educating, and hiring the disadvantaged unemployed.

II The Effect of Unemployment on Crime

In 1973, the National Advisory Commission on Criminal Justice Standards and Goals suggested that assisting those with severe employment problems would be an important way to prevent crime. (National Advisory Commission on Criminal Justice Standards and Goals, 1973). In addition, several researchers have tried to demonstrate a cause and effect relationship between unemployment and crime. The results vary, depending upon which research results one reads. The theory is that, in many cases, a person turns to illegal activities due to work failure, job loss, or income need: that some individuals who cannot find satisfactory employment, or who are discriminated against in the labor market, will look to illegal sources for income.

The claim that employment problems are a cause of crime seems to be supported by several statistical studies. Daniel Glaser has proposed an employment-crime causal relationship. His study of the Federal Bureau of Prisons suggested that ".....unemployment may be among the principal causal factors involved in recidivism of adult male offenders." (Glaser, 1964) His writings state that "proven statistical indices of non-criminality include the duration of the longest period of employment in a particular job, total legitimate earnings per year, the percentage of time in the civilian community during which employed when not in school, and the status of jobs held as measured on any reasonable scale. The higher on the scale these items are, the lower is the percentage of parole failure." (Glaser and O'Leary, 1966) In addition, Glaser and Rice found that property crimes by adults vary directly with the level of unemployment, (Glaser and Rice, 1959) and Glaser has written that about 90 percent of reported felonies are property-related. (Glaser, 1972)

Fleisher's statistical work supports Glaser, though he suggests that the loss of income related to unemployment is more important than the actual job loss. (Fleisher, 1963) Isaac Ehrlich, in a statistical analysis of state crime rates, showed that unemployment and various other measures of economic need tended to increase crime while the certainty of punishment tended to reduce it. (Ehrlich, 1972) Other researchers have demonstrated that property crimes are more likely to be committed by those in the lower socioeconomic classes. (Sutherland and Cressey, 1966)

A 1972 study comparing national youth arrest rates, unemployment rates, and labor force participation rates over the decades concluded that lack of employment opportunities among white and black youths was a key factor in generating property crimes. (Phillips, Votey, and Maxwell, 1972)

Most researchers feel that unemployment and crime are linked. Nevertheless, proving there is a correlation between unemployment and crime does not prove that

there is a cause and effect relationship, nor does it prove that we can improve employment to a degree or at a cost which will make it an effective means of reducing illegal activity. In fact, Neal Miller states that "research has not yet demonstrated any direct causal relationship between employment and crime, yet it is important to note there is no research suggesting the contrary conclusion of no relation between crime to unemployment." (Neal Miller, 1975)

III The Effect of Crime on Offender Employment

Despite several investigations and research efforts, little is known about the employment experiences of offenders or the manpower aspects of corrections. Follow-up studies of released prisoners indicated that their rates of complete unemployment were about three times the national average, and, in addition, their rate of part-time employment was about twice the national average. The rates were highest in the first post-release weeks, and among non-whites and the unmarried. (Pownall, 1969)

Glaser concluded that 90 percent of reported felonies are property-related, and most recidivism of releasees may be regarded as a substitute for legitimate employment. He suggested that a rational society would try to improve inmate work experiences and qualifications and to assist -- even subsidize -- their job training and employment after release. (Glaser, 1972)

Studies have shown the existence of artificial barriers to employment based on criminal record histories unrelated to actual employment capabilities and qualifications. (See Taggart, Pownall, Neal Miller, Herbert Miller, and Rovner-Piecznik). Discriminatory personnel practices, both formal and informal, limit the ability of offenders to utilize manpower services for both the public and private job markets. The American Bar Association spent several years trying to rectify this problem, and while many changes were made, a major portion of the problem still remains. This is due in large measure to the fact that many employment barriers are not statutory or formal, but informal company or personnel procedures. For example, in a survey in New York City, 75 percent of the private employment agencies contacted said they would not recommend an individual with an arrest record, regardless of the disposition of the charges against him. (Hess and LePoole, 1967)

According to the manpower perspective, offenders are viewed as a highly disadvantaged clientele with serious deficiencies in the work world. Like others with employment problems, they are felt to need a wide range of services from education, training, and placement to counseling, health care, and financial support. For several years, offenders were viewed as a separate group with unique problems. State Employment Services were contacted about offender

employment problems so they could place more offenders. However, these offices already overloaded in serving basically disadvantaged clientele, were uninterested in assuming more difficult tasks and responsibilities.

More recently, the offender population has been viewed as a part of a much larger group with severe employment problems. In trying to overcome the employment problems of offenders, their similarities with other hard-core unemployed have been recognized. If offenders are viewed as another hard-core group, whose problems are accentuated but not fundamentally altered by contact with the criminal justice system, then manpower strategies and methodologies similar to those already used for disadvantaged groups can be used. For perhaps a majority of first offenders and even a substantial minority of those in prison or jail, the only characteristic which distinguished them from other disadvantaged groups in the population is that they got caught. (Taggart, 1972) Thus, in recent years, the U.S. Department of Labor has tried to develop programs which include offenders in programs for disadvantaged groups, and to utilize existing CETA programs for offenders.

IV Experience in Offender Training and Placement

For years, the only areas of work for inmates were prison maintenance tasks and prison industry. A full workday was a rarity, working conditions were unrealistic, training was not a consideration, and any job placement for the released offender was done by the offender or his family and friends. With the advent of rehabilitation theories, the burden of education, training, and rehabilitation fell mainly to the prison system. Work release programs were developed, but could only accommodate small numbers of inmates close to their release dates. Accumulated experience has shown that the prisons have been largely unsuccessful in rehabilitation and training, due in large part to the lack of staff, resources, and administrative commitment to such programs, which interrupted the usual flow of schedules and contradicted traditional methods of operation.

For years, the U.S. Department of Labor has tried a wide range of research and demonstration projects to find ways of alleviating some of the offenders' employment problems. In 1966, Congress revised the Manpower and Development Training Act, adding Section 251, which gave the Secretary of Labor operational authority to initiate MDTA projects in prisons. More than fifty projects were eventually funded. Despite this large number of programs, there has been limited evidence of any effectiveness. Follow-up of offenders released from agency supervision was poor, and the resulting data proved in most instances to be of limited value. A study of twenty-five individual projects funded from 1968 through 1969 revealed that they had a negligible impact on the post-release employment expe-

rience of participants, although recidivism was apparently reduced between three and five percent. (Abt Associates, Inc., 1971)

In the training area, there were several problems. Inmates were usually trained on antiquated or obsolete equipment no longer productively used in community factories and businesses. Courses were chosen with little thought to future job availability and employment projections. Projects were poorly implemented, beginning quickly to take advantage of available monies, and too frequently utilizing vocationally unschooled correctional officers as teachers. Inmates were released with high job expectations, which were seldom realized. Released offenders found themselves with outmoded and/or incomplete training, no concept of the requirements of a real workday and environment, little job placement assistance or follow-up, few training-related jobs, and low pay.

More recently, training and job assistance have been developed in concert with CETA, and these programs have tried to utilize past experience and problems. States are developing industrial councils, composed of community business and industrial leaders, to advise in developing courses and securing outside employment. Newer equipment is being used, and teachers are better trained and qualified. Whether or not the results will justify the expense and effort remains to be seen, as hard data will not be generally available for some time.

V Prison Industry - The Free Venture Model

The prison industry area is one potential training resource that until recently has been overlooked. For decades prison industries were handicapped by old equipment, employee sabotage, and safety hazards. Due to state-use laws, prison industries were limited in the types of products they could manufacture and the clients to whom they could sell. They were able to employ only a small number of the inmate population, and those received little viable training and no training-related employment. In 1975, the Law Enforcement Assistance Administration funded a project to look at existing prison industries, and to develop one or more models. The basic model developed was called the Free Venture Model.

The Free Venture Model calls for each industry to be developed in conjunction with an industry council comprised of individuals from that industry in the community. The process begins with an economic study, a market study, and a study of current and projected employment needs for the next several years. Equipment and training comparable to that in the community are utilized, and open community-like work conditions are set up. Inmates are expected to punch a timecard, work a full day, and to be absent for a minimum of reasons. They earn wages, pay taxes and social security, have a savings account, pay room and board, keep their families off welfare, and where the law allows, make restitution to their victims. Basically, they are expected to learn good work habits and be-

come responsible money managers. Working conditions are similar to those in the community, and the industries director is directly responsible for developing community jobs and placing his industry workers in training-related employment.

The Free Venture Model is currently in the early stages of implementation in Minnesota, Illinois, and Connecticut. Other states have shown interest in the concept, and new models can be expected to be developed soon.

VI The Potential of the Free Venture Concept

While past prison training and placement programs developed and operated by correctional institutions have not shown any statistically significant differences between those participating in the programs and those not participating, that does not mean that such programs cannot be effective. It may only mean that the correctional institutions should be in the security business, and not in the training business. Community companies and agencies which deal daily with the unemployed disadvantaged should develop, implement, and administer the training, education, and placement programs, while the prison and its correctional officers see to the operation of the institution and the personal security of the offenders.

Prison industry, using the Free Venture Model in conjunction with the Mutual Agreement (MAP) concept, has the potential to train inmates in saleable skills, give them on-the-job training, and assist in training-related placements. The MAP concept, now operational in at least fifteen states, uses a contract negotiated by the parole board, department of corrections, and the inmate to set out specific parole criteria and a definite parole date. Thus, a MAP contract in conjunction with the Free Venture Model would present an inmate's progress in terms of education, training, work experience, release to employment, and other collateral services. It would provide for the orderly progression of each phase of the training/work experience.

Such a model presupposes the participation of private industry, unions, and apprenticeship programs in the prison setting -- all of which will not be an easy task. In most states, this will also call for changes in legislation to allow private industry to come into prisons or to locate on adjacent prison property, and to realistically market products which can be manufactured and determine the potential clients to which they can be sold. Attempts have been made to bring private industry into the prison, especially in Minnesota, but so far it has been limited to piecework. Industries are fearful of equipment sabotage, high labor turnover, prison security practices which interfere with schedules, and a host of other problems indigenous to the prison setting which must be addressed and resolved.

There is also the problem of facing public reaction when creating jobs in the prison in a time of high community unemployment. Cost-benefit figures are

not convincing to the public on such emotional issues. However, even given all of the problems in bringing private industry into the prison, several states are currently considering this alternative, and are trying to work out some of the problems. In addition, there are some other pertinent developments in corrections practice, i.e. the Colorado legislature has passed a statute requiring that all inmates work as they do in Texas. In Oklahoma a plan has been developed to make the department of corrections financially self-supporting through the use of prison industries which include farming operations.

Prison industries are a potential which we cannot afford to ignore. If industries are carefully chosen and developed by community and business leaders, and if they are linked with training, union, and apprenticeship programs, then offenders can be trained and placed in good and lasting employment.

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THE ARMED FORCES AND
EMPLOYMENT POLICY:
FAILED RESPONSIBILITY
AND FUTURE OPPORTUNITY

BY

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It is ironic that in an era of increased concern over rising youth unemployment and crime, when a concerted effort is needed by all aspects of society in order to stem the resultant tragic human and economic waste, the armed forces are permitted to do not only less than their fair share, but even less than they have done in the past. In fact, at present the Services are shirking any responsibility in this regard by making every effort to exclude from enlistment those socially, educationally, and economically disadvantaged who are least likely to gain employment in the civilian sector and most likely to turn to delinquency or crime.

Yet, the military services have a unique capability to play a significant role in employing youth and enhancing their opportunities educationally, economically and socially.

