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Juveniles, Transferred Juveniles, and the Impact of a Criminal Record on Employment Prospects in Adulthood: An Experimental Study

Joanna Daou

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JUVENILES, TRANSFERRED JUVENILES, AND THE IMPACT OF A CRIMINAL
RECORD ON EMPLOYMENT PROSPECTS IN ADULTHOOD:
AN EXPERIMENTAL STUDY

By

Joanna Daou

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Accepted by:

Brandon Applegate, Director of Thesis

Tia Andersen, Reader

Tracey L. Weldon, Interim Vice Provost and Dean of the Graduate School

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ABSTRACT

Previous research shows that a criminal record reduces an individual's employability. The impact of a juvenile record on employability as a young adult, however, has rarely been examined, and no previous studies have estimated the effect of a criminal record when a juvenile was waived to the adult court. The current study seeks to fill these gaps in the literature using an experimental correspondence approach. The results of this research indicate that the effects of a delinquency record on employability for juveniles and young adults are comparable to the effects of a criminal record for adults.

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CHAPTER 1

INTRODUCTION

Adults have always been the standard when it comes to crime and punishment. However, in the 19th century, Americans started to realize that children are not yet fully developed, and therefore, when committing a crime, they lack the mens rea – otherwise known as the evil intent. Thus, it would be cruel to punish juveniles the same way the criminal justice system punishes adults. A separate justice system for juveniles was first established in Illinois in 1899 and quickly spread throughout the country. A primary distinction of the juvenile justice system was its mission to help nurture and rehabilitate youths, instead of merely punishing them. This ostensibly benevolent approach was grounded in the concept “*parens patriae*” (Mack, 1909). Adopted by Americans from English common law, the phrase *parens patriae* literally means “the state as the parent.” In other words, the now separate juvenile justice system would act in the best interest of the juvenile and for the sake of their protection, just like a parent would their child (Soulie & Scott, 2010).

Several waves of policy changes over the past century have deeply affected the nature of the juvenile justice system (Feld, 2017). Transfer of juveniles to the adult criminal justice system, blended sentencing, and reduced confidentiality of juvenile court proceedings and records, among other developments have compromised the protective orientation toward wayward youths. This thesis contributes a unique empirical assessment of the consequences of “adultification” of juvenile justice. Specifically, I test

the impact of revealing a juvenile criminal record on employability as a young adult. I also compare this effect to what is experienced by a juvenile transferred to adult court. To place the current study in context, the remainder of Chapter 1 reviews the history and nature of the traditional juvenile court, key changes in the intervening years with a focus on exclusion from the juvenile system, and what the existing literature reveals about the impact of a criminal record on employment prospects. The chapter concludes by specifying gaps in the knowledge base and the hypotheses that will be tested here.

Foundation of Juvenile Justice

The child-saving movement was created during the mid-1800s by progressive adults who believed in close supervision and monitoring of juveniles and in imposing sanctions for “troublesome” youth behavior. Child-savers helped create a judicial and correctional system tailored for delinquent youths. This movement relied on middle-class women who devoted their time to the community to socialize children and to teach them middle-class values (Platt, 1969).

By the end of the 19th century, Americans expressed widespread concern about the influence of urbanization and industrialization on the social fabric of the country. Progressive social groups pushed for state intervention and support in relieving social problems and ills. One of the governmental actions they pushed for is the education and immersion of immigrants and the poor into middle-class values to mold them into upstanding citizens. During that time, children were seen as more and more vulnerable. They were perceived as fragile creatures, and in need of constant guidance and help. This was the first time that childhood and adolescence were recognized as distinct phases in a person’s life and that children were seen as different from adults (Feld, 1991; Bernard

and Kurlychek, 2010). Progressive child-savers believed that delinquent children were not fully responsible for their troublesome actions but instead are a byproduct of their environment, their peers, and families among other factors (Oddo, 1998). Child-savers saw delinquents as youths who need protection and moral guidance instead of as criminals (Bernard and Kurlychek, 2010), and believed that juveniles who broke the law needed help instead of punishment (Oddo, 1998). Adults were perceived as free-will actors who chose to commit crime and children were on a predetermined path that could lead to crime, based on the environment they were raised in (Feld, 1991). This led to a push towards a less punitive justice and court system that would focus more on rehabilitation of juveniles instead of punishment and retribution (Feld, 1999).

This distinction between juvenile delinquency and adult crime was formally established with the first separate court system with special jurisdiction over juveniles only. The first juvenile court was founded in 1899 in Chicago, Illinois. This juvenile court was established based on the concept of *parens patriae* – meaning that it is the state’s duty to take in a child whose parents have failed to take care of or responsibly guide him or her (Bernard and Kurlychek, 2010).

The juvenile court possessed many characteristics that distinguished it from the adult court. Juvenile courts were known for informality and for operating under a “best interests of the child” ideology. Judges possessed wide discretion to rule in favor of what they saw as best for the child (Oddo, 1998). The Superior Court of Pennsylvania upheld such discretion in *Commonwealth v. Fisher* (1905), relying in part on the intentions of the juvenile court in denying that certain due process rights were necessary: “It may be well to consider the object of this legislation.- It is to save, not to punish; it is to rescue, not to

imprison; it is to subject to wise care, treatment and control rather than to incarcerate in penitentiaries and jails ; it is to strengthen the better instincts and to check the tendencies which are evil; it aims, in the absence of proper parental care, or guardianship, to throw around a child, just starting in an evil course, the strong arm of the *parens patriae*" (Commonwealth v. Fisher, 1905, p. 182).

Two other distinctive characteristics of the juvenile court are germane to the current discussion. The juvenile court also had its own unique terminology in order to prevent further stigmatization of juveniles. For instance, the words intake, hearing, and delinquency record were utilized instead of arrest, trial and criminal record respectively, reflecting the non-adversarial nature of the juvenile court as well as the rehabilitative instead of the punitive and retributive nature of criminal court. Last but not least, juvenile court held closed hearings and sealed juvenile records in order to protect children from the trauma of publicity and stigma of a delinquent label (Platt, 1969).

Changing Juvenile Justice

Early juvenile courts were built to protect and shield minors from the stigma of criminalization. Therefore, due process protections were not needed, as the state was supposedly acting in the best interest of the child. However, cases such as *Commonwealth v. Fisher* (1905) raised questions about the true nature of the juvenile system. Despite the court's emphasis on the benevolent intent of juvenile justice, the facts of the case reveal a punitive reality. Fisher obtained a longer sentence in juvenile court than what he would have received if he were to be prosecuted in adult court because the judge thought it was necessary and in his best interest to learn from a longer sentence. By

granting unrestrained power and discretion to the courts, juveniles were left with no protections or due process rights (Oddo, 1998).

