

HIRING MANAGERS' CONSIDERATION PROCESS FOR EX-OFFENDER JOB

APPLICANTS: A GROUNDED THEORY STUDY

by

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Abstract

This dissertation explores a gap in understanding about how hiring managers determine whether an ex-offender job applicant passes or fails a selection and hiring process based on their subjective evaluations of the applicant. The research question posed was *how do hiring managers describe the process of considering ex-offender job applicants?* A grounded theory design was selected to answer the research question so that a concept, model, and/or theory could be developed. The larger population for this dissertation research included hiring managers within organizations residing in the state of Oregon. The sample was recruited from publicly available Chamber of Commerce directories, and consisted of eight voluntary participants from five small businesses who had varied experiences with considering ex-offender applicants for employment. These experiences were analyzed using systematic grounded theory data analysis techniques to develop a theory. The proposed theory explains the concepts and processes that participants used when evaluating an ex-offender applicant for employment and includes 32 detailed concepts and considerations for hiring decisions model. The model explains how participants weighed applicant offense history, severity of crime, and job position requirements when evaluating an applicant. The proposed theory contains three phases, which include a hiring manager's worldview concerning ex-offenders, such as a belief that employing ex-offenders is a service to the community that reduces crime; a hiring manager's cognitive and psychological processes related to recruitment, selection, and integration of ex-offenders into his or her organization; and the primary phase where the decision undergoes additional scrutiny when the applicant is an ex-offender. Movement through these phases appeared to assist participants in arriving at a decision to hire or not hire an ex-offender applicant. Further research is suggested to test and refine the proposed theory and its components.

Dedication

This dissertation is dedicated with never-ending love to my best friend, soulmate, and wife: Natalie. Without her steadfast support, empathy, and brilliance during my educational journey, I would not have arrived at my PhD destination. Together, during this academic adventure, we learned much about resiliency, willpower, life, and each other. It is true what philosophers have echoed over the centuries. The journey is sometimes more important than the destination.

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CHAPTER 1. INTRODUCTION

Introduction to the Problem

Individuals that were incarcerated may find themselves branded with a stigma that can alienate them from many facets of American society. Opportunity to gain lawful employment is one such facet. The problem, known as ex-offender employment discrimination, has both de jure and de facto components (Henry & Jacobs, 2007). De jure components prohibit individuals that were incarcerated from engaging in certain employment activities via the force of law. Restrictions on occupational licensing, certification, and organizational membership limit individuals that were incarcerated from many job categories, especially those with access to vulnerable populations such as children and elderly adults (Klinge, Roberts, & Colgate-Love, 2013). De facto components arise from the fact that many organizations have rules, policies, and practices that limit or preclude employing individuals that were incarcerated (Henry, 2008). The irony of these discriminatory mechanisms is that punishment for an individual that was incarcerated may continue long past his or her incarceration, and as a collateral consequence affect the community in which he or she resides.

The novel *The Scarlet Letter* tells a story of one person's punishment for committing a sin, or crime, that results in her shame and social alienation (Hawthorne, 1850/2001). This alienation tests the protagonist's resilience, but also has many unintended consequences for her community. In essence, a punishment that was designed to help a person atone with her community, instead, sets the stage for continued harm that ripples throughout it. The similarity

in unintended consequences has caused some scholar-practitioners to brand ex-offender employment discrimination as the new scarlet letter (Raphael, 2014). The analogy is a good one, and highlights a social and organizational problem, which can be overcome with knowledge informed by a rich background in the scientific literature.

Background of the Problem

In 2014, approximately one in 36 adults was being supervised by a correctional entity within the United States (Kaeble, Glaze, Tsoutis, & Minton, 2015). That means that roughly 6,851,000 persons were under correctional supervision. Of these persons, 1,561,500 were incarcerated in state and federal prisons. The vast majority of these incarcerated adults will be released back into their communities someday, where they will join the approximately 4,708,100 persons already on community supervision. Keep in mind, these statistics do not account for the many individuals that were once incarcerated, and who are already living in the community, but who are no longer on supervision. These statistics help to demonstrate the magnitude of the problem if these individuals that were incarcerated cannot find gainful employment.

Practitioners and scholars have investigated the scope of the problem from a multidisciplinary perspective. Economists comparing joblessness among young adults found supporting evidence that employment opportunity was biased, based upon an individual's arrest history, with blacks experiencing more unemployment than whites (Grogger, 1992). The findings suggested that people with arrest records may be at a disadvantage in locating gainful employment. One explanation given for these findings was that employers may view criminal records as an indicator of poor worker quality. This explanation appears to be astute given the direction pre-employment screening was about to embark upon.

Flash forward a decade, and advancements in background check technology appear to increase the magnitude of employment disadvantage to individuals that have a criminal record (Lam & Harcourt, 2003). The ease and accessibility of background checks to employers has made them an expected practice for many organizations (Levashina & Campion, 2009). When background checks are combined with computer-based application systems, it can become an effective tool for screening out any applicant with a criminal history (Kelly & Fader, 2012). These practices can lead to overt and inadvertent workplace discrimination. This has led industrial-organizational psychologists to warn that overusing background checks could result in unlawful employment practices (Kuhn, 2013). The implications of these technological advancements to employment screening for individuals that have been incarcerated is profound, and are not limited to the individual. Failure to employ individuals that have been incarcerated can harm the economy, social institutions, and community crime-prevention efforts (McDonough & Burrell, 2008; Schmitt & Warner, 2010; Pew, 2010). Recognizing the collateral effects of workplace discrimination, many social science and criminal science scholars have approached the problem from an attitude-behavior perspective.