There are numerous technical training opportunities available in the armed forces, and most of the skills learned are directly transferable to the civilian economy. Thus, for example, men who receive auto mechanics training while in the Army are not only utilizing that training to help provide a ready national defense force, they are developing a skill which could provide them with rewarding employment following the end of their Service tours. The Services also offer many general education opportunities, ranging from the broadening aspects of travel and living in new lands to formal high school and college programs.

The economic benefits of Service enlistment also exceed many of those derived from civilian employment. For example, since the end of Selective Service inductions into the armed forces, pay rates have been substantially increased, and those who enlist in 1978 will receive about \$5,200 during the first year. This is about \$2.50 an hour. In addition, the enlistees receive housing and food (value of approximately \$2,000 per year), medical and dental care, and a variety of fringe incentives, including educational assistance programs and post-service veterans' benefits. Some will also qualify for enlistment bonuses, typically \$2,500.

The Services also offer unique opportunities for social development. Enlistees learn to live and work with individuals of different economic, social,

cultural, racial and religious backgrounds. They learn the value of discipline and achievement and develop judgment and maturity over the three to four year periods of Service enlistments -- all invaluable assets greatly enhancing their chances of living satisfying and productive lives.

There also is no doubt that the young men and women who have served on active duty will find more personal fulfillment than their nonveteran peers. A study of veterans who had possessed sub-standard education and intelligence levels at enlistment came up with the following results: The veterans were more likely than their nonveteran peers to complete their high school education or obtain a GED Certificate; a higher proportion of veterans than nonveterans were employed in higher skilled, higher paying jobs; the veterans were more mobile than the nonveterans; they did not suffer any more serious illnesses or disabilities than nonveterans; and, overall, the veterans were earning significantly higher wages.¹

Thus, for many reasons, the armed forces should be in the forefront of the Government's effort to combat youth unemployment and crime. Yet, the armed forces remain adamantly opposed to enlisting the disadvantaged and less qualified. The Services have maintained this steadfast opposition despite the repeated declaration from Administration officials that the Government is committed to resolving the problems of youth unemployment and crime. The failure of the Administration to involve the armed forces in this effort raises a valid question concerning the seriousness of the Government's commitment -- especially since the goals of the armed forces to recruit ever-increasing numbers of high quality volunteers has been condoned by Administration and Congressional leaders alike.

The following pages are based on the assumption that the armed forces have a social as well as national defense responsibility and will seek to show what role the armed forces could and should play in the war on youth unemployment and crime, within the bounds of practical political realities and while retaining current national defense capabilities.

I Current Recruitment Policies

The unwillingness of the armed forces to assume responsibility for the employment, training and education of less privileged youth is illustrated by their current recruitment policies. For example, during these All-Volunteer Force (AVF) years, the key to successful recruiting in the minds of Pentagon leaders is not providing employment to reasonable numbers of less privileged youth but, rather signing on the maximum number of recruits with high education and intelligence test levels. This commitment to quality is the driving force behind all military manpower decisions, and the current objective of military

recruiters is to fill all vacancies with high school diploma graduates (not including GED certificate holders) who score in the upper 70 percentile (Mental Groups I-III) on the entry test. Only as a last resort, will they enlist men and women who have not finished high school or whose test scores indicate well below average intelligence. Thus, the Services are attempting to exclude those less privileged youth who could benefit to the greatest degree from a Service experience and who, lacking employment and training opportunities, could turn to crime.

Since the advent of the AVF in 1972, Service manpower managers have been increasingly successful in limiting the number of enlistments from such crime-prone youth. As Mental Group V youth (lowest 10 percent) are excluded by law from enlistment, the Services have concentrated their efforts on reducing the numbers of Mental Group IV (lowest 10 to 30 percentile) enlistees. In 1971, one out of five recruits was in Mental Group IV; by 1978, the Active Forces enlisted only one in twenty.² Furthermore, these men had to be diploma high school graduates. (Women in Mental Group IV have not been enlisted).

The failure of the armed forces to enlist greater numbers of less privileged youth has not been due to an absence of applicants, but to these discriminatory policies. For example, a recent study of 300 lower income, inner-city areas determined that 43 percent of the men and women examined for entry into the armed forces were rejected. Of these, 44 percent scored in Mental Group IV, and 39 percent scored in Group V. Black applicants composed 66 percent of the total, and the vast majority of all the rejects had not completed high school.³

The rejection rate in the Washington, D.C. inner-city area has been even higher. In 1976, 52 percent of the mostly Black applicants failed to qualify.⁴ Many others have been disqualified as a result of the so-called "moral" check conducted by recruiting personnel. This consists of a review of juvenile and police records, information provided by relatives, teachers, employers or friends, plus statements made by the individual applicants. Guidelines are provided to recruiters concerning disqualifying levels of drug usage or criminal involvement; however, there is room for discretion. Whereas minor criminal offenses and experimentation with marijuana and other lesser drugs generally do not result in disqualification, commission of felonies, hard drug usage, even continuing usage of marijuana and other lesser drugs usually do so.

In justifying their unwillingness to recruit larger numbers of less privileged youth, the Services cite the greater cost effectiveness of recruiting men and women with high school diplomas and higher test scores. Indeed, the emphasis on these so-called quality recruits has resulted in some reduction in training costs, disciplinary rates, and other personnel problems. Furthermore,

various Service studies have confirmed that the less privileged recruits are more likely to be prematurely discharged and otherwise cause efficiency problems for the Services. Even so, many officers and NCO's believe that the official policy of excluding these socially and educationally disadvantaged youths has gone too far and that the Services need a substantial percentage of junior enlisted men and women with Mental Group IV capabilities for a variety of less-demanding assignments. In fact, in 1974, the Pentagon told Congress that 18 percent of all recruits (and 22 percent of Army recruits) should be Mental Group IV personnel.⁵ This determination was based on findings showing that when the overall proportion of Mental Group IV personnel falls below 15 percent, there is a tendency that many personnel are under-challenged by their job assignments.⁶

Whereas the in-Service arguments concerning Mental Group IV applicants are based on efficiency, the current policy also appears to be related to a desire on the part of Service leaders to control the number of Blacks within the forces. Although the Pentagon denies such motivations, the restrictions on the enlistment of Mental Group IV candidates have had a direct impact on the proportion of Blacks within yearly accession groups. In fiscal year 1976, for example, Blacks represented 46 percent of Mental Group IV enlistees, yet only 17 percent of all enlistees.

It is clear that the Services have based their decisions regarding the use of less privileged youth solely on self-interest and without any serious regard for the overall problems of society. Conspicuously absent in current Service manpower policies is any acceptance on the part of the armed forces of responsibility for the education, training, or employment of disadvantaged youth suffering the highest unemployment rates and who are the most likely to turn to crime.

II The National Security Implications of Current Recruitment Policies

These restrictive enlistment policies, however, have already started to backfire in terms of national defense by causing severe shortfalls in the Reserve Forces and in the Individual Ready Reserve pools. These shortfalls have been allowed to occur, even though these Reserve Components have assumed a much greater role in providing required manpower in the event of a major NATO-Warsaw Pact confrontation in Europe. For example, the Army National Guard has shrunk to 355,000, or some 35,000 below its "minimum authorized strength," which in itself has been reduced some 27 percent since 1972. The Army Reserve is also woefully undermanned. Despite the fact that its "floor" has been steadily reduced from 261,000 in 1973 to the 212,400 level of 1978, the Army Reserve still has been unable to achieve desired strengths and currently has only some 189,000 on the rolls.

There is also a massive shortfall in the Army's Individual Ready Reserve, whose members would be used to augment the Active and Reserve units upon mobilization. It is estimated that this shortfall could reach 650,000 by 1980.⁷ Demographic projections for the future suggest even greater shortfalls -- unless, of course, the forces change their recruitment policies. Since birthrates have declined in recent years, the number of 16-19 year olds will decline from the 17 million level of 1977 to 13.5 million by 1990.⁸ Furthermore, despite a slight projected increase in high school graduation rates, the number of 18 year old high school graduates will decline from the current yearly total of 3.2 million to 2.7 million by 1986, a reduction of some 19 percent.⁹ In addition, military pay and benefits are not expected to increase as rapidly as in the past ten years and will probably lag behind increases in private sector wages, thus making enlistment less desirable for graduating high school students. There is also a very good possibility that the current high unemployment among teenagers will be reduced somewhat by the mid-1980's. A variety of economic projections, including a detailed analysis of the future employment prospects of prime enlistment candidates, supports this view.¹⁰ The combined impact of these changes will be even greater manpower problems for the armed forces. In addition to the continuing problems of severe shortfalls in the Reserve Forces, the Active Forces could experience a lack of some 50,000 to 100,000 needed recruits each year.

The Service manpower managers could resolve these problems by allowing greater numbers of less qualified youths to be enlisted. Unfortunately, Pentagon planners continue to look on this alternative as a last resort. Thus, consideration is being given to a variety of other policy change actions aimed at retaining the Services' current levels of quality recruits. First, military leaders are considering requesting additional funds both for increased recruiting activities, such as advertising, and for further increases in recruit pay and enlistment bonuses. Second, the Services are considering methods of reducing the yearly requirements for volunteers. This could be accomplished by increasing re-enlistments among first-termers and by reducing the current very high attrition rates.¹¹ Third, the Services are considering shifting some of their numerical goals for male quality recruits to women recruits or civilian employees.

Each of these actions would allow the Services to continue with their current restrictions against the recruitment of large numbers of Mental Group IV candidates. However, the implementation of the first alternative would cost the American taxpayers additional billions each year, while the implementation of the second and third could seriously reduce the effectiveness and mobility of the armed forces.

It would seem clear, then, that regardless of all social considerations,

the armed forces will have to admit a far greater proportion of the disadvantaged, and less qualified, who volunteer for service. Not only would such action be likely to reduce youth unemployment and crime, but it would also resolve some major shortfall problems within the armed forces without increased personnel costs or decreased overall force effectiveness.

III Utilization of Less Privileged Recruits in Past Years

Today's reluctance of the armed forces to utilize greater numbers of less privileged youth cannot be defended either on the basis of lacking experience or bad past experience. Men and women were allowed to enter the Services under reduced minimum entry standards during World War II, Korea and the Vietnam War, and they performed well in the service of their country. Included in this category were: physically handicapped; physically substandard; those with less than fourth grade education; those who were English-speaking but unable to read or write at fourth grade level; those unable to read and understand simple instructions or sign their names; those who had failed to achieve a qualifying score on selection tests; those with limited verbal ability or aptitude; non-English speaking persons illiterate in their native tongue; sub-average or slow learners; as well as the emotionally unstable or maladjusted, morally unacceptable, and men with felony criminal records.¹² Although the Services experienced more disciplinary problems with these recruits as well as higher attrition rates and special training requirements as compared to better qualified recruits, the vast majority of these men and women performed successfully in their various service assignments.

Nor was such a social role unique to the U. S. armed forces. In Israel, for example, the Israeli Defense Forces (I.D.F.) have had a major social responsibility since that nation was founded. As an Israeli official recounted: "The period of the in-gathering of exiles had turned the I.D.F. into a Babel of tongues and cultures. A unique mission was imposed on the Army, of educating the tens of thousands of immigrants absorbed by it."¹³

Project 100,000, initiated in October of 1966 as part of President Lyndon Johnson's War on Poverty, is another such precedent showing that success is possible in "special" service programs utilizing Mental Group IV personnel. This program allowed men who scored as low as the 10th percentile on the entry test to be enlisted for military service. However, high school drop-outs who scored between 10 and 30 percentile (Mental Group IV) were required to pass certain supplementary aptitude tests. Men who previously would have been ineligible because of physical defects were considered acceptable if their defects were easily correctable (i.e., overweight, underweight, hernia, etc.).