In the 1960s, observers started questioning whether the juvenile justice system was truly operating in the best interest of the child instead of meting out punishment without the procedural protections of a criminal adult court. Therefore, in 1967, in *In re Gault*, the United States Supreme Court ruled that that the 14th Amendment due process rights were applicable not only to adults, but they also were applicable to juveniles to ensure the protection of minors under the law. Under the due process requirement, juveniles were granted the rights to be aware of the charges pressed against them. They were given the chance of a full hearing where they were allowed to confront witnesses, and they were granted representation during their hearings (*In re Gault*, 1967). As a result of increasing due process protections, judicial discretion was restricted and the distinctions between the juvenile system and adult court began to diminish (Feld, 1991).

Rising youth crime rates also had a major influence on the juvenile court. In response to an increase in homicides and gun crimes, juvenile justice policy shifted in distinctly punitive ways during the 1980s and 1990s (Bishop, 2000). Legislatures during this “get tough” period focused more on punishment instead of rehabilitation. One of the most visible changes involved excluding youths from the special jurisdiction of juvenile court through expanded mechanisms for juvenile waivers. This process involved the transfer of juveniles to adult court, risking harsher punishments and ensuring a criminal record (Bang, Posey and Hemmens, 2016). In the short period between 1992 and 1997, forty-four states as well as the District of Columbia passed legislation that facilitated removal of juvenile offenders from juvenile to criminal court (Bishop, 2000).

Excluding some youths from the jurisdiction of juvenile court was not new. Traditionally, some youths had always been excluded because the juvenile court believed they were beyond rehabilitation and reform, based on the severity of the crime (Fagan & Zimring, 2000). For example, when first enacted, Illinois' exclusion statute only applied to children fifteen and older who were charged with first degree murder, aggravated sexual assault, and armed robbery. However, the exclusion of youths from juvenile court has expanded over the years to encompass moderately severe crimes as well as younger offenders. The criteria determining eligibility for waiver varies across jurisdictions. Some focus more on age, other focus more on crime severity, and others focus on prior record (Bishop, 2000).

There are mainly three mechanisms in the American justice system that can place juveniles into the jurisdiction of the adult criminal court. First, judicial waiver laws allow juvenile court judges to waive a case to adult court on a case-by-case basis. While some states set standards as to when that is possible, judges have wide discretion and consider the totality of a juvenile's circumstances. Second, concurrent jurisdiction laws allow delinquency cases to be brought in either juvenile or adult court based solely on the prosecutor's discretion, and there are no standards that set when that is possible or not. Finally, statutory exclusion laws allow cases to be waived to adult court due to the particular offense charged. For instance, crimes such as murder, rape or armed robbery may cause a juvenile's case to be transferred to adult court. In some states, a waiver is not necessary. A juvenile charged with a serious offense is automatically tried in adult court (Fritsch & Hemmens, 1995). Moreover, in most states, once a juvenile has been tried as

an adult once, they will always be tried as an adult in times that follow regardless of the offense (Griffin et al., 2011).

The dramatic change of transfer laws widened the scope of transfer eligibility, shifting punishment from an individual toward a categorical process, and power from judges to prosecutors. Almost half the states expanded statutory exclusion laws allowing many juvenile cases to be excluded from juvenile court and filed in criminal court. In 1994, 180,000 cases involving juveniles were processed in criminal courts, and in 1996, there were 218,000 (Snyder & Sickmund, 1999), indicating an increasing trend in the amount of juvenile cases processed in adult courts. Statutory exclusion laws do not require a juvenile court hearing before the prosecutor charges a juvenile in criminal court. Other states instituted or expanded their concurrent jurisdiction laws as well to grant prosecutors sole decision-making power (Adams and Addie, 2012). These changes resulted in an expansion in the ways juvenile cases could be transferred to adult court, increasing the chances of transfer.

The shift in discretion to transfer juveniles – from court judges to prosecutors – has important implications. As noted above, the juvenile court judge's concern involved weighing the best interests of the child. In contrast, prosecutors represent only the best interests of the state, and their discretion is exercised in private. As a prosecutor decides what charge to file, there is usually no hearing, no evidentiary record, and no chance for the defendant to even be informed of what evidence the prosecutor has brought against them. Furthermore, transfer of cases into criminal courts based on statutory categories instead of on a case-by-case basis minimizes individualization.

The drift of juvenile court from a rehabilitative institution towards a punitive one that has become more and more similar to adult criminal court has had several ramifications. Most importantly, the “adultification” of juvenile court has eroded confidentiality, thereby compromising the protection of juveniles from the stigma of a criminal label. Even juveniles whose cases remain in the juvenile court, however, do not enjoy the privacy that was once a hallmark of juvenile justice. Increased transparency of juvenile records and proceedings has compromised the confidentiality once promised by juvenile court.

Confidentiality of a delinquency record is important for a juvenile as it allows them to be granted a second chance to start over once they outgrow their delinquency phase. “The prohibition of publication of a juvenile's name is designed to protect the young person from the stigma of his conduct” (Oddo, 1998, p 108). A young adult’s future was meant to be unphased by minor juvenile indiscretions, which is why juvenile courts ensured that juvenile records and court proceedings were sealed and away from the public eye. That way, the mark of a criminal record would not be a burden a juvenile has to carry around for the rest of their lives (Oddo, 1998). However, this confidentiality has eroded over the years due to backlash from the public and the press for its violation of First Amendment rights. News media as well as citizens were concerned about the constant operation of juvenile court behind closed doors and argued that this practice defied freedom of the press as guaranteed in the First Amendment and allowed a continuous lack of accountability in juvenile courts (Horne, 2006). The inability to access open records for juveniles infringed on the rights of citizens to have access to all court proceedings and filed records (Ardia, 2017). Barring the press from the proceedings of

juvenile court was seen as a potential misuse of power by the courts – one that the public should be made aware of. In *Globe Newspaper Co. v. Superior Court* (1982), the court ruled that closed courtrooms constituted a violation of the First Amendment of the Constitution. Since then, more and more juvenile court proceedings have been made open to the public or reported by the news. While making juvenile court proceedings open to the public has brought more accountability to the court, it has also helped erase one of the main distinctions between adult and juvenile courts; confidentiality (Horne, 2006).

Not only were court proceedings made more public, but juvenile records, that were initially meant to be sealed and erased after a certain age, were also made available for the public. In fact, few states automatically seal or expunge juvenile records, and only for certain offenses (Radice, 2018). Juvenile records are often easily accessed through the internet as well, which means that even after possible expungement, the records would still be accessible to the public. In fact, 41 states grant the public some degree of access, and 32 states even publish juvenile records online (Radice, 2018).

Several states have rewritten their statutes, granting exceptions to juvenile protections and confidentiality (Henning, 2004). For instance, numerous states implemented mandatory notification of schools, government agencies and housing agencies once a juvenile in their jurisdiction has been convicted of a felony. Therefore, even if a juvenile record is inaccessible, mandatory notification could result in widespread knowledge of his or her criminal behavior (Radice, 2018). Over the years, juvenile courts bore a growing resemblance to adult courts and juvenile court records have been more widely accessible to the public, which is why Radice (2018) contends

that the nature of juvenile court had been compromised and the protections of a juvenile record have become merely a “myth.”

