

# Do "ban the box" policies hurt those they were designed to help?

By PAULETTE PARKER · 17 HOURS AGO

If you follow State of Opportunity regularly, you may have noticed us talk before about "[ban the box](#)" policies.

The "box" is the question that asks about a job applicant's criminal history. These policies are designed to prohibit employers from inquiring about this until later in the hiring process, so that people with records aren't automatically shut out of the job market.

[Twenty-four states](#) and the District of Columbia have required employers to ban the box in some form. And there has been discussion about whether colleges should [do the same](#) on their applications.

Last November, [President Obama](#) called for federal employers to ban the box on employment applications to make it easier for people in prison to [start fresh](#) after their release.

But new studies have found that banning the box may actually be hurting the same groups the effort was designed to help.

Researchers from the [National Bureau of Economic Research](#) found the implementation of ban-the-box policies [decreased the probability](#) of being employed for both young, low-skilled black and Hispanic men. Jennifer Doleac wrote for [The Brookings Institution](#):

If you take information about criminal records away, what happens? Employers are forced to use other information that is even less perfect to guess who has a criminal record. The likelihood of having a criminal record varies substantially with demographic characteristics like race and gender.

Black people are incarcerated at [nearly six times the rate of white people](#), and Latinos at nearly twice the rate. Researchers think employers in ban-the-box areas are less likely to interview young, low-skilled black and Hispanic men because of the fact that those groups are more likely to include ex-offenders. According to [The Atlantic](#):

When employers have less information about an applicant, they discriminate against minorities, research suggests. For example, when employers are prevented from doing credit checks on potential employees, the likelihood of black applicants being hired is reduced by between 7 and 16 percent, [one study](#) found. When employers have more information, though, they are actually more likely to hire minorities. [One study](#) found that black employment rates actually increased, by between 7 and 30 percent, when employers require drug tests for employees.

And [another](#) found that when firms conducted criminal background checks, the last hire was 37 percent more likely to be a black man.

[Another study](#) found that before ban the box, white applicants were slightly more likely to receive a call back than black applicants. But after, that likelihood increased even more. And white ex-offenders were actually helped by the rule. [Doleac](#) continued:

Overall, the unintended consequences of “ban the box” are large, and run counter to one of its goals: reducing racial disparities in employment. For this reason, I hope jurisdictions repeal their “ban the box” laws. But I also hope this doesn’t stop efforts to improve the lives of people coming out of prison. This is a group that our country has long neglected, and we should be doing much more to help them succeed. Advocates could push for policies that would provide more information to employers about ex-offenders’ job-readiness, rather than taking information away. Better yet, they could help disadvantaged ex-offenders improve their job-readiness. The more employable the average ex-offender, the less cautious employers will be about hiring one.

I think these findings say less about the failings of ban-the-box policies, and more about [biases](#) and [prejudice](#) among employers -- something that may be much more difficult to overcome.

<http://stateofopportunity.michiganradio.org/post/do-ban-box-policies-hurt-those-they-were-designed-help>