The primary rationale behind the program was that both the military and the society-at-large would benefit by opening up recruitment to men of lower ability. The military would benefit by being better able to fill manpower needs. In addition, the experience of dealing with large numbers of less privileged personnel would offer the Pentagon opportunities to improve its selection, training, assignment and utilization techniques and thereby increase the capabilities of the Services to respond effectively to higher manpower requirements in the future. Individual enlistees would benefit by having the opportunity to increase their educational level, learn skills, and acquire working experience, thus becoming more productive and self-supporting members of society.

Since the program was ended, evaluations have been conducted leading to mixed conclusions. Critics have pointed out that disciplinary and training problems were greater with Project 100,000 personnel than with higher quality enlistees. Supporters have called attention to the fact that the vast majority of participants performed their military duties satisfactorily, despite somewhat higher attrition rates.

It is interesting to note, however, that those enlisted during 1967 in Project 100,000 had a lower attrition rate than the high school diploma graduates with ratings of Mental Group I or II who were enlisted in 1974 (12.2 per cent vs. 16.3 percent).¹⁴ Indeed, the overall attrition rates of the Services during the AVF years have been much higher than during the pre-Vietnam War draft years, and substantially above the rates for the Project 100,000 enlistees.

As we have shown, there is ample precedent for the armed forces to change their current policy on the use of less privileged recruits, since in the past, many more such youth were enlisted without any detriment to national defense. The armed forces must demonstrate that they too share the commitment of the Government and society to combat youth unemployment and crime by implementing policies that will extend education, training and socialization opportunities to a far larger group of disadvantaged and minority youth.

IV Blueprint for Change

What, specifically, could and should the armed forces do in this respect?

First, the Services should reduce the terms of initial enlistment to the level of the pre-Vietnam years, i.e., from the present average 3.7 years to 3.1 years. Such an action would increase the number of recruits needed each year by about 100,000. It also would ensure a more satisfactory flow of men and women into the Reserves at the completion of their active duty tours.

Second, the Services should reinstate the entry standards of earlier years which required that some 18 to 20 percent of all enlistees be drawn from Mental Group IV.

Third, the armed forces should change their current in-service assignment policies. At present, men and women who score minimally on Service entry tests generally are assigned to less skilled jobs. The result is that there are large concentrations of such youths in the combat units where there are few, if any, training opportunities to qualify them either for more demanding and rewarding technical assignments within the Services or with transfer potential to the civilian labor market.

Last, the armed forces should increase their sponsorship and support of existing civilian job training programs as well as their utilization of the graduates thereof.

The impact of these policy changes on youth unemployment and crime rates could be profound. First, and of greatest importance, raising the limit on the proportion of Mental Group IV youths who could be recruited from the current totals of less than five percent to a maximum of 20 percent would create approximately 80,000 additional jobs each year for such youth. Then, if the terms of enlistment were shortened to the levels in effect during 1964, an additional 20,000 jobs for such youth would be added. In total, then, these two actions would provide more than 100,000 new jobs each year for those youths who could benefit to the largest degree from the educational experiences of employment in the armed forces. These actions also would benefit the armed forces by reducing some of the current inefficiencies present in Service assignment policies and by reducing the critical shortfalls in the Reserve Forces. Their implementation also would benefit the American taxpayers, for various current and projected recruiting incentive payments could be eliminated. There also would be other cost-savings benefits, such as reductions in longtime welfare and public service employment programs.

For those extra 100,000 less privileged youth who would be offered employment each year by the armed forces, changes in internal Service assignment and recruitment policies must be made to ensure that the Service experience would be beneficial.

More opportunities should be provided within the Services for these educationally and economically disadvantaged youths to receive technical training and other broadening assignments. Unless this is done, the combat units of the Army and Marine Corps, the "deck forces" of the Navy, and certain supply and support units in the Air Force will become even greater ghettos for the less privileged. The result would be that the possible rewards of Service life for such youths would be cancelled out by the adverse impact of having to live and work like second-class citizens, while seeing those who have had better education to begin with receive a much broader range of benefits.

Finally, the Services must accept to a much larger extent the special qualifications of disadvantaged youth who have proved their maturity and work endurance through participation in civilian job training programs such as the Job Corps. In fact, there is already some movement in this direction. Although it is not widely known, the military has enlisted more than 28,000 Job Corps graduates during the past six years (some 20 percent of Job Corps graduates).¹⁵ Therefore, the recent action of Congress to double the size of the Job Corps in 1978 should result in more enrollees entering the armed forces. Nevertheless, the armed forces still rigidly refuse to enlist anyone who fails to meet their entry standards. Furthermore, the Services strongly resist and have so far avoided providing any sponsorship or strong support for such "boot strap" programs conducted by other Government agencies or civilian organizations. Certainly, the armed forces could and should do more in this area.

V. Conclusion

The ultimate role of the armed forces in this war against youth unemployment and crime will be determined by the American electorate.¹⁶ Whereas some 100,000 additional less-privileged youth can be absorbed by the Services each year with no adverse impact on national security, the armed forces can assume an even greater social role, but only if U. S. taxpayers are willing to pay for the additional personnel and facilities which would be required or if they are willing to accept a lowered national defense capability.

Thus, a reasonable balance must be struck between the national security requirements for fully trained Service personnel, the necessity for the armed forces to devote some of their resources to up-grading the skills and attitudes of less privileged youth, and the ever-present limitations on funds. Yet, the armed forces are an integral part of the American society and must be involved in all efforts to resolve major community problems, and reasonable leaders, both in the Pentagon and elsewhere, must accept that the armed forces have to assume a much greater social responsibility.

Significant improvement in the Government's effort to combat youth unemployment and crime can be realized only if the Nation's largest employer of youth -- the armed forces -- is required to participate fully in a coordinated program. In short, the armed forces must adopt a new personnel philosophy which includes responsibility for employment and education of many of the Nation's less privileged youth. If the armed forces are not willing to assume such an educational role voluntarily, they should be required to do so by the President and Congress.

Military service is an excellent vehicle for upgrading the education, training, employability, earning power and social adaptability of a large number of

the nation's youths. The benefits of extending the full privileges of military service to those in greatest need would be numerous. These young men and women would gain a sense of participation and achievement. They would also emerge from their Service experience with the maturity and responsibility required for full participation in society. As a result, much human despair would be eliminated.

Footnotes

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THE EMPLOYMENT PROBLEMS
OF EX-OFFENDERS:
A SUGGESTED APPROACH

BY

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RONALD BENJAMIN is a lawyer presently teaching at the Antioch School of Law in Washington, D.C. He formerly directed and administered programs in the private sector established to assist ex-offenders in making the transition to the open society. Born in Shanghai, China of refugee parents, raised in New York City, and a professional jockey in his early teens, Mr. Benjamin is familiar with the problems of growing up in the city and he has sampled many of the services provided delinquent youth. Overcoming his earlier handicaps and overwhelming odds, he is now admitted to the Bar and specializes in Prisoner Right's issues.

Unemployment has always been a chronic problem among offenders. There are many legal and socioeconomic barriers which exclude the offender from most meaningful employment opportunities. The legal barriers, commonly referred to as civil disabilities laws, have been challenged primarily through the courts. To date there has been no systematic effort to overcome the socioeconomic barriers which preclude integrating the offender into the workforce. An approach is suggested here that calls for: (1) the removal of legal restrictions on employment through enlightened public opinion brought about by the widespread dissemination of information concerning the realities of employing offenders; and (2) the development of a comprehensive public service careers program designed to place offenders in the public workforce.

The suggestions offered here should not be taken as any blueprint or 10-point program for solving the employment problems of offenders. It will not address critical issues such as the total lack of continuity as the offender moves through each phase of the criminal justice system. Indeed, each phase carries specialized problems. There is the unnecessary loss of employment by the arrestee upon entry into the criminal justice system, the paucity of training programs for the convict who is incarcerated, and, of course, the myriad problems the offender faces upon release which range from readjusting to the community to bare economic survival. The following discussion should be viewed only as an outline of the essential prerequisites for meaningful progress in this area.

I Civil Disabilities Laws Legal Employment Restrictions

The history of neglect which has turned our nation's prisons into a national disgrace extends far beyond the prison walls. Upon release the offender has been isolated every bit as much as s/he was when held in the citadels we built far away from our communities. Laws were passed that imposed an array of prohibitions upon the offender after release from prison. These prohibitions ranged from the ability to enter into simple contractual agreements to participating in the democratic process by exercising the right to vote. The offender was

rendered a pariah, unable to participate in the common everyday affairs every citizen takes for granted.

Chief among these laws are those which imposed prohibitions on engaging in various kinds of employment. Sometimes the laws flatly prohibited convicts from employment. More often, there was a requirement that an individual be of good moral character to engage in the occupation at issue. The commission of a crime was considered evidence of unfitness. Thus, the conviction which sent the offender to prison automatically excluded him/her from employment upon release.

It is encouraging to note that many of the laws imposing employment prohibitions have been declared unconstitutional by the courts. The courts are requiring that factors such as the length of time which has passed since the commission of the crime, the circumstances surrounding the commission of the crime, the age and education of the individual committing the crime, and the relationship between the crime committed and the employment sought (i.e., it is not desirable to have confirmed alcoholics work in bars), must be considered before an offender may be excluded from a given occupation. While this is encouraging, it is simply not sufficient.

The courtroom is not an effective forum for removing the social stigma associated with the commission of a crime. Judicial opinions rendered in the traditional legalese do little to influence public opinion. The stigma of being criminally condemned is outmoded today. It served a useful societal purpose prior to the advent of the city. A neighbor's disapprobation had some deterrent effect. This is no longer true in large urban communities where rampant poverty supersedes any concerns about reputation. It logically follows that the stigma which attaches to the conviction of a crime is still effective for white collar criminals. White collar criminals are often prominent members of the community, usually professionals. Loss of reputation carries both social and economic consequences for them. Suffice it to say that the stigma may have a deterrent effect on white collar criminals, but it has no affect on the incidence of street crime committed in major metropolitan areas. It is, therefore, at odds with the societal goal of reducing the incidence of crime since it inadvertently provides the impetus to commit crime by denying lawful means of economic survival in the community.

Courts talking about incomprehensible legal doctrines will not dispel the image of the offender as unfit for employment. This is amply demonstrated by a recent decision of a federal court of appeals which ruled that a Connecticut statute which excluded ex-offenders from being licensed as private investigators was unconstitutional.¹ For the offender it was not much of a victory: the

courts' decision was accompanied by the pronouncement of the major security firms in Connecticut that they would hire no offenders regardless of what the court said.²

The defiance of the security firm exemplifies the kinds of social barriers that must be removed if the offender is to take his/her place in the workforce. The security firms' defiance rests on a tradition of discrimination against offenders. The primary manifestations of this tradition are the laws that were never promulgated in any rational scheme. There is no legislative history that could shed any light on precisely what societal interests they were designed to protect. In fact, we find employment prohibitions scattered throughout various branches of law unsupported by either reason or common sense. However, these laws have perpetuated an image of the offender as unfit for employment.

If the offender is to take his/her place in the workforce the image must fall, together with the laws which support it. That will not happen in the courtroom. One commentator has aptly noted that --

...each refusal to hire an ex-criminal contributes to the massive barrier to employment and thus encourages recidivism, which in turn justifies the next refusal to hire.³

The legal barriers must be struck down through the force of enlightened public opinion. Otherwise the Connecticut example, already commonplace, will prevail. It is incumbent upon professionals in the field to generate public discussion of the issues surrounding the employment of offenders. This should be accomplished through developing seminars, conferences and panel discussions designed to reach the general public. Speakers should be made available to community groups, schools and other organizations.