CHAPTER 2

LITERATURE REVIEW

The Impact of a Criminal Record on Employability

Harris and Keller (2005) identify two types of barriers that ex-offenders face when searching for employment. First, direct barriers are the legal barriers ensured by laws, statutes and occupational code licensing requirements. The barriers legally prohibit employers from hiring an ex-offender or in some cases, merely someone with an arrest record. These barriers are usually faced by offenders who apply to jobs in the public sector. Other laws and codes do not explicitly cite a criminal record as an exclusion factor, but they require an employee to have a “good moral character.” In these situations, a potential employer can interpret a criminal record as proof that the applicant lacks good moral character (Harris & Keller, 2005) or is lacking in “job readiness” (U.S. Commission on Civil Rights, 2019). Adams, Chen and Chapman (2017) conducted a study that entailed 40 participants who were either in the process of getting their criminal records cleared or who had already done so. Some of the participants explained how direct barriers had affected their job search. For instance, Mario, a 38-year-old father was unable to enlist in the army, a job he saw as a last resort to escape the street lifestyle, because the law prohibits felons from enlisting, unless they are able to obtain a “moral waiver.” Sex offenders, however, do not qualify for a waiver. Wanda, a 55-year-old woman was unable to obtain a job at a school because of the institutional rules

prohibiting the employment of someone with a criminal record (Adams, Chen & Chapman, 2017).

The second type of barrier faced by ex-offenders, according to Harris and Keller (2005), is an indirect barrier. This form of exclusion is not mandated by law. Instead, it is based on the employer's personal decision not to hire the offender because of his or her prior record. An indirect barrier might consist of an employer refusing to hire an ex-offender because of their concern that the applicant would not be able to successfully complete the job tasks, would pose a risk to other employees, would expose the employer to possible liability or negatively impact the company's reputation, or other intangible factors based on the applicant's criminal record. A criminal record is a negative credential given to an ex-offender that brands him or her for life and restricts his or her access to resources. This credential is expected to indicate the abilities and inabilities of its holder (Pager, 2005). Title VII of the Civil Rights Act of 1964 and the Equal Employment Opportunity Commission's Uniform Guidelines on Employee Selection Procedures both prohibit discrimination against applicants based on their race, religion, sex, or national origin. Neither of them, however, prohibits discrimination based on a criminal record, leaving employers free to not hire ex-offenders at their discretion (Harris & Keller, 2005). While the law prohibits consideration of an applicant's previous crimes by an employer unless they closely relate to the duties of the job, it is unclear how tightly enforced this law is. Almost 75% of employers ask whether the applicant has ever been convicted of a crime in their application process even when they are not allowed to base their hiring decision on the applicant's answer (Pager, 2005).

The weight of empirical evidence demonstrates that prospective employers consider criminal history in hiring decisions and that a prior record reduces a person's chances of securing a job. Collateral consequences burden ex-offenders even after they have served their time, making it impossible to move beyond the mark of a criminal record (Pinard, 2010). Discrimination in employment can be one of the most common and serious collateral consequences of incarceration (Louks, Lyner & Sullivan, 1998; U.S. Commission on Civil Rights, 2019). Gunnison, Helfgott and Wilhelm (2015) interviewed several prison wardens and supervisors and when asked about the major needs of ex-offenders upon reentry, 76% indicated that employment was the most vital need for successful reentry.

Pager, Western and Sugie (2009) selected a group of well-shaven and well-spoken men between the ages of 22 and 26 to apply for jobs in New York City. Most of them were college educated and had similar verbal skills and even similar heights. Pager and her colleagues generated fictional resumes for the study participants that included education and work history. Paired teams of applicants, however, applied for jobs with one applicant disclosing conviction and incarceration for a drug felony while the other had no criminal record. Their study found that a criminal record decreased the chance of applicants receiving a callback from 28% to 15% (Pager et al., 2009), meaning that a criminal record resulted in the likelihood of moving forward in the employment process being reduced by about one-half. Pager (2003) had performed a similar audit study in Milwaukee with comparable results. Likewise, Leasure and Andersen (2017) found that a criminal record significantly decreased chances of advancing in the job application process using a slightly different methodology. Rather than having pairs of applicants

apply for jobs in person, Leasure and Andersen (2017) submitted fictitious resumes in response to online job advertisements. All attributes in the application were held constant with the exception of a prior conviction for a drug felony which was randomly assigned to one half of the applications. Nearly 29% of the applications that did not disclose a criminal record received a response from the potential employer. In comparison, Leasure and Andersen (2017) received a response for only 14% of applicants with a felony drug history.

The negative impact of a criminal record does not have an identical effect on everyone. Some applicants are more impacted by the mark of a criminal record than others. Race has received the most attention from scholars as a possible source of disparate impact, and studies frequently reveal that a criminal record is more detrimental for a black applicant than a white applicant (Pager, 2005, 2007, 2009a, 2009b, Pager & Quillian, 2005; cf. Leasure, 2019). Pager, Western and Sugie (2009), for example, found that for white applicants a criminal record reduced the chances of a callback or a job offer by 29%. In contrast, the effect of a criminal record for black job applicants was double—60%. Moreover, white applicants who reported a criminal record were about as likely to be contacted by a prospective employer as black applicants with no criminal history. Pager (2007) explains that a black applicant is less than half as likely to get a job callback compared to their equally qualified counterparts, where both white and black applicants had no criminal record. Gaddis (2014) also suggests that black applicants face double the disadvantages in job searches. In fact, a white applicant with a felony conviction is just as likely if not more to receive a callback than a black applicant with no criminal record (Pager, 2007; Pager, Western & Bonikowski, 2009).

The racial disparity in employment of an ex-offender could be further intensified depending on the type of job the applicant is considering. For instance, black applicants are more likely to be hired to work the “back of the house” jobs, where less customer service is required, and the appearance of the employee is of no great importance (Moss and Tilly, 1996, Pager, Western & Bonikowski, 2009). These jobs tend to pay less which leads to a wage inequality between black and white employees with or without criminal records (Western, 2002). Employees with criminal records tend to earn lower wages, sometimes even a decade after their release, and that inequality is further reinforced when combined with the status of being a racial minority. Bushway, Nieuwbeerta and Blokland (2011) found that it can take up to 10 years of being crime free for an ex-offender to be considered as “redeemed” and for ex-offenders with multiple convictions, it could take up to 20 years. Even then, Leasure and Andersen’s (2017) analysis showed that job applicants with a 10-year-old record have a 33% lower likelihood of receiving a callback than someone with no record.