Early research into the attitude-behavior relationship wanted to see if people's stated attitudes would be predictive of future behaviors. Surprisingly, it was discovered that a disparity can exist between a person's stated prejudicial attitudes on a survey and his or her actual observed discriminatory behaviors (LaPiere, 2010). In other words, just because someone claims to have, or not have, a prejudicial attitude does not necessarily mean the person's actions will reflect the stated attitude. A person, for instance, could claim to have a racial prejudice, but not discriminate against that race when confronted with a situation that would allow it. Conversely, a person could claim not to hold a prejudicial attitude but still display discriminatory behaviors.

This disparity in the attitude-behavior relationship has implications for ex-offender employment discrimination.

Some of the earliest research into ex-offender employment discrimination looked at how participants' beliefs or attitudes influenced their perception of employability for individuals with criminal records. Finn and Fontaine (1985) demonstrated that any criminal record could bias a person's employment prospects, and that an individual that had been incarcerated was the least preferred applicant type. Later studies identified that ex-offender employability beliefs and attitudes were more complex. The labels used to describe a person with a criminal background, the type of training the person received while incarcerated, the number of crimes committed, the severity of those crimes, and any demonstrated intentions to change criminal behavior all influenced participant perceptions of ex-offender employability (Graffam, Shinkfield, & Hardcastle, 2008). Other studies reaffirmed that attitudes about a person's criminal past could seriously disadvantage that person in hiring decisions, but that perceived job qualifications could mitigate the hiring bias for low level criminal offenses (Shivy et al., 2007; Varghese, Hardin, Bauer, & Morgan, 2010). It would take several groundbreaking pieces of research to discover if these types of attitudes would be reflected in the hiring practices of employers.

Pager's (2003a) study identified a causal connection between criminal records and hiring outcomes. Individuals that had criminal records were one-half to one-third as likely to receive a favorable hiring outcome as an individual without a criminal record. A disadvantage in favorable outcomes appeared to affect black applicants more than white applicants. Later studies showed similar results, but also identified an attitude-behavior disparity among employers (Pager & Quillian, 2005; Pager & Western, 2009; Pager, Western, & Bonikowski, 2009; Pager, Western, & Sugie, 2009). A majority of employers stated attitudes favorable to hiring

individuals with a criminal history, but these attitudes were not reflected in their observed hiring behaviors. An interesting discovery in this attitude-behavior disparity was that applicant face-to-face contact with the employer improved employment outcomes up to six times. One explanation posited for this behavior was that face-to-face contact with an individual with a criminal history may prime a sympathetic response in the hiring manager.

Whatever the reason for the improvement in hiring outcomes, these and other studies helped to prompt the Ban-the-Box movement. The movement has worked to remove questions about past convictions from job applications in the hopes that individuals that were incarcerated can improve their chances of obtaining a job at the interview stage of hiring (Henry & Jacobs, 2007). However, little is known about the consideration process hiring managers use when evaluating an ex-offender applicant for employment, or how face-to-face contact, along with other employer preferences, may influence the hiring decision.

Statement of the Problem

Past research has explored the magnitude of ex-offender employment bias, the perceptions of people in regard to ex-offender employability, and disparities between employer attitudes and behaviors when considering an ex-offender for hire. However, it is clear that a gap exists in the literature about the actual process hiring managers use when considering an ex-offender for employment. The absence of this literature indicates a need for further understanding into how hiring managers describe their evaluation process when considering an ex-offender for hire.

Purpose of the Study

The purpose of this grounded theory study is to generate a new concept, model, and/or theory that may explain how hiring managers describe the process of considering an ex-offender

job applicant for employment. A qualitative grounded theory design will aid in developing an understanding of the process hiring managers use when evaluating ex-offender job applicants for an employment opportunity (Patton, 2002). The consideration process includes hiring manager behaviors, opinions, values, thoughts, cognitions, perceptions, feelings, knowledge, background, or insights used when evaluating an ex-offender for selection or hire.

Significance of the Study

This dissertation study builds upon past research findings into ex-offender employment challenges and fills a gap in existing knowledge. Currently, the field of Industrial-Organizational Psychology (I-O Psy) understands little about how hiring managers determine whether an ex-offender job applicant passes or fails a selection and hiring process (Kuhn, 2013). A selection and hiring process may include background checks, individual assessments, and a wide range of subjective decisional factors. How these elements are weighted, evaluated, or considered in importance during the decision-making process are generally unknown. The practical value of this knowledge is that it may assist I-O Psy practitioners in developing ex-offender applicant evaluation guidelines that are fair, reduce bias, and improve objectivity. This, in turn, may help to mitigate some of the collateral consequences to the community, if more ex-offenders gain lawful employment.

This dissertation research may also be significant to employers. The field of I-O Psy concerns itself with the psychological aspects of the workplace and employment lifecycle (SIOP, 2016). This includes education and advocacy programs designed to improve employee selection and talent acquisition processes. As more states pass Ban-