The initial thrust, however, should be directed toward employers. Offenders are as reliable, trustworthy and loyal as employees as are non-offenders. Fortunately, evidence is not wanting on this point. One study conducted for the Department of Labor found ex-offenders employed by public agencies to be --

...about as honest, punctual, cooperative, accurate, industrious and otherwise endowed with work-oriented qualities as other employees.⁴

Further evidence is found in two federally-funded bonding programs that were overwhelmingly successful; both went claim-free in their first year.⁵ The list could go on.⁶ Of importance here is the fact that we have the means to dispel the offender's poor image, particularly with employers.

The widespread dissemination of information will generate public discussion and debate, and can provide the impetus for rethinking our attitudes towards the offender. The senseless legal prohibitions against employment should fall by the wayside. More importantly, the social barriers will give way as well. The community will be more open and receptive to the offender as s/he attempts to

reestablish her/himself in the community. By dispelling the myths and fears about the offender we can create the kind of healthy environment that must be understood as a prerequisite which must be met before the offender can turn the corner to self-reliance and economic security.

The dissemination of information will provide a valuable tool for moving employers in the direction of hiring offenders. It is clear the employer's legitimate concern for sound business operation can be alleviated. But, it is also clear that employers in the private sector are bound to look to government for leadership in this area. Offenders are ranked as a priority group under the Comprehensive Employment Training Act (CETA), yet the government lags far behind the private sector in employing them. If this situation is not corrected, there will be little initiative for the private sector to employ offenders. In short, the government must act as a catalyst in this area, and, it is submitted, the appropriate vehicle for doing so is the development of a public service careers program for offenders.

II The Need for a Public Service Careers Program

A comprehensive public service careers program to be implemented at the federal, state and local levels will bring the requisite degree of visibility to government efforts and spur the private sector on. The program as proposed may not only act as a catalyst, but should foster new modes of creative interaction between government and the private sector in this area. There are equally important programmatic reasons which will be addressed before discussing the proposal to be recommended here.

At the outset it is only necessary to mention that any program designed to meet the employment problems facing the offender must focus on the needs that are unique to offenders. Most offenders are unskilled and have not completed high school. As a group they have been historically excluded from the workforce; thus, poor work habits are commonplace. It is especially significant that there is a great deal of resentment and hostility which stems from being perpetually excluded from the right to make a decent living. Programmatic sensitivity to these special needs must be built into any effort which purports to assist offenders in this critical area.

The role of the federal government in this area is negligible due to a policy of leaving the task to state and local governments. The results have been disastrous. What may be loosely referred to as the overall effort, has been a hit-and-miss approach with no coordination and little or no communication among localities. Programs billed as innovative projects are continually reinventing the wheel. Most often offenders are lumped together with other groups of unem-

ployed in need of assistance which means, as a practical matter, they are placed on the bottom of the list of those eligible for assistance on the basis that they are considered the most difficult to work with.

We should not be surprised at the results because programs designed to assist the offender exclusively remain controversial. Local politicians are reluctant to take the political risks associated with supporting such programs. Hence, they do not receive adequate consideration at the planning level, nor are they apt to rank among the priorities established by the localities. The need for a systematic coordinated approach to the problem is critical to the realization of meaningful employment opportunities.

The development of a public service careers program designed to integrate offenders into the public workforce at the federal, state and local levels is proposed. The federal government should launch a comprehensive effort to recruit offenders for positions which range from clerical and maintenance to managerial and professional. This effort should be limited only by the present and projected workforce for the government. There are several advantages to such an approach.

A public service careers program would permit a singleminded thrust to the present diverse uncoordinated effort to place offenders in the workforce. It does so by aiming the effort at the nation's largest employer, namely, the federal government. The uniformity of the federal employment system would allow the development of specially designed training programs, which would at the same time increase program participation by offenders precipitated by contemplated savings in planning and training resources in implementation under a single roof. The ability to monitor from entry through placement and follow-up would deliver some needed accountability to efforts designed to meet the problems of offenders.

There must be a close working relationship between the Department of Labor and the Bureau of Prisons if this program is to be truly successful. At the planning level one immediate consequence would be the development of training programs for those still incarcerated designed to meet the needs of the federal government. Linkage between placement counselors and institution parole officers would facilitate the employment of offenders at the time of release, and also provide continuity from the time the offender is released through the difficult adjustment period the offender faces as s/he attempts to build roots in the community. The most significant feature of this program, however, lies in the area of support services.

Counselors presently employed in the Department of Labor programs have neither the training nor experience to cope with an offender who already feels alienated from the community. Thus, they are ill-equipped to meet the mistrust

and often hostility they must face in working with the offender. Nor can they address the resentment expressed by the offender who complains, justly, of being shuffled from one agency to another. An alliance between the Department of Labor and the Bureau of Prisons would bring the valuable expertise of correctional professionals to an area where they have been much too underutilized in the past.

The sharing of scarce resources would also impact the mushrooming caseloads presently carried by counselors in existing training programs. Indeed, in many programs counselors are responsible for job placement as well. It is only obvious that regardless of expertise, a counselor with an unmanageable caseload is hardly apt to build a relationship based on confidence and mutual trust in a 30 to 40 minute interview, especially when dealing with an already cynical offender. The benefits of a concerted effort in this area are simply immeasurable.

To be sure, public service careers programs cannot absorb the unemployed offender population no matter how successful. The skills acquired, however, are most certainly transferrable to the private sector. The leadership demonstrated by the government will spur the entry of offenders into the private sector from not only government, but from the ranks of the unemployed. A program component is suggested that will facilitate this movement, namely, the creation of Citizen Advisory Councils.

Citizen Advisory Councils would lead to new modes of creative interaction between government and the private sector in this area. The administration of the Safe Streets Act (LEAA) in recent years called for citizen involvement in the form of Crime Coordinating Councils. Their experience has borne fruit. Here the Citizen Advisory Councils would be composed primarily of employers in the private sector and representative groups such as NAB and SCORE. Participation by Citizen Advisory Councils would ensure adequate consideration of employers' concerns and needs at the planning level and generate an active job bank at the placement level.

They would introduce a measure of serious scrutiny of proposed programs that would promise more efficient use of human and fiscal resources. Input from the Citizen Advisory Councils should lead to some innovative joint efforts between government and the private sector. One of the major benefits projected is the entry of a powerful voice on behalf of the efforts to enable the offender to become part of the mainstream of society.

Furthermore, establishment of the Citizen Advisory Councils will provide needed recognition of the reality that unless we enlist the help of the private sector, we will never have the resources needed to do an adequate job in this area. The viability of the Citizen Advisory Councils is reflected in the cooperation and assistance the private sector has given to the numerous ex-offender

groups which have sprung up throughout the nation in recent years. They are a vital component of the public service careers program because they are the link to the private sector.

There must be an identical effort to the program proposed at the federal government level by the state and local governments. The federal funds presently distributed to the states and localities for employment programs are block grants which allow substantial discretion in projects to be implemented. Because of the controversial nature of offender programs, they are not likely to be among the projects selected. If they are selected, a local government will often farm the program out to community agencies that, however well intentioned, have neither the experience nor the expertise to operate such programs.

The allocation of federal funds must be converted from block to categorical grants calling for the implementation of public service careers programs. Start-up monies should include allocations to cover administrative costs of developing the necessary linkage between the public service careers programs and the local correctional systems. Incentive grants should also be provided based on a formula which combines job placement and retention. The result would be a promising start toward a concerted effort to combat the employment problems of ex-offenders.

III Conclusion

In the past we have raised too many hopes, nurtured too many idle dreams, and we made too many promises we did not keep. If the proposal suggested here, namely, the removal of civil disabilities through the force of public opinion and the development of public service careers programs at all levels of government, seems ambitious, it is due to a failure to recognize the magnitude of the problem. Any program is an exercise in futility unless the community is prepared to accept the offender as a fellow citizen. To be sure, there will always be success stories, but they are the exceptions and perceived by the community as such. In the meantime the rest of the offender population is underemployed or unemployed and on the verge of returning to prison. Unless we mobilize public opinion, the door to admit the offender will remain shut.

At the programmatic level there must be a comprehensive concerted approach to the problem. If we continue to delude ourselves by thinking we can chip away at the problem by implementing programs here and there, we may placate our consciences. Often much is made of the fact that we are still searching for answers in this troublesome area, although it is also recognized that the problem is too urgent to wait for concrete answers. We must do something -- hence, the shotgun approach, which does not work and will not work.

Ex-offenders need jobs. They need supportive services, too, but first and

foremost they need jobs. Not dead end jobs which provide intermittent breaks from prison, but meaningful upwardly mobile opportunities. There is a wealth of untouched talent rotting away in our prisons. We must move away from lip service and get down to the business of tapping that talent.

Footnotes

¹New York Times, Week In Review, November 12, 1977.

²Ibid.

³Portnoy, Employment of Former Criminals, 55, Cornell L.Q. 306, 316 (1970).

⁴"The Effect of a Criminal Record on Employment with State and Local Agencies," by the Institute of Criminal Law and Procedure of the Georgetown Law Center, Prof. Herbert Miller, Director (1971)

⁵Pres. Corr. Report, p. 33, cited in 23 Van. L. Review, 1162.

⁶For example, Trebach, No. 1 Domestic Priority: New Careers for Criminals, City Magazine (Oct/Nov 1970), p. 18; D. Glaser, The Effectiveness of a Prison and Parole System (Abr. Ed. 1969).

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THE EDUCATION/WORK GRANT,
A CASE FOR
NATIONAL INVESTMENT

BY
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Dr. Dunbar has consulted with the American Correctional Association and the Office of Family and Child Development of the Department of Health, Education and Welfare in Washington, D.C. Her publications include many papers presented at Professional meetings and journals. Organization Change: Politics of Bureaucracy (1976) has been distributed by the American Correctional Organization and the Department of Labor. Dr. Dunbar was elected to the National Association of Social Workers as National Board member and has held many offices in that organization.

There are people who live on the economic fringe of society and resort to crime as a means of economic survival. They will continue to choose crime as an alternative until society chooses to set policies and make the necessary investment to support programs to bring them into the economic mainstream.

Thousands of men and women find it necessary to slip back and forth between legitimate employment and illegitimate means of earning a living. They live on the periphery of the economic system. Given a choice, they would prefer a legitimate alternative. However, they are often without choice. They do not have a choice because there is often a scarcity of jobs, particularly at the lower skill levels, and because they are not prepared to compete in the job market.

The relationship between crime and employment has been known since the early 1960's when several studies confirmed the association that many had long suspected.¹ Criminologists have been aware that persons with criminal records are particularly vulnerable to fluctuations in the job market. A sizeable proportion of the people who enter the justice system are the people who live on the fringe of the economy.

"... statistical indices of noncriminality include the duration of the longest period of employment in a particular job held by a person, his total legitimate earnings per year, the percentage of his time in the civilian community during which he was employed when not in school, and the status of the jobs he has had as measured on any reasonable scale... The higher on the scale all of these items are, the lower is the percentage of failure on parole."²

Apparently, if the vulnerable people on the fringe of the economy can be identified and maintained in employment that advances them along a career ladder for a period of years their participation in crime may virtually cease.

I People Who Straddle the Edge of the Economic System Often Resort to Crime

Poverty and discrimination place people in vulnerable positions. Through a variety of social mechanisms, minorities and the poor fill the ranks of the unemployed and the streams of human beings entering the justice system.³

Minorities -- Blacks, Chicanos, Puerto Ricans -- are over represented in both categories. The youth in all of these groups are particularly vulnerable. They do not share the experiences of the majority of youth who have a long history of gradual movement into economic independence through education, part-time work,

and family support. They do not have a public education that will adequately prepare them for college entrance, for white collar jobs or for skilled blue collar occupations. As a group they share a great number of experiences that are common among them. They also are individually unique. For example, John Washington is twenty-five and works as a para-professional in a federally funded diversion program in the central city. The funds are provided for one year only and his job depends on the grant.