Another disparity among ex-offenders seeking employment could be caused by the type of offense committed. The possible impact of offense type is predicated on the observation that the severity of an offense can have a big influence on social acceptance. Denver, Pickett and Bushway (2017) note that the stigma that comes with a violent conviction is substantially greater than a property or drug conviction even though the likelihood for recidivism for a violent offense is much lower (see also Lageson, Denver & Pickett, 2019). Violent offenders tend to be socially excluded and find it harder to acquire a job. The empirical evidence on this issue, however, is thin and inconclusive. Leasure and Andersen (2017) found that a 10-year old offense resulted in significantly

higher chances of contact from a potential employer than a 1-year old offense, both of which were drug felonies. In a follow-up study, Leasure (2019) found that a felony drug offense reduced employment prospects significantly more than a misdemeanor drug offense, but only among white applicants. For black applicants, a misdemeanor record was just as detrimental as a felony record. Further, DeWitt and Denver (2020) asked a sample of American adults to evaluate fictional job applicants, randomly varying whether the applicant had committed no offense, a drug felony, or a violent felony. The respondents to the survey expressed nearly identical willingness to call the applicant with the violent conviction as the applicant with the drug conviction. Fernandes (2020) suggests that offense type or length of incarceration are not the most important factors when it comes to stigma. Most often, mere contact with the criminal justice system is enough to place a mark of shame on a person.

While the existing literature has addressed several aspects of the impact of a criminal record on employability, two dimensions stand out for the paucity of attention they have received—the impact on women and the role that a juvenile offense plays in employment prospects for young adults. To begin with, all the studies discussed above exclusively studied the impact of a criminal record for men; none examined women. Only a handful of studies have discussed the effects of criminal record on women’s employment outcomes. For instance, Sheely (2019) explains that women’s mere contact with the criminal justice system decreases their chance at employment by almost 7%. Sered and Norton-Hawk (2014) describe the lives of 40 women after their release from prison. A 9-year follow-up with the participants showed that, because of their previous incarceration, none of the women had experienced stable employment. Similarly, La

Vigne, Brooks and Lloyd (2009) followed 142 women in Texas after their release from prison and discovered that females were more gravely affected by criminal records than males because men with criminal records usually obtained employment faster than women with criminal records. However, La Vigne et al.'s (2009) work was not an experimental study. Their methodology, therefore, does not allow isolation of the criminal record as the cause of difficulty with securing employment. Although the outcome of interest was not employability, a recent study by Evans (2019) suggests that a criminal record confers social stigma for women just as other research has shown it does for men. Evans (2019) explored the effects of a criminal record for women in the online dating context. The experimental manipulation of online dating profiles showed that women who did not mention parole in their online profile matched at a rate of 52.6% compared to 33.1% for women who mentioned being on parole and the difference was more dire for black and Latina women, compared to white women. In contrast, an experimental study involving applications to employers in Cleveland, Ohio, found no significant difference in the chances of a callback for female applicants with versus without a prior drug conviction (Leasure & Zhang, 2021).

Another area that has been largely overlooked in research is the effect of a delinquency record on subsequent employment. Nearly all studies have examined hiring prospects of ex-offenders in their early- to mid-20s with an adult record. There is very little research that looks at the impact of a juvenile record and whether or not any effect is comparable to that of an adult record Taylor and Spang (2017) conducted a study with a sample of 334 students. The students were given fictitious resumes and were asked to rate the likelihood of calling the applicant for an interview on a scale of 1 to 10. Some of the

applicants had a delinquency record mentioned in their resumes. Each student was given 4 different resumes that varied based on race (Black or White) and delinquency record (community service on probation or voluntary community service). The presence of a delinquency record reduced the likelihood that the respondents would call the applicant for an interview. Race, however, did not seem to have a grave effect on the callback rate in this study. While the results from Taylor and Spang's (2017) study are suggestive, using a hypothetical employment situation and drawing data from a student sample call the validity of their findings into question. Clark and her colleagues (2020) also provide results from a hypothetical employment test but attempted to gather their data from a more relevant group of participants. These researchers sampled "business email contacts" (p. 7). The survey asked for estimates of the likelihood to call back a hypothetical job applicant for an interview on a scale of 0 to 100%. Each participant was randomly assigned one of 3 resumes that varied offending history (none; incarcerated at 17 for non-violent offense, released a few weeks ago, now on community supervision; incarcerated at 17 for violent offense, released a few weeks ago, now on community supervision). The results showed a decrease in willingness to call back for violent delinquency history, dropping from an average of 69.8% to 39.9%. The exact nature of the sample, however, is unclear. Not only do the authors not describe their initial sample clearly, but they also received only 98 responses, for a response rate of 2%. As a result, the generalizability of Clark et al.'s (2020) findings is highly questionable.

Finally, Baert and Verhofstadt (2015) conducted a randomized, experimental correspondence study by submitting fictional job applications to nearly 500 position openings in Belgium. All fictional applicants were males between the ages of 18 and 21,

with education levels appropriate to the job for which the application was submitted. The researchers submitted two applications to each position—one that disclosed a history of juvenile delinquency, and one that did not. Overall, 17.5% of applicants with no delinquency history were contacted by an employer. In comparison, 13.6% of former delinquents received a positive callback. The ratio of positive responses to applicants without versus with a record—1.29—was smaller than has been observed in the prior work discussed above for an adult criminal history (e.g. Leasure & Andersen, 2017; Pager et al., 2009). Direct comparisons, however, are complicated by the different cultural context of Baert and Verhofstadt's (2015) work.

While some research has attempted to study the effect of a delinquency record on juveniles' employment prospects, the literature has some important shortcomings. For instance, Taylor and Spang (2017) and Clark et al. (2020) both conducted studies that asked employers hypothetical questions instead of actually sending out resumes to employers and tracking the callback rate. Pager and Quillian (2005) discuss the difference in callback rates between hypothetical callbacks and actual callbacks. Employers who indicated in hypothetical scenarios that they were willing to hire applicants with a criminal record were no more likely than other employers to pursue hiring ex-offenders. Pager and Quillian (2005) assessed employers' actual hiring decisions with an experimental approach the latter were less likely to hire the applicant when faced with a real resume. Therefore, the results from hypothetical studies might not be borne out in real life. Moreover, the studies listed above have questionable generalizability. Taylor and Spang (2017) used a student sample to portray attitudes toward hiring a juvenile with a delinquency record, which may not portray actual

employers' attitudes towards the situation. Clark et al.'s (2020) sample is unclear, and they received an extremely low response rate for their study which also calls generalizability into question. Last but not least, Baert and Verhofstadt (2015)'s study was conducted in Belgium and is no indicator of the U.S. employers' reactions to juvenile offenders. Further research is needed to study the effects of a delinquency record on juveniles' prospects of employment.