John is on the fringe. He is bright, quick to assess a situation and able to articulate the core of a problem. He has a depth of knowledge and understanding of ghetto life. His verbal agility is highly respected among his peers. This skill is valuable for survival in his environment. He acquired this asset with little assistance from the school system. His inadequate education is reflected in his low level of reading and writing skills.

In John's background there is a minor juvenile offense which earned him six months at a youth forestry camp. He also served eight months at the county jail as an adult. He has worked for short periods at a garage, a car wash and a grocery store. When not employed he has survived by selling marijuana and stolen goods. He loves his present job and feels he is making a contribution, especially when he can help some kid avoid the same troubles he had. Underneath a cool composed surface, he is really scared about losing this job, and if this should happen, he sees no alternatives but the illegal ones.

I've known Alex since he was a 15 year old gang member. He recently walked into my office with a smile on his face, but a slump in his young shoulders. After the amenities, he asked if I knew of any available jobs. At twenty-one, Alex has spent the equivalent of three years locked up. After the last incarceration (he got out on parole six months ago), his wife had a baby and they were determined that he would stay out of trouble and earn a living. He told me that he had completed a six-week welding course in prison but had not been able to find a welding job. He worked in a car wash for two months and then got laid off. I had to tell him that I didn't know about any job openings. We both knew, but did not say, that he was teetering on the precipice. He had reached the end of his resources. He'll soon take the risk of crime and gamble that things will get better before he gets caught...

Alice is another "fringe" person. She is 19 and had just served fourteen days in jail for prostitution. She dropped out of high school at 16, already so far behind academically that she was unable to pass her school subjects. No one discouraged her from dropping out of school. She was never a bright student, but as she moved with her family from town to town, she gradually lost her grasp of continuity in school. When she finally dropped out of school, her father, op-

pressed by his struggle to feed the family, told her she would have to leave home. She managed to get a job as a car hop in a drive-in, but was laid off at the start of winter. Lonely and hungry on a city street she was befriended by a pimp.

Alice hates prostitution and lives in fear of her family finding out her means of livelihood. She says, "All I want is an ordinary steady job so I can pay my bills and the rent and save a couple of dollars a week. But, I know there is no point in even looking. So back to the streets."

Alice, Alex and John represent a cross section of thousands who feel they have to go back to the streets when the legitimate world of work does not make a place for them. Their precise number is unknown, but there is a strong indication that the "fringe" concept is valid and documented. Daniel Glaser had indicated that in a --

"follow-up of federal prisoners it seemed evident that the career of most traced a 'zigzag path' from non-criminal to criminal pursuits and back again. Success seemed to evoke repetition and persistence, whether in legitimate or illegal undertakings...while acute failure in either fostered a shift to alternative pursuits."⁵

Glasgow, in his 1978 study of a group of young men in the ghetto found that they were excluded from the economic system. They survived off friends, relatives and earnings from illegal pursuits. Jobs that were infrequently available were low paying and short term, offering very poor alternatives. These young men had not been prepared by their ghetto school to compete in the labor market.⁶

Youth on the economic fringe do not have a long period of economic and social support for developing an occupation or career as do youth who successfully enter the mainstream. Their opportunities are limited and include both illegitimate and legitimate careers. The typical middle class youth who enters the economic system returns home several times for support from the family before finally becoming independent. Many youth receive total or partial family and financial support through four to eight years of college before deciding upon a career. And, while pursuing their education they have usually had the opportunity to acquire beneficial work experience during periods of short-term or part-time employment. In urban areas of high unemployment, large numbers of minority youth rarely find a job and so have little opportunity to have money in their pocket derived from legitimate employment.

Votey and Phillips in an economic analysis of crime concluded that many crimes committed by youth are related to their economic opportunities or lack of them. They found that youth crime rates vary with unemployment rates. Even more important was their analysis of the fluctuations in the labor force participation rates -- when a person stops looking for employment because it has become too frustrating an experience. Falling labor force participation rates explain the increase in youth crime.⁷

The Ladino Hills Project of the late 1960's placed some emphasis on employment as a means to reduce delinquency of gang members. Forty-six youth were placed in a total of 108 jobs. The average job tenure was only fifty-three days and the average income realized per person over a one and one-half year period was no more than \$792. However, the youth were twice as likely to be charged with law violations when they were unemployed as when they were working.⁸

Alice, Alex and John and the others at the edge, will continue to be involved in illegal activities and will continue to raise the crime rates and fill the courts until there is a national commitment to alter their economic dilemma. They need time and resources to develop a career, build job skills, gain job experience and become committed to an occupation. They also need to know that, after they have invested several years in preparation, jobs will be available. Illegal means for earning a living carries a risk of conviction and incarceration. They would prefer a choice that did not include that risk. They would rather choose a legitimate alternative. Current policies and programs do not provide the alternatives.

II Inadequacies of Current Policies

Current programs can be classified under three major categories: 1) programs to decrease overall unemployment rates, 2) programs to make crime more costly to the offender, and 3) employment and training programs for offenders. While all of these have some merits, none of them are adequate to reach the people who are on the fringe and who must straddle the legitimate and illegitimate systems.

Government policies such as increased government spending, public service employment, tax reductions, or lowering of interest rates are important, but to date have not been sufficient to reach more than a few of the people who are on the fringe. When they do become employed the job is usually marginal and insecure. The fringe person will be one of the first laid off if the economic situation changes slightly so there is no permanency that will help an individual move away from their precarious position. Therefore, John, Alex and others like them may be employed one year but when that job terminates they are still outside the system. Alice, with no job skills will probably miss the opportunity for a first job. The point here is that macro economic policies are necessary. Without them, individualized programs are ineffective, but the macro policies alone are not sufficient to move fringe people permanently into the economic system.

The age-old idea that if you make the punishment swift and sure, people will be less likely to commit crimes, has gained some academic legitimacy recently from behaviorists and economists. Some economists have translated this concept into cost-benefit terms stating that increasing the cost of crime to the criminal

will reduce crime.⁹ The research in this area is far from conclusive in either direction and will be an important academic, if not policy issue in the next few years. If we assume for now that the concept is valid and implementation of programs are feasible, they would still not deal with the economic marginality of the fringe person. Policies based on quick, sure apprehension and punishment still do not provide alternatives for the person outside the economic system. If legitimate alternatives are not available to the potential offender they will be forced to increase their defenses against apprehension. It seems that this would tend to escalate, rather than solve the dilemma. Therefore, at its best, the apprehension approach will not be effective unless accompanied by the programs which provide legitimate economic alternatives.

Employment-training programs for offenders are individualized and directed toward the target group of people considered here. Such programs offer a range and variety of services including on-the-job training, skill training in institutions, job placement and, occasionally, follow-up services. Their principal problem has been that trainees often do not find training related jobs after release from incarceration.

There are multiple reasons for the employment record being so poor and most of those reasons are the same as the reasons that people remain on the economic fringe. One major factor is that training is not sufficient, people need to build a work record over a period of time. Past programs have not provided support over a sufficient period of time to allow the participants to go through a career development. They do not have time to build job experience nor an investment in an occupation.

III New Approaches Required to Mainstream the Fringe

To reduce crime that is produced by the exclusion of specific groups of people from the economic mainstream will require some specific policies. The requirements listed below seem to logically follow from the above description of persons in a peripheral economic position and the inadequacies of current policies.

1. Flexibility is needed to allow for individualization of programs so that each person's particular needs, interests and abilities can be supported.
2. Time is needed to allow for a career development process that would include:
 - a) the necessary training and/or experience for the individual to adequately compete on the job market.
 - b) commitment to economic independence based on having experienced some success and invested time.
3. Incentives to employers and training institutions to keep the worker or trainee.
4. Training must be for occupations and careers that will be needed and used in the future so that there is reasonable assurance that jobs will be available.

Programs with these basic characteristics should be adequate to move people from their borderline position into the mainstream providing they are undergirded

by continued national efforts to keep unemployment rates at minimal level.

Two decades ago the nation decided to place a priority on the development of a highly educated cadre. Today a large portion of the nations scientists and academicians acquired their education at government expense because the nation made an investment. Suppose the nation should decide to make an investment that would bring the fringe group into the economic mainstream. Suppose there was support for an investment in a humanitarian policy to reduce crime. Could a similar program evolve?

IV Education/Work Grants, Career Development for Fringe Groups

Individual grants, or stipends for the development of a career or occupation through education and job experience may be a feasible alternative program that has the necessary components for mainstreaming people on the economic fringe.

Each grant would be based upon an individualized career development and stabilization plan and would last three to six years. Each would begin with a planning and exploration phase in which the grantee would acquire information and exposure in order to make an informed decision regarding a choice of occupation. The second phase would provide the necessary training or education and the final phase would be job experience. In phase one, the grant would cover subsistence support for the grantee as well as costs related exploration, planning and testing. The grant would cover subsistence and training costs in the middle phase and a salary for the work in phase three.

V Planning for a Career, Phase I

Selecting and planning for an occupation and career is a complex process. The original selection provides the base for the entire program and therefore needs to be done with care and deliberation. Crucial components in this process include: 1) the grantee is convinced that they have a real choice and are not being pushed into something, 2) the choice is based on some knowledge of all of the implication of that selection, 3) selection is based on accurate assessment of aptitude, ability and socialization of the individual and 4) selection is based on sound information regarding future labor market demands.

It may be too obvious to say that the free choice of the grantee must be diligently preserved to assure an initial commitment to the development of a career. This requirement can be a problem when the program is associated with the criminal justice system. The choice of the lesser of two evils is not a choice, the career development program should not appear to be an easy way out of a traditional sentence. It is important that the person choose to accept the program because the potential for job security appeals to them. If the training/work grant requires a similar or greater commitment of time, people would be discouraged

from selecting that as an easy alternative. For example, rather than two years in prison and three on parole, a grantee might be incarcerated during the first phase of career development and for a portion of the training phase so that the time in the institution would be similar.

The occupational choices should not be limited by the training slots available, a problem that has existed in many other programs. A choice between two occupations is not a real choice. By awarding the grant to individuals rather than to training institutions their options should be greater because they can select from among all of the options available to anyone else in that neighborhood or region.

Career planning needs to include such well known methods as career counseling, aptitude and interest tests and occupational index information, but these are not enough for making a career selection for people who have already been socialized to survive on the fringe. Like the youth who work on summer jobs and explore various schools and occupations, the grantee would need the opportunity to sample the field. Short term placements of a week to a month at different places of work would give them an opportunity to feel the atmosphere and talk with people associated with an occupation in which they have an interest. The more a person knows about the disadvantages of a particular choice, the better they will be prepared to make a choice that is lasting. For example, a person may believe that they want an office job until they spend a few days there and contrast that with a few days on the assembly line where they are relaxed and comfortable.

The lack of a good formal education may distort traditional aptitude testing procedures. For example, John, who we previously mentioned, is happy with his current social service job where he is doing something he considers to be meaningful, something in which he has a deep interest. Because of his limited formal education, he will likely test very low on verbal and quantitative skills. Let us assume that he tests high on manual dexterity. By tests alone he might be advised to enter auto mechanics or skilled factory labor rather than considering an occupation such as social work that requires additional education. He probably would not have the motivation to work toward a career in auto mechanics.

The planning for and selection of an occupation has often been much too superficial in past training programs. Any training is likely to be a poor investment if the selection of occupation is based on what training programs were funded this year, who is available to teach, personal bias of a career counselor or where there is a training slot to fill. In order to make the investment a good investment, it will be necessary to spend sufficient time and money in the planning phase to enable the grantee to choose an occupation with full knowledge of themselves and the occupation.

VI Education and Training, Phase II

The length of time spent in this training phase will vary widely with different occupations. A person who selects a professional career will spend five or six years in college. Once they have earned a degree they will be ready to compete on the job market. A person who selects assembly line work will need relatively little advanced training. For this person, the time on the job is the factor that will establish job security. That time will be provided by the third phase of the grant.

To the extent possible, the training should provide for the person to acquire job preparation in the same manner as anyone else entering that field. There are realistic constraints when the point of initiation is the court-corrections system. For example, some participants will be required to complete part of their training while they are incarcerated. Any amount of training received in the institution will not be the equivalent of the same amount of time in training in the community because it is too isolated from the mainstream. Combinations of bringing teachers to the institutions and releasing participants for classes or jobs could facilitate the beginning of the program while incarcerated. But, the sooner they can join the typical stream of persons entering their occupation, the better.

The grant provides the necessary incentives for training institutions because the money goes with the student. Training institutions will usually give a little extra assistance to students with grants to cover their training in order to help them to succeed and remain with the school. In cases where this does not occur, when a student for some reason needs to transfer to another school, it would be possible to do so without losing the total investment. If the grant were awarded to the institution they could allow one student to fail and replace them with another. There would be no loss to the school but the investment in the first person would be lost. By awarding the grant to the individual, incentives are provided for the schools and we are assured that the people who receive the training are in the target group.

VII Work Experience, Phase III

The third phase provides time for the grantee to acquire job experience, an essential component to compete in the labor market. A work grant will allow the person to complete training and move directly into a job. While they get the experience, skill and seniority they are also investing themselves in their new occupation. This work phase is less important for someone entering a profession since the long period in education accomplishes the same objectives.

Again the work grant would be awarded to the worker. The money would be paid to the employer to cover the workers salary. This provides the necessary incentive

for the employer to want to keep the worker on the job while they are developing competency.

VIII Administration of the Grants

Education work grants could be administered by the Departments of Labor or Health Education and Welfare through the state offices of employment security, state courts or correctional agencies. The point where courts and corrections interface would seem the best place to initiate a program because that is where the target group can best be identified.

Eligibility for such a crime prevention program raises several issues. For example, would there be a rush of applications for all unskilled workers whether or not they had been involved in criminal activity? This is certainly possible and the response will depend on the national commitment to inclusion or exclusion in the economic system. If the program were to be limited to the fringe group I have described, then exclusionary criteria such as court sentences and personal history would become a part of the selection criteria. A more progressive and inclusionary position would be to open the program for all who need it.

Another vital question is whether such a program could be a reward for crime, thereby having the opposite of the designed effect, i.e., do you have to commit a crime to get a government career development grant? This is a sticky question. If the objective is to reduce crime, it is clear that the people who have survived by illegitimate means in the past are much more likely to do it again than are other unemployed persons, therefore, they should be the prime targets of the program. While it is doubtful that many people would go out and commit an illegal act to get caught and get on the program, it does look as though you are rewarding crime when the grants are being offered only to people who have been convicted. Because this factor may be of some concern, it may be politically expedient to require a period of incarceration.

There are others who are convicted of crime but already have an occupation in which they are succeeding. Should they get less because they have a career? Perhaps their punishment should be structured so they can continue to expand their work experience while serving their sentence. This can be done with work release, night or weekend incarceration, or giving so many years of labor in some area where their skill is needed rather than in the traditional "penitentiary."

IX How Much Will We Invest?

It is not clear, however, how much society would be willing to spend for investing in the future of people, for crime prevention that is humanitarian, or for the provision of developing jobs for the unemployed in both the public and private sectors -- but the attraction is the trade-off which could be achieved.

The losses we incur with the current situation include: (1) suffering of the victims of crime, (2) some financial loss from the crime, i.e., burglaries not compensated for by insurance, (3) law enforcement costs even when there is no arrest, (4) cost of processing offenders through the justice system, (5) costs of incarceration of convicted offenders, (6) cost of training programs that do not result in jobs for the trainee, (7) loss of taxes that the person would pay if legitimately employed. When an individual resorts to crime for an income -- whether or not they are caught -- society pays for that income.

The major cost of the education/work grant program is the income to the individual throughout training or education and a period of time on the job. There would be some additional administrative costs. Some of the costs would be directly offset by the taxes paid by the worker for the remainder of the work life.

X Conclusion

There are probably a number of other ways in which people on the economic fringe can be included in the mainstream. The education/work grant is the alternative that meets the basic criteria for individual choice, long-term support and guaranteed work.

Success in this society requires job security. Job security requires a commitment of time and resources in the development of a career. Job security also requires government participation in the economy and the provision of jobs.

It has been considered a good national investment to prepare certain people for professional and scientific careers. I believe that it would also be a good investment to prepare people who are now on the economic fringe for productive work and to continue to pay them for their labor until the economy can absorb them. If this is not considered profitable, perhaps we should heed the words of Franklin Roosevelt:

"The measure of the restoration lies in the extent to which we apply social values more noble than mere monetary profit."

Footnotes

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CRIME, JOB RETENTION
AND JUSTICE SYSTEM CLIMATE:
A COOLING OFF PERIOD
FOR ARRESTED EMPLOYEES

by

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"The job a person holds determines, to a large extent, the kind of life he leads. This is true not merely because work and income are directly related, but also because employment is a major factor in an individual's position in the eyes of others and indeed of himself." President's Commission on Law Enforcement and Administration of Justice, 1967.

Individuals who are arrested for crimes and placed in jail have to cope with more than the justice system. If they are employed workers, they will be called to account for their absence from work and, as likely as not, may find their jobs in jeopardy. Indeed, District of Columbia experience suggests that loss of employment is one of the great hazards confronting the criminal accused who holds a job; and where employment is actually severed, the matter of return to the labor market is often aggravated beyond the disruption stemming from a normal layoff or termination.¹

This is unfortunate for, under our system of criminal justice, the arrested defendant remains a presumptively innocent citizen until convicted. Where the net effect of criminal allegations is to deprive the worker of his or her livelihood, the defendant suffers an economic penalty of great consequence before he or she have had their "day in court."

In the early days following arrest and jail detention, precipitate discharges are not infrequent (whether or not justified) and severe breaches can arise between employer and employee. Since job retention is half the battle for the arrested employee who, in most cases, will return shortly to the labor market (whether acquitted or convicted), it is important that social policy avoid fostering breakdowns in communication that rupture job relationships when with appropriate contact and counselling, such relationships can be preserved. This can often be done by professional and volunteer workers assigned to the task of seeing that employers are notified, appropriate explanations are given, and the remorseful feelings of arrested defendants communicated when they engage in the apparently senseless and defiant behavior of violating criminal laws. Our knowledge of the operation of pretrial charging, arrest and detention procedures suggests that help of this kind will often need a grace period to bring employer and employee back together after the trauma of arrest and confinement. Yet, no system exists for in-

sureing that the "grace period" will occur.

In the course of a mid-1977 meeting on crime and employment issues such as this, the author speculated that it might be instructive to consider legislation requiring private and public employers (subject to reasonable exceptions) to honor a "cooling off" period during which they could not terminate employees accused of crime so that tempers might subside, alternatives be examined, and enough facts laid bare to make sure that discharge was the proper course. It is the purpose of this paper to examine the legality and some of the operational implications of such a public policy initiative, i.e., the feasibility of state or municipal laws which protect the employment position of the arrested defendant holding a job via a temporary (e.g., 15 to 30 day) period during which the employer could suspend the employee and salary payments but not terminate employment.

The analysis will examine (i) the legality of government interference with the employment contract and some of the complications, (ii) labor union interests and ramifications of such action (e.g., how it might affect collective bargaining agreements covering the arrestee's unit) and (iii) what kinds of features and provisions would be best calculated to avoid touchy questions of legality or illegality or undue imposition on the employer's legitimate business interests. It is recognized that this effort to explore protection of arrestee employment status is "uncharted" legal territory and quite speculative. Nevertheless, a reasoned scrutiny of the concept would seem valuable, even if conclusions are negative, because of:

(a) the importance of extending our society's commitment to the "presumption of innocence" of accused persons to the real world of economic survival and not just court system processing,² and

(b) the desirability of a firm, automatic and official umbrella to protect the negotiation, counselling of employee-employer mediation that may often be needed to get the arrestee over his detention crisis.

First, a hypothetical system will be defined and then the issues will be examined against this norm (with frequent "side trips" to examine special issues and variations on the primary concept).

The "Cooling Off" Law

The kind of legislation here contemplated is a statute which would prohibit public and private employers in the jurisdiction from discharging an employee gainfully employed for a minimum period (e.g., 6 months) during a brief period following arrest and placement in pretrial detention (e.g., 30 days or 3 days following release from detention, whichever is sooner). During this suspension period, the employer could suspend the employee, forfeit his pay and benefits

(to the extent permissible under the contract of employment and existing benefit plans), and upon termination of the period could fire the employee for whatever grounds would have been legitimate at the time the suspension started (including behavior and actions involved in the arrest incident). The employer would also be obliged to enter into at least minimal dialogue during the suspension period (e.g., one or two interviews) with duly designated court system personnel, counselors, and aides (paid or volunteer) to discuss the employee's work record and status, explore the employer's willingness to keep the employee in his or her service, generate information and possibly phone conversations and even meetings with the employee while in detention (or with his family) to help arrive at a considered decision, and ascertain what help or services the employer might need to avoid financial loss or competitive or operational disadvantage in holding the job open. Other features of the plan might include:

(i) a provision that existing employment and collective bargaining agreements shall be deemed superceded or modified to the extent inconsistent with the "cooling off" law.

(ii) provision for a short "cooling off" period (e.g., 5-6 days) even for the employee who is arrested, booked and released without detention or perhaps with only an overnight or single day stay since, despite the absence of significant lost time in such situations, the disruption and trauma of the arrest event often generates misunderstanding, bad feelings and precipitate action in the immediate wake of the crisis.

(iii) a proviso that in order to obtain suspension rights, employees must take some affirmative action to notify the employer of their situation, either personally or through family or justice personnel, within a reasonable period after arrest and booking.

(iv) consideration of differential treatment as between employees accused of crime against third parties and those arrested for crimes against the employer or workers.

The "Interference with Employment Contract" Issue

The employment contract represents a property interest protectible against undue governmental interference by constitutional guarantees of due process of law but nevertheless subject to abridgement, limitation and regulation not only in situations of emergency and "compelling state interest" (e.g., the national defense) but also in favor of countervailing and reasonable notions of public policy (e.g., bias-free job opportunity in terms of race, nationality, sex, age or physical handicap). Thus, in terms of preservation or renewal of employment rights, the federal government in the Universal Military Training and Service Act of 1948, mandated that employers rehire those employees who left work to undertake

military service in jobs of like seniority, status and pay. 50 United States Code Appendix, sec. 459 (1968). Earlier this year, the nation witnessed activation by executive order of the "cooling off" provisions of the Taft-Hartley Act requiring employees in the coal industry to suspend their clear and legitimate work stoppage rights in collective bargaining contract negotiations to return to work during an 80-day "cooling off" period. 29 U.S. Code, sec. 178-79. A bill recently introduced in the 95th Congress would establish reemployment rights for workers who temporarily relinquish employment (up to a 5-year period) to pursue education or to bear and raise children (S. 2485, "Education and Childcare Reemployment Rights of 1978"). Since the mid-sixties, it has been unlawful to discriminate in the hiring or discharge of employees, regardless of employment contract provisions, because of race, color, religion, sex or national origin (Civil Rights Act of 1964, 42 U.S. Code sec. 2000e); and similar provisions based on age (29 U.S. Code sec. 623a) or union membership activity (29 U.S. Code sec. 158a) are also on the federal law books.