The Current Study

The above discussion demonstrates that juvenile justice has shifted in ways that potentially expose juveniles to stigma in much the same way that adult offenders are stigmatized by a criminal record. In particular, juveniles may have their cases transferred from the juvenile court to the criminal justice system, resulting in an "adult" criminal record, and even within the juvenile system confidentiality protections are far from complete. Furthermore, the available evidence reveals that a criminal record, independent of other considerations, has a detrimental effect on employment prospects. This finding is robust, but the impact of a record may vary according to other characteristics. The literature has not yet investigated the effect of a criminal record on women, and the current study seeks to begin filling this gap in our knowledge base. Existing studies also provide, at best, suggestive evidence about the impact of a juvenile record on later employment, and I intend to address this gap as well. Based on insights from the prior literature, I propose the following specific hypotheses to be tested in the current study.

- Hypothesis 1: Employability will be lower for job applicants with a history of juvenile delinquency compared to applicants with no criminal history.

- Hypothesis 2: Employability will be lower for job applicants with a history of juvenile delinquency and whose case was transferred to the adult court compared to applicants with no criminal history.
- Hypothesis 3: The impact of a delinquent or criminal record will be comparable for male and female applicants' employability.

CHAPTER 3

METHODS AND DATA

Procedure

The data were collected through sending out hypothetical job applications and resumes in response to job advertisements posted online and tracking responses. Six different resumes were created for the 6 conditions listed in the *Variables* section. For every condition, 67 job applications were submitted, totaling 402 job applications for the study. The determination of outliers and the minimization of biases and errors are made easier with a bigger number of resumes for each variable. This is why 67 resumes are needed for each independent variable. The resumes listed skills and abilities, education, prior employment and other experience. The *Design* section will further discuss the contents of the resume.

Because all of the cases in the experiment are young adults, it would be unrealistic for them to have qualifications much beyond the demands of an entry-level job. Moreover, entry-level jobs do not usually demand specific expertise or years of experience that could be challenging to provide on a fictional resume. Such jobs also do not demand highly trusted references and known corporations as previous employers which could be hard to reflect on a fictitious resume. Most importantly, however, and for the sake of feasibility and practicality, there is an abundance of openings for entry-level jobs online, which makes applying to 400 different jobs in a short period of time more realistic. Entry-level jobs in this study were confined to jobs that require only a high

school diploma with no special training, license, certification, or experience. Therefore, I applied to 400 entry-level jobs through Career Builder. This website partners with several newspapers to include their job listings. This helped me widen my pool of openings beyond the job postings that employers post online only.

The job search site chosen for this study is the city of Boston. Boston has a booming job market, with great availability for job openings and opportunities. Moreover, the presence of a high-quality public transportation system in the city of Boston decreases the chance that an applicant would be rejected from a job based on an employer's assumption that the applicant lived too far from the job, since driving to work could be seen as a bigger hassle than being "just a train ride away." The address of the applicant was chosen to be in an area that is racially neutral as well and one that is not too underprivileged, but not too affluent either. The applicant's resume listed nonexistent house number on a street name in the Boston area.

Sending out job applications to detect callback rates mimics the real-life process of a job search. Therefore, this strategy is expected to yield results that are a valid reflection of the impact of a criminal record on employment prospects. As discussed above, some prior research has instead surveyed potential employers, asking that they report, hypothetically, what they would do with an applicant with particular characteristics (Pager & Quillian, 2005). Pager and Quillian's (2005) analysis, however, calls into question the validity of results from this approach. They found that the intentions to hire black applicants and ex-offenders that employers reported in a survey differed from reality. Employers were more prone to report that they were willing to hire the minorities and ex-offenders, but they were less likely to actually do so. For the

current study, therefore, I approached the issue by sending out resumes and tracking the callback rates, as by far the truest measure of the real application process. It is important to acknowledge, however, that the results of the current study are contingent upon the labor market at the time that job applications were submitted. I return to this point in Chapter 5.

Variables

The research examined whether the effect of a delinquency record on employment is comparable to the effect of an adult criminal record on employment prospects. Thus, it was necessary to establish several types of criminal records. Specifically, the primary independent variable of interest had three possible values: no record, a juvenile record and a waived juvenile record. The second independent variable was the sex of the prospective job applicant: male or female. The study used a 3 x 2 factorial design; therefore, there are six distinguishable conditions in the sample: male with no record, female with no record, juvenile male record, juvenile female record, waived juvenile male record and waived juvenile female record.

The primary independent variable – criminal record – was operationalized through the indication of community service on the resumes. The resumes included previous community service which was kept constant across all applicants. For the applicants with the criminal record, however, the community service was described as a court-mandated part of a probation sentence on the resumes. For the juvenile record, the resume listed community service as:

Florida Department of Juvenile Justice. Community service with City of Jacksonville. Completed mandatory community service as part of a juvenile

probation sentence; included public work projects at the library, parks, and homeless outreach center. Supervisor: Mary Preston, Probation Officer.

Similarly, the criminal record where the case was waived from juvenile to adult court read:

Florida Department of Corrections. Community service with City of Jacksonville.

Completed mandatory community service as part of a probation sentence where my case had been waived from the juvenile court to the adult court; included public work projects at the library, parks, and homeless outreach center.

Supervisor: Mary Preston, Probation Officer.

The final version of the resume, which did not indicate any criminal record, included this description of community service:

City of Jacksonville, Florida. Volunteer. Served my community by participating in public work projects at the library, parks, and homeless outreach center.

Supervisor: Mary Preston, Volunteer Coordinator.

A complete copy of each version of the hypothetical resume is provided in Appendix A. To further highlight the presence of a criminal record, a cover letter included the following phrases for applicants with a juvenile record or waived record, respectively:

I wish to disclose that when I was 16, I broke into a car and took some money that was on the front seat. The Juvenile Court put me on probation for one year. I used that time to help my neighborhood, doing community service for the city of Jacksonville, and I have learned my lesson and have been an upstanding citizen

ever since. My coworkers and my bosses can attest to that. I hope to be able to prove that to you as well.

I wish to disclose that when I was 16, I broke into a car and took some money that was on the front seat. The Juvenile Court waived my case to adult court, and I was put on probation for one year. I used that time to help my neighborhood, doing community service for the city of Jacksonville, and I have learned my lesson and have been an upstanding citizen ever since. My coworkers and my bosses can attest to that. I hope to be able to prove that to you as well.

The cover letter for the non-offender condition omitted mention of a criminal record, but it included the same general statement of interest in employment that was in all versions of the letter. A complete copy of each version of the cover letter is provided in Appendix B.

The applicant's age was indicated through the date of birth on the resume and supported by the date of completing high school. All applicants were the same age. I chose this approach because it allowed the time span available for adult work and the specific work history to be held constant across all applicants. Work history is particularly salient in hiring decisions (Bills, 1990).

To distinguish between male and female applicants, applications listed gender-specific first names. The names I used were Jessica Wilson and Derek Wilson. Bauer and Coyne (1997) conducted a study that looked at people's perceptions of different names in accordance to gender, and the names Jessica and Derek were found to be on the opposite ends of the gender spectrum.

The outcome variable for this experiment involved two different aspects of employability. The first dependent variable documented “callbacks” by recording whether an employer attempted to contact the applicant by voicemail or email. The second dependent variable looked at the time elapsed between the application and the callback in days. The latter is important to consider because not only does the callback matter, but the time elapsed between the application and the callback is also crucial for a disadvantaged population such as people newly released from incarceration (Pager, 2007).

Design

The study comprised six experimental conditions formed in a 3 x 2 factorial design. As noted above, the randomly assigned variables were the hypothetical applicant’s offense history and sex. To isolate the impact of these variables, all other aspects of the study were kept constant. Because of their potential to influence employment prospects, several dimensions that did not vary are worth mentioning specifically. Race was intentionally excluded as a studied variable in this research because an abundance of literature has already established the effect of race on employment prospects (Pager, 2005; Pager, 2007; Pager, Western & Bonikowski, 2009; Pager, Western & Sugie, 2009). Therefore, race-neutral names were used in order to mask the race of the applicant so that no employment decisions are based on that factor. Several researchers have estimated the perceived association of certain names with certain races (Bertrand & Mullainathan, 2004; Gaddis, 2017). Although no research indicates racially neutral names, I made sure that no first or last name I chose was on the list of racialized names in any of the research.

Previous employment was also kept constant across all applicants. The previous jobs stated on the applicants' resumes were as a cashier and line worker at Yard Depot and Wendy's. These jobs do not require any special skill and usually employ high school students or graduates with limited work experience, which makes them fit for our applicants. The applicants stayed an average of two years at each job, which shows consistency and commitment to their jobs. It also shows that they were unlikely to have faced any serious trouble with their employer or colleagues, since they were able to maintain their jobs for a relatively long period of time.

The applicants with a criminal record all had committed the same crime in the same state – Florida. The crime committed is burglary because it is serious enough in the state of Florida to be potentially transferred from juvenile to adult court, but not serious enough to automatically disqualify the applicant because of the assumed potential dangerousness of the applicant. This was necessary to ensure that the transferred juvenile record variable would be included in the study. According to Fla. Stat. Title XLVII § 985. 557 (2019), the prosecutor may exercise his or her discretion to file a juvenile's case in adult court for “any child who was 16 or 17 years of age at the time the alleged offense was committed” and “when in the state attorney's judgment and discretion the public interest requires that adult sanctions be considered or imposed.” In addition, burglary typically results in a sentence of probation (Miller & Applegate, 2015), making it ideally consistent with the other details in the person's background.

Finally, implied and stated skills were held constant across all applicants. All the applicants were on the basketball team in high school, suggesting teamwork and team spirit. They also had experience in customer service through their two previous jobs, and

the fact that they were able to maintain their jobs for an average of two years indicates that they are good at customer service. All applicants also listed knowledge of Microsoft Office, which shows qualification for entry-level office work in positions such as receptionist, administrative assistant, or clerk. This helped me apply for a wider array of entry-level jobs, not solely those requiring physical labor.

CHAPTER 4

RESULTS

The callback rate for all the applications submitted (n=402) was 18.4%. This callback rate is largely consistent with previous studies conducting similar research (Pager et al., 2019; Leasure & Andersen, 2017).

Table 4.1 Callback rate by delinquency record

Callback	Type of Criminal Record		
	None (n=134)	Juvenile (n=134)	Waived Juvenile (n=134)
Yes	24.6	15.7	14.9
No	75.4	84.3	85.1

$\chi^2(2) = 5.201, p = .07$

Table 4.1 illustrates the callback percentage by delinquency records, ranging from no record to juvenile delinquency record, to a record for a juvenile who was waived to adult court. The recorded callback rate for juveniles with no record was the highest among all three categories at almost 25%. Whereas the callback rate for waived juveniles was the lowest at about 15%. The callback rate for juveniles with no delinquency record is almost consistent with the other studies conducted on adult criminal records (Pager, 2003; Leasure & Andersen, 2017). Similarly, juveniles with a delinquency record, whether tried in juvenile or adult court seemed to have a similar callback rate to adults with a criminal record. The difference in callback rates is significant at the 0.1 level.

Table 4.2 Callback rate by delinquency record, disaggregated by applicant sex

Callback	No record	Juvenile record	Waived juvenile record	Total	Chi Square	Significance
Male	23.9	20.9	14.9	19.9	1.75	.42
Female	25.4	10.4	14.9	16.9	5.59	.06

Table 4.2 demonstrates the callback rates for males and females separately. Males had a total callback rate of 19.9%, whereas the callback rate for women was three percentage points lower. The above table also reports the callback rate for the 6 categories resulting from crossing the independent variables. Females without a record had the highest callback rate at 25.4%. On the other hand, females with juvenile delinquency records had half the callback rate of men with juvenile records averaging at 10.4% - the lowest callback rate amongst all categories. Lastly, juveniles who were waived to adult court had a 14.9% callback rate, and these results were consistent amongst both males and females. Females seem to be the most impacted by the presence of a record. The results for the female sample are significant at the 0.1 level, and the results for the male sample are not statistically significant.

Table 4.3 Frequency and percentage of callback delay

Delay (days)	Frequency	Percent
0	16	21.1
1	35	46.1
2	14	18.4
3+	11	14.5
Total	76	100

Table 4.3 demonstrates the frequency and percentage of callback delay by days. The data is sorted into categories of delay by the number of days for a call back, between 0 and 3 days. Five cases had a call back after 3 days. However, because of the rarity of the situation and since most applicants received a call back within 3 days, the last category was coded to entail call back delays of 3 days and above. Almost 46% of the callbacks were received the day after applying for a position. In addition, almost 21% of the callbacks were received on the same day and almost 15% were made on the third day or more. Therefore, most callbacks were relatively quick, and the applicant could most likely tell whether they would receive a callback within a couple days of applying for the job.

Table 4.4 Callback delay by record

Record	Mean Delay	F	Significance
No record (n=34)	1.3		
Juvenile record (n=21)	1.4	.493	.613
Transferred record (n=21)	1.1		

Table 4.4 reports the results for the average callback delay by the type of record disclosed by the applicant. As mentioned above, most callbacks were received within the first 2 days. Applicants who had a criminal record as a juvenile but whose case was transferred to the adult court received the fastest callbacks, while juveniles with a delinquency record received the longest callback time. However, the averages are almost all the same, and the differences in delay are not statistically significant $F(2, 73) = 0.493$, $p = 0.613$.

Table 4.5 Callback delay by record, disaggregated by applicant's sex

Record	Male Mean Delay	Female Mean Delay
No record (n=34)	1.18	1.41
Juvenile record (n=21)	1.21	1.71
Transferred record (n=21)	1.10	1.09
$F(2, 38) = .041, p = .960$		$F(2, 32) = .902, p = .416$

Table 4.5 demonstrates whether record affects time to callback differently for men compared to women. For both groups, the longest delay, on average, occurred when the applicant had a juvenile record. In contrast, the shortest delay for males and females was when they reported a criminal record from a case transferred to the adult system.