As will be noted, such restrictive regulation ranges from emergency status (the crippling national coal strike) to facilitation defense policy (military service reemployment) to implementation defense policy (military service reemployment) to implementation of important social values (pursuit of educational and child care goals and non-discrimination in employment). Employment contract regulation to preserve "arrestee" status for a limited period would probably fall with the latter category (facilitation of important social values) and there is little case precedent or legal doctrine to suggest that a limited "cooling off" period such as here proposed could not properly be imposed by federal or state statute.³

Normal Discharge Rights and Criminal Arrests

A common law contract of employment, in the absence of specific written provision to the contrary or reliance on published employer policies or established practice, is considered terminable-at-will where no express term of employment is specified. Thus, in such a case, prompt discharge (or termination) for arrest, conviction or any other behavior deemed improper is fully discretionary with the employer. Even in such cases, the power to discharge may be and often is limited by applicable provisions of federal and state labor relations law or legislation dealing with discrimination in employment or perhaps health and safety laws.⁴

Some very early case law held the employment relation sacrosanct against governmental imposition of even "due process" type notice provisions in discharge cases (e.g., In re Opinion of the Justices 108 N.E. 807 (Mass. 1915) where the Massachusetts Supreme Court advised that the state legislature could not constitutionally require railroad corporations to give employees a chance to answer charges

when being fired for misconduct). It was not long, however, before the courts began to validate statutes which required such safeguards as a letter of dismissal explaining reasons when an employer fired a worker. [See, e.g., Prudential Insurance Company v. Cheek, 259 U.S. 530 (1922) and State ex rel. Terminal Railroad Assn. v Hughes, 169 S.W. 2d 328 (Mo. 1943)]. And such restrictions could go to prohibitions on the very act of termination or discharge itself such as in the federal Consumer Credit Protection Act of 1968 where, under an economic stabilization rationale, employers were prohibited, under criminal penalty, from discharging an employee because his or her earnings have been subjected to garnishment for a single indebtedness, 15 U.S. Code Annotated sec. 1674 (1974).⁵

This state of affairs means that the employee whose work is governed by an informal or oral contract, as opposed to one protected by a collective bargaining or other written agreement, may face undue (and perhaps inequitable) exposure to summary dismissal for being arrested and detained in jail although his "presumption of innocence" status is no different than that of the union employee. Unless there is some "equal employment opportunity" or non-discrimination policy operative, there will be little recourse for the "oral contract" employee.⁶

Effect of Collective Bargaining Agreements

Most collective bargaining agreements have little to say about discharge or suspension of arrested employees or, indeed, employees convicted of crime. The typical discharge and discipline provision is quite broad, indicating that (i) employees may be discharged, disciplined, or suspended for "good cause," "just cause," or "sufficient cause" and (ii) any employee aggrieved by discharge or disciplinary action may register a complaint which is typically processed pursuant to the normal grievance procedure established in the contract. There are, of course, variations in these two basic themes. For example, occasionally the agreement will specify what grounds constitute "good cause" (e.g., insubordination, drunkenness, drug abuse, theft, failure to observe plant rules); sometimes there is provision for advance notice by the employer (to employee and/or union) and a hearing or opportunity to answer charges before final discharge action is taken; and, on occasion, certain misconduct will be listed as suitable for immediate discharge. It seems quite rare, as indicated in one contract examined, to provide for a right to discharge any employee "who is convicted of a crime involving moral turpitude" (with forfeiture of bail or collateral deemed a conviction), but the possibility exists that shop rules or company policies may include specific prohibitions on conduct which fill out the more general "just cause" standard in most formal labor contracts.⁷

A second kind of collective bargaining provision may even have more relevance to the arrested and detained employee than the discharge and discipline provisions.

It seems typical, in seniority clauses, to provide for forfeiture of seniority when an employee is absent or fails to report for work for some specified period of days (e.g., 3 or 5 or 10 days) without proper notification to management or without "reasonable cause" or "good cause." Thus, an arrested employee who is placed in jail and fails to notify his employer within the required time faces loss of seniority and can readily be discharged even as a non-disciplinary matter. This is also true of the arrested employee who notifies the employer but is kept in jail for an extended period awaiting trial.

Sometimes the unexplained absence or "AWOL" provision is included in the discharge and discipline clauses but even more often it is part of the seniority rules. It is especially significant because, as can be seen, collective bargaining agreements do not explicitly treat arrest and criminal conviction as grounds for discharge and, by this omission, suggest that arrest and detention for an offense unconnected with work or the employer is not normally a "just cause" ground for firing. Moreover, the labor arbitration cases appear to bear out this conclusion. Unless the alleged criminal activity deals with such conduct as assault on a foreman or supervisor or theft from the employer, or other activity relating to the employer's business,⁸ there seems to be a presumption that discharge is not warranted although on occasion an employer's community posture and business interest in employees who are regarded as honest and law-abiding has been used to justify discharge for "outside" or unconnected criminal activity. Thus, a discharge based on off-duty shoplifting by a maid employed in a hospital was sustained in a 1972 labor arbitration award because it reflected on the employee's ability to do her work and created bad relations with co-workers, Fairmont General Hospital, 58 LA 1293 (Dybeck) and a "plant rule" treating a criminal conviction as punishable by discharge was upheld when asserted against an employee whose off-company property crime (marijuana possession) amounted only to a misdemeanor, National Flour Products Co., 59 LA 1015 (Eyraud--1972). [See also Lone Star Gas Co., 56 LA 1221 (Johannes--1971) where a discharge of an employee found guilty of incest was upheld because of the adverse publicity and damage to public image suffered by the employer, a public utility.]

Given the foregoing, the impact of collective bargaining agreements on the situation of the arrested and detained employee appears to be as follows:

-- arrest for a crime is generally not deemed "good cause" for discharge or severe disciplinary action,⁹ unless perpetrated against the employer or fellow workers on company property (in which case the act can be handled as a violation of plant or employer rules),

-- arrest does not normally invoke discharge on "AWOL" grounds where prompt and proper employer notification is provided,¹⁰ and

-- prolonged detention can lead to loss of seniority and thereby vulnerability to discharge and discharge action (particularly where detention is not seen as an adequate reason for absence from work).

The foregoing is confirmed by authorities in the law of labor management relations and collective bargaining, who question the assumption that many employees are discharged for arrest and detention based on allegations of off-duty or outside criminal conduct.¹¹ In such cases, unions will often undertake affirmative efforts to get detained employees out of jail and back to work pending disposition of criminal charges. This may even include posting of bail bond or urging and offering special assurances for release on personal recognizance. In situations where employees must remain incarcerated awaiting trial, the frequent practice seems to be placement on suspension with discharge or other final disciplinary imposition postponed until conviction and sentence.

This protective framework for the accused employee does not negate that arrest and detention may be deemed the "straw that breaks the camel's back" in the case of workers regarded as unreliable, insubordinate, untrustworthy and with histories of poor work attendance. Indeed, it is this type of employee who is frequently involved in a jail situation, thereby triggering, on the employer's part, a desire to use the occasion as a justifiable means of severing the employment relationship. Any consideration of the "cooling off" period proposal must address the employer's legitimate concerns with and need to deal with marginal employees of this kind.

Public Employees

With more than one out of every six work force participants employed by governmental and public agencies, a few special observations about this group would seem in order. Indeed, some contend that government employees have a special susceptibility to discharge for criminal conduct after arrest and before trial and conviction, at least in the federal sector. This is because the basic federal legislation on disciplinary actions against civil service employees permits removal or suspension "for such cause as will promote the efficiency of the service," 50 U.S. Code sec. 750a; and even where criminal charges have resulted in acquittal, federal courts have upheld "efficiency of the service" discharges resulting from agency investigations and hearings on the questioned conduct and conclusions about adverse publicity and impairment of the worker's continuing fitness to perform assigned duties.¹²

At the state and municipal level, civil service legislation varies considerably, with rather frequent provision for discharge based on conviction of serious crime based on conviction of serious crime, virtually no explicit reference to

arrest and detention, and a broad and ambiguous area for disciplinary action in response to criminal-type acts (assaults, thefts, fraud, etc.) which might be deemed to fit general removal categories such as "reasonable cause," "immorality," "corruption," and "gross misconduct."¹³

Operational Problems for the Employer

As we have seen, automatic or prompt firing when an employee is arrested and detained is not ordinarily permitted nor is it usual practice in businesses and industries governed by collective bargaining agreements (except, perhaps, where the employer is the victim of the criminal act). Thus, many employers have learned to live with a state of affairs not greatly different than the statutory "suspension period" here proposed for all employers in relation to arrested employees. Nevertheless, a suspension period does create operational problems that might be less pressing if the employer were able to take prompt discharge action. Issues here include:

- whether the employee continues to accrue seniority while detained,
- whether the employee continues to draw pay while detained,
- whether the employee still accrues or can claim sick leave, vacation, pension, medical insurance, and life insurance benefits while detained, and
- whether the employer can get substitute help during the "suspension" period when it cannot offer a permanent job until the period ends.

The proposed "cooling off" law would not, of itself, require the employer to do anything or provide anything to the employee during the 30-day waiting period. However, union obligations, group insurance policies, and federal and state laws may require the continued incurrence of costs with respect to a person who retains the technical status of employee, albeit inactive.

In view of the short duration of the mandatory suspension period (e.g., 30 days), it seems unlikely that this would impose a significant burden. First, even if the employee were discharged, group coverages such as medical, life and accident insurance tend to run for an additional thirty days in any event. Second, since the employee in jail is not at work, he would be either using up accrued vacation or personal leave (and drawing legitimate pay therefor if consistent with employer rules) or, if absent without such entitlement, would not be eligible for compensation in any event. Of course, benefit plan and insurance policy provisions cannot always be readily adjusted to new restrictions such as the faced continuance of the employment relationship proposed here. Indeed, there may be some additional economic cost to the employer as a result of the "cooling off" law. Nevertheless, it does not seem substantial and the fact that large firms under collective bargaining agreement live with substantially the same arrangement via advance warning

and "due process" hearing procedures in terminations suggested that the concept would not be unduly intrusive.

The problem of substitute help for a small employer who cannot operate with an employee in detention or who must replace the lost manpower is a real one. Nevertheless, it is not as crippling as might appear. There is always the possibility of temporary help and even if the "suspension period" prevents the employer from promising full employment status for 30 days to a temporary replacement, the employer can indicate that this would be his intent if he cannot be persuaded to keep the arrested employee.

Conclusions

In a series of articles appearing a few years ago in a British legal periodical, an English attorney explored the legal, practical and moral problems arising in cases of criminal activity by an employee. One of the major conclusions reached was that when an employee was accused of crime but guilt remained to be established:

"The best solution is not to dismiss the employee, but to suspend him during the investigation...It is good practice for the employer to establish disciplinary procedures for these circumstances before the problem arises, and to make them clearly known to each individual employee." Kloss, Labour Law: Criminal Employees, New Law Journal (May 8 & 15, 1975).

The proposed "cooling off" law seeks to take precisely this kind of action as a matter of statutory law and social policy, but in the context of a temporary 30-day suspension to permit mediation and dialogue rather than a much longer suspension through the period of investigation, trial and ultimate conviction or acquittal (which, in most U. S. jurisdictions could run several months). As such, it does no more than many large enterprises and collective bargaining arrangements already provide (perhaps for a shorter period) but has the merit of extending this kind of employee justice to all engaged in the employment relationship (without disadvantage to those working without union protection or under informal contracts).

It is suggested that the idea would not be an undue intrusion on the freedom of the large or small employer, would not cause severe loss, risk or disadvantage to the employer and would add economic reality and support to our democratic "presumption of innocence" for those accused of criminal conduct. Perhaps some jurisdiction will take up this banner on behalf of the working person as it has on behalf of other causes such as non-discrimination for minorities and the handicapped, reemployment rights for those who serve the nation's defense, and protection against garnishment or dissolution of the employment arrangement for workers in debt. Experimentation such as this may inure to the benefit of both the justice system and to workforce stability that ultimately benefits employer and employed alike. Hopefully, some state or urban center will try to make--or unmake--the case.

Footnotes

¹Follow up research by American University Law School's Employment and Crime Project on employed arrestees processed by the D.C. Bail Agency in April 1977 (402 working persons among 1,026 arrestees processed for the month) shows that over 45% had lost their jobs and could not find work six months after arrest and, conservatively estimated, the loss of employment was deemed attributable or bore a relationship to the arrest in a third of the cases (even though less than 3% of all arrestees were ultimately incarcerated).

²In this regard, note should be taken of federally-supported standards which call on states "to enact legislation immediately--to assure that no person is deprived of any license, permit, employment or office...based solely on an accusation of criminal behavior." National Advisory Commission on Criminal Justice Standards and Goals, Corrections Report, Standard 2.10 (1973).

³A local law or municipal ordinance might present a different situation since criminal law administration and rulemaking is traditionally a federal and state function--but not necessarily. The "cooling off" period does not directly interfere with the criminal justice process. See 56 American Jurisprudence 2d, Municipal Corporations, sec. 207 (preeminent activity of state in criminal enforcement) and sec. 471-75 (broad "police power" to impose reasonable regulation on business and commercial activities) (1971).

⁴See Note, Employment at Will--Limitations on Employer's Freedom to Terminate, 35 Louisiana Law Review 710 (Spring, 1975). There does exist case law suggesting that employers will be held liable for discharges in bad faith or motivated by reasons which contravene public policy even under at-will contracts. See Monge v. Beebe Rubber Co., 316 A.2d 549 (N.H. 1974) (dismissal because married female employee failed to go out with foreman); Frampton v. Central Indiana Gas Co., 297 N.E. 2d (Ind. 1973) (retaliatory firing when employee exercised right to workman's compensation benefits); Petermann v. Teamsters Local 396, 334 P. 2d 25 (Cal. 1959) (discharge when employee refused to commit perjury at insistence of employer).

⁵Private civil damages and reinstatement have been held to be remedies under this law as well as criminal penalties. See Stewart v. Travelers Corporation, 503 F. 2d 108 (1974) (private action) and Nunn v. City of Paducah, 36 F.Supp. 957 (D. Kent. 1973) (reinstatement).

⁶To illustrate the effect of anti-discrimination laws, the Equal Employment Opportunity Commission, in a 1972 case, found that an employer's discharge of an incarcerated arrestee violated the equal employment provisions of Title VII of the Civil Rights Act because the practice tended to discriminate against minority employees. EEOC Decision No. 73-0257, 5 FCC Cases 953 (August 25, 1972). Several federal cases confirm that use of arrest data as job criteria in hiring employees violates Title VII by improperly screening out minority persons. See Skoler, Minorities in Correction, 20 Crime and Delinquency 339, 343 (1974).

⁷The observations in this section are based upon examination of a representative sample of current collective bargaining agreements from a variety of industries, i.e., Chrysler and GM/UAW, Sylvania/IAM, Teamsters/United Parcel, Chicago Hotels/Restaurant & Bartenders Int'l., Colgate Palmolive/ILWU, Woodward and Lothrop/Company Union, Dravo/Marine & Shipbuilding Workers, Truck Associations/AFL-CIO Mechanics, and CBS/Electrical Workers.

⁸Indeed, a crime against the employer has been regarded in common law legal theory as a repudiation of the contract of employment, thereby subjecting the employee to damages and summary dismissal even where the contract may have a specified notice period for termination. See Kloss, Criminal Employees, New Law Journal, p. 450 (Nov. 1975).

⁹Even suspension pending outcome of criminal charges has been held improper where the case is ultimately dismissed or the employee is acquitted. See General Portland Cement Co., 62 LA 374 (1974, Davidson); Brown & Williamson Tobacco Co., 62 LA 1211 (1974, Davis); Westinghouse Air Brake Co., 55 LA 996 (1970, Luskin).

¹⁰But AWOL or "absence without notification" rules have been upheld for discharge of jailed employees serving short sentences, C. F. Industries, 55 LA 996 (1971, Howlett) and Buckeye Forging Co., 42 LA 1151 (1964, Klein); and at least a few labor arbitration cases have rules that pretrial detention cannot flatly be interpreted as violating "absence without justification" rules where the arrested worker is later found innocent, e.g., Capitol Manufacturing Co., 48 LA 243 (1967, Klein).

¹¹Interviews (March 1978) with Professor Donald Rothschild, George Washington University National Law Center, Ray Andrus, Department of Community Services, AFL-CIO; William J. Mahannah, American Federation of Government Employees; Paul Wagner, International Union, United Auto Workers; and Lou Poulton, International Association of Machinists and Aerospace Workers.

¹²See Finfer v. Caplin, 344 F. 2d 83 (2d Cir. 1964), cert. denied 382 U.S. 883 (1965) (bribery allegations); Wathen v. U.S., 527 F. 2d 1191 (Ct. Claims 1975) (homicide allegations with insanity defense acquittal). For general guidance, see Magers, A Practical Guide to Federal Civilian Employee Disciplinary Actions, 77 Military Law Review 65 (1977).

¹³63 American Jurisprudence 2d, Public Officers and Employees. secs. 189-201 (1972).

APPENDIX

Crime and Employment
A Selected Bibliography

1978

by
Leon Leiberg

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LEON LEIBERG was born in Germany, raised in France and educated in Switzerland where he was a student of Piaget at the University of Geneva. He has conceived, developed and directed many experimental manpower programs which are now in wide application in the United States such as Pretrial Diversion, Mutual Agreement Programming and Inmate Training efforts. Earlier projects he administered were instrumental in creating new opportunities for youth in the armed forces and the utilization of Vista volunteers in correctional settings. An author and lecturer he has influenced the development of alternatives in vocational education, corrections and the administration of justice at many intervention points and obtained strong support from agencies of the Federal and State governments and the private sector. Currently he is directing the Employment and Crime project at the Institute for Advanced Studies in Justice at the American University Law School in Washington, D.C.

INTRODUCTION

Since April 1977, the Institute for Advanced Studies in Justice of The American University Law School in Washington, D.C., has been the recipient of a Labor Department Grant from the Office of Research and Development to study the employment related problems experienced by defendants before the Superior Court of the District of Columbia.

This latest effort complements a wide range of research and experimental demonstration projects sponsored by ORD, focused on individuals and agencies involved in the criminal justice process and to policy development in an area much affected by public interest and social need.

The inescapable relationship crime seems to have to employment opportunity is beginning to be recognized and the steadily increasing volume of writings on the topic in recent years is reflected in this document. To assist the scholar and practitioner, student and public official, this selected bibliography was assembled to provide ready reference by title, author and subject area in illustrating the multi-disciplinary output emerging in the field. The selections were planned to reflect the different needs of the user and should be augmented by personal additions. No attempt was made to exercise a judgmental opinion as to the quality of individual contributions cited or annotated to reflect personal bias.

It is a pleasure to acknowledge the assistance received by, and to thank the following persons for, their help so willingly given which made this publication possible: Neal Miller, American Bar Association, Dr. Tom Joyce, U. S. Department of Labor, Jane Holla LEAA, and Dr. Barth Mangum, Human Resources Institute, University of Utah for sharing with us his bibliography on the Youthful Offender. Our special thanks are due Dr. Daniel Glaser, University of Southern California, for his longstanding support and interest and in his suggestions after reviewing the material.

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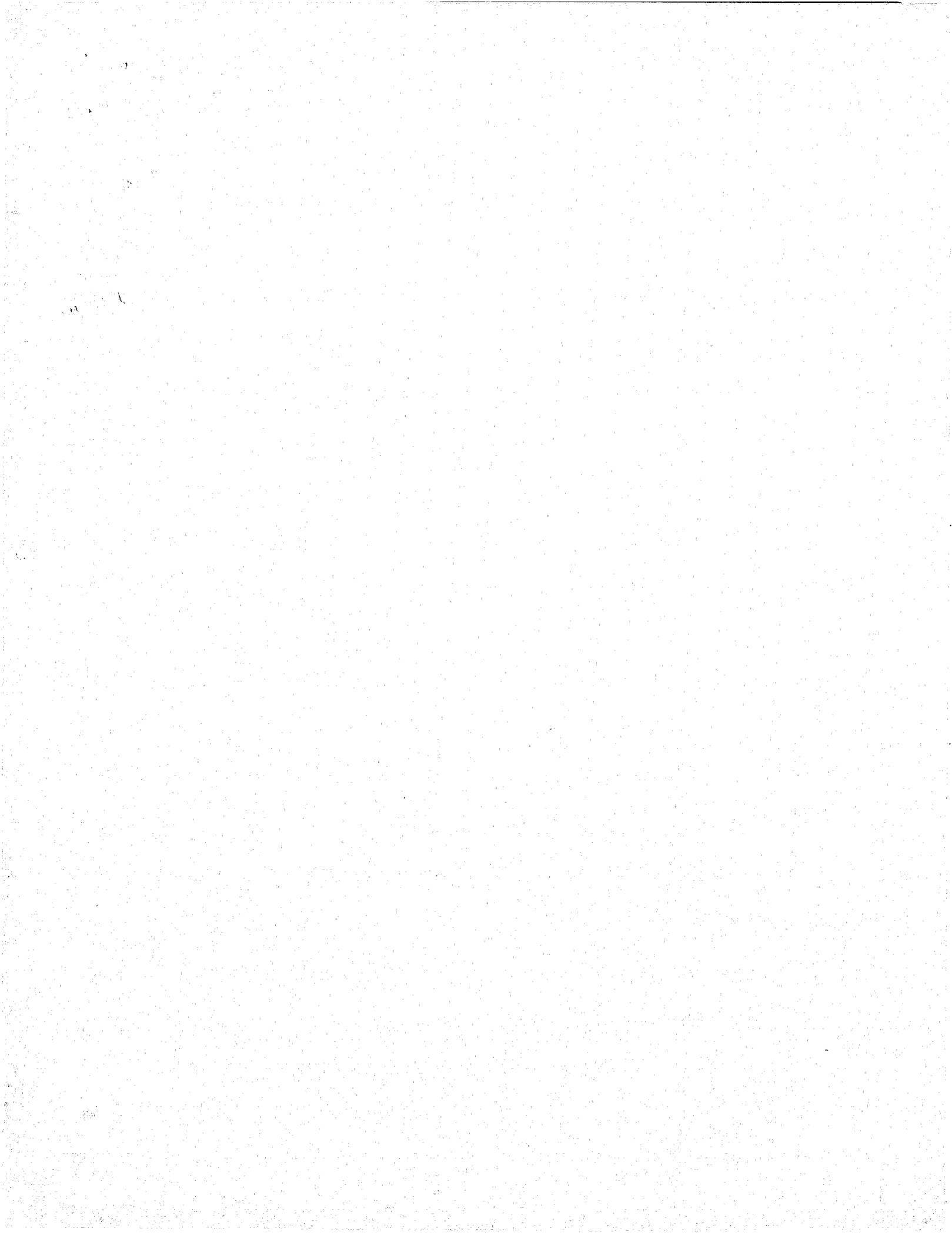
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