The observed variation among the sample means for both males and females are, however, not statistically significant. In other words, the presence or absence of a delinquency record has no significant impact on callback delay for either male or female applicants.

CHAPTER 5

DISCUSSION AND CONCLUSION

The current study examines the effect of a delinquency record on juvenile employment. Previous literature has established that a criminal record is detrimental to an adult's job prospects. However, it has not been established if a delinquency record yields comparable results for youth as a criminal record does for adults. Moreover, most of the established literature on the impacts of a criminal record on employment has adopted solely male samples. Whether the results yielded from previous studies are comparable to the female population is unclear as well. This study addressed these gaps in the literature concerning the effect of a delinquency record on employment prospects for both men and women.

Limitations

Before discussing the findings that emerged from the current study, it is important to acknowledge several limitations. The data for this study were collected during the COVID-19 national pandemic. The labor market was highly impacted by the pandemic at the time. In July 2020, 31.1 million people in the United States reported being unable to work within the last month because their employer had shut down due to the pandemic. Around 45% of those individuals were still unemployed 4 weeks later, while 55% had obtained another job (U.S. Bureau of Labor Statistics, 2022). Morath (2021) confirms that unemployment post-COVID is higher than it was before the pandemic. However, employers are still struggling to find workers to hire. There are several reasons for the

worker shortage. While businesses are reopening, some schools are not, and parents are left without childcare. Moreover, some individuals are earning more from unemployment benefits than they would if employed, and lastly, many individuals do not want to go back to the workforce for fear of getting or spreading COVID-19 (Morath, 2021). For Massachusetts specifically, the site of the current study, employment rates in 2021 decreased around 4% since 2019, which is around the same percentage decrease for the United States as a whole (PEW, 2021). Therefore, it is unclear whether the callback rates in this study were impacted by the job market at the time and whether they would be comparable to callback rates before COVID-19.

Moreover, callbacks were documented only through voicemails or emails, and I did not verify the content or intent of the contact. The callback rates were tracked based on a first-contact basis; if the employer sent an email or a voicemail to the applicant, it was coded as a callback. I did not attempt to distinguish, for example, contacts that indicated the need for further information or paperwork from those that sought a possible interview. It is also important to note that I did not respond to the callbacks. Therefore, it is possible that some employers did not disqualify an applicant this early in the process for the presence of a delinquency record but might be more likely to do so further along in the process.

This study was also conducted in the Boston area. Therefore, it is uncertain whether these results are reflective of the job market across the United States. Moreover, the study attempted to gender the applicant based on their names but to remain neutral on race. However, it is impossible to know whether the employers truly recognized the sex of the applicant through their names or whether they assumed a certain racial affiliation,

despite the study's efforts to eliminate the names' associations with a specific race. Any racial biases, however, should be theoretically equivalent across groups due to the random assignment of conditions. Lastly, this study is based on the assumption that the employer noted the applicant's criminal history through the cover letters and resumes and that the employer was able to understand the applicant's criminal history, whether it be a juvenile record or a transferred record and the distinction between them.

The Impact of a Delinquency Record

Despite the limitations discussed, this study sheds light on the impact of a juvenile criminal record on employability in early adulthood. The juvenile system has witnessed a shift from a rehabilitative institution towards a more punitive one, thus, more closely resembling the adult system (Bishop, 2000). However, the effects of that shift are unclear, especially on employment of juveniles and young adults.

The previous literature has clearly established that a criminal record has a negative impact on adult employability (Pager, 2003; 2005; 2009). No previous research had attempted to investigate whether these effects are comparable for a juvenile record and employability in young adulthood. The present study sought to address this gap in the knowledge base. Specifically, the following hypotheses were tested, and the results are discussed below.

- Hypothesis 1: Employability will be lower for job applicants with a history of juvenile delinquency compared to applicants with no criminal history.
- Hypothesis 2: Employability will be lower for job applicants with a history of juvenile delinquency and whose case was transferred to the adult court compared to applicants with no criminal history.

- Hypothesis 3: The impact of a delinquent or criminal record will be comparable for male and female applicants' employability.

This study showed that a delinquency record does, in fact, have a negative impact on employability. Applicants with a delinquency record as well as applicants who had a criminal record from a case that was transferred to adult court had a lower callback rate than applicants with no delinquency history. Therefore, hypothesis 1 was supported, and my results from a major U.S. city are consistent with previous research such as Baert and Verhofstadt's (2015) work that was conducted in Belgium.

Moreover, juvenile delinquency records had a greater impact on females than on males. For instance, females with no records had higher callback rates than males. However, females with a delinquency record had lower callback rates than men. Therefore, the effects of a delinquency record were more detrimental for women, in contradiction to hypothesis 3.

This study is among a select few that examines the effect of a criminal record on female applicants, and it is the only one I am aware of that explicitly compares that relationship for men versus women. Evans (2019) demonstrated the importance of understanding how a criminal record impacts dating among women. Ortiz (2014) and Leasure and Zhang (2021) studied the effects of prior criminal involvement on women's employment prospects. However, neither study included men, so neither was able to consider whether the impact for women was comparable to that for men. The current research provided an expansion of the literature. The near-exclusive analysis of males in prior research on the impact of a criminal record on employability (Leasure & Andersen,

2017; Pager, 2003; Pager, Western & Sugie, 2009) and the lack of any ability to make direct comparisons with men when women's experiences have been analyzed (Leasure & Zhang, 2021; Ortiz, 2014) could lead to the conclusion that gender is irrelevant. The current study revealed this assumption to be false. A delinquency record was more detrimental for women than men.

Finally, this study investigated whether a delinquency record might slow down the hiring process. While the possibility of a callback is impacted by whether an individual possesses a record, the delay for the callback did not seem to be impacted by whether the applicant has a record or not or even the different types of records they had. It appears that potential employers either accept a criminal record or they dismiss the applicant based on their record. They do not invest any extra time before deciding whether to pursue applicants who have been in trouble with the law.

Implications

The implications of this research extend to male and female young adults who have a delinquency record or ones whose case was transferred from juvenile to adult court. This research found that individuals with delinquency records and transferred cases had a lower chance of obtaining a callback from a potential employer and that women are more gravely impacted by a delinquency record than are men.

The results of this study contradict the nature of juvenile court, which was intended to act in the best interest of the juvenile and to shield them from the negative consequences of their mistakes (Bernard and Kurlychek, 2010; Oddo, 1998). Findings of neuroscience have increasingly influenced courts' decisions in being more lenient on juveniles who commit crimes than fully responsible adults who do so. The reason for that

is the neuroscientific understanding that an adolescent's brain is still undergoing development which means that they are less mature and more prone to commit irresponsible acts without intending harm (Cohen & Casey, 2014; Steinberg, 2013). Therefore, it is unfair to punish them the same as an individual who intends harm and is fully aware of the consequences of their actions, such as a criminal adult. This logic has been embraced by the U.S. Supreme Court in rulings banning or limiting the use of life without parole or capital punishment in serious juvenile cases (Steinberg, 2013).

The results reported here reveal that an employer's knowledge of an applicant's record of delinquency negatively impacts employment prospects. To fulfil the benevolent mission of juvenile justice, therefore, the system must protect young offenders from this collateral consequence of a record. There are three clear avenues of change that could revive the juvenile system's ability to provide protection and "room to reform" (Zimring, 2019, p. 58).

The retention of cases in juvenile court would allow juveniles to benefit from the protections of the juvenile justice system and to avoid the implications of a criminal record. The juvenile justice system was originally formed to reduce the collateral consequences of being tried in adult court (Platt, 1969). When a juvenile's case is transferred to adult court, the protection from collateral consequences is jeopardized (Feld, 1991). To ensure that juveniles are protected from the collateral consequences of a criminal record, especially the impact of a criminal record on employment, cases of delinquency are to be tried in juvenile court solely.

Another procedure that would diminish the collateral consequences of a record for juveniles is the restoration of confidentiality of juvenile court proceedings. Juvenile

court's mission was to protect children from the trauma of publicity and stigma of a delinquent label (Platt 1969). Despite the fact that the First Amendment advocates for freedom of the press (Ardia, 2017), this freedom should not encompass juvenile court. Many states struggle with balancing the conflicting goals of protecting a juvenile's privacy and the First Amendment right of informing the public of court proceedings. Mason (2011) observed that provisions of and changes to the North Carolina Juvenile Code reflect the ongoing search for a perfect balance among "concurrent, and sometimes conflicting, goals" (p. 28). Brown (2015) also explains that juvenile justice legislation reforms are aimed at identifying ways to provide equal protections for both the juvenile and the community.

The confidentiality of court proceedings is important. However, the confidentiality of a juvenile record is even more paramount to the protection of juveniles (Platt, 1969). Sealing or expunging juvenile convictions would diminish the collateral consequences of a record, especially on employment prospects (Coleman, 2020). Most states allow access to some juvenile record information. Nine states prohibit the publication of juvenile records. Other states, such as North Dakota and Alaska, allow public access to juvenile records in extreme matters of public safety. However, thirty-three states and the District of Columbia do not have tough restrictions of public access to juvenile records. For instance, Connecticut allows public access to juvenile cases who are charged with a felony. Massachusetts allows access to a juvenile record when a juvenile between the ages of 14 and 18 has been previously adjudicated on two separate occasions. Florida, amongst other states, permits access to juvenile records even in cases of misdemeanor, and seven states allow complete public access to juvenile records (Shah

et al., 2014). Even when delinquency records are protected, exceptions often exist that can compromise confidentiality. For example, North Carolina’s code states that “disclosure of information concerning any juvenile ... within the jurisdiction of the court ... that would reveal the identity of that juvenile is prohibited” (G.S. 7B-3100(b)), but Mason (2011) points out that exceptions are made for information sharing among schools and other authorized agencies. Most employers ask applicants to mark whether they have committed a crime on a job application. Despite the efforts of the “Ban the Box” initiative to remove such questions from the job application process, some employers still do. However, if employers are unable to access juvenile records, then a juvenile can mark the box as “no” and obtain a clean slate and a fair chance at employment (Coleman, 2020).

Summary

The effects of a delinquency record on employability for juveniles and young adults are comparable to the effects of a criminal record for adults. A delinquency record poses a barrier for reentry just like a criminal record does. The juvenile justice system was meant to reduce the negative effects of delinquency on a young adult’s future to prevent reentry barriers (Oddo, 1998). However, it is clear that the changing nature of the juvenile justice system has yielded more punitive consequences for young adults and their chances at successful reentry.

Despite the punitive measures adopted in juvenile justice during the “get tough” era and their discussed negative impact, some researchers claim that the juvenile justice system is now in the “fourth wave” of juvenile justice reform – one with renewed emphasis on treatment and rehabilitation of juvenile offenders. Due in part to emergent

research on psychosocial development and neuroscience, children are once again viewed as less culpable for errant behavior and more deserving of special protections (Benekos & Merlo, 2019). This shift provides a broad backdrop for policy changes that can reduce the negative impact of a delinquency record on juvenile employment.

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APPENDIX A:
RESUMES

JESSICA WILSON

735 Truman Pkwy, Boston, MA 02136
|904-274-1425| jessicawilsonn07@gmail.com

OBJECTIVE

Energetic and committed worker seeking full-time employment. I believe I could be a great addition to your team.

SKILLS & ABILITIES

- Teamwork: High school basketball intramurals team (2012-2016)
- Excellent Customer Service
- Knowledge of Microsoft Office

EXPERIENCE

- May 2016 – Line Worker and Cashier, *Wendy's*
January 2018 Duties: Handling the cash register | cleaning the store | addressing customer questions and concerns | training new employees | Opening and closing the store occasionally.
- January 2018 – Cashier, Yard Depot
January 2020 Duties: Handling the cash register | cleaning the store | delivering excellent customer service | addressing customer questions, concerns or complaints.

EDUCATION

- 2012 - 2016 *Westside High School*
Graduated May 2016 | GPA: 3.1

OTHER EXPERIENCE

- April 2018 – City of Jacksonville, Florida. *Volunteer.*
June 2018 Served my community by participating in public work projects at the library, parks, and homeless outreach center.
Supervisor: Mary Preston, Volunteer Coordinator.

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JESSICA WILSON

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DEREK WILSON

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OTHER EXPERIENCE

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APPENDIX B:
COVER LETTERS

Jessica Wilson

Phone number: 904-274-1425
Email: jessicawilsonn07@gmail.com
735 Truman Pkwy, Boston, MA 02136

10/08/2020

To whom it may concern,

I am writing this letter to express my interest in working for your company. I have obtained my high school diploma from West Side High School, and I am hoping for the opportunity to be a part of your organization.

My previous experience in sales has allowed for me to develop excellent customer service skills. I have worked in the field of customer service for over three years and in my roles as cashier and line worker I have learned to be a more patient and understanding person.

I believe I am hardworking and committed. I have always gotten to work on time. I have always given my best at my job and have had a great relationship with customers and my coworkers as well as my bosses.

I am sure that if given the opportunity, I can be a great addition to your organization/company, and I hope I am able to further discuss my interests and address any questions or concerns you may have in an interview. I have enclosed my resume for your review, and I can be reached at jessicawilsonn07@gmail.com or 904-274-1425.

Thank you for your time and consideration.

Regards,
Jessica Wilson

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I wish to disclose that when I was 16, I broke into a car and took some money that was on the front seat. The Juvenile Court put me on probation for one year. I used that time to help my neighborhood, doing community service for the city of Jacksonville, and I have learned my lesson and have been an upstanding citizen ever since. My coworkers and my bosses can attest to that. I hope to be able to prove that to you as well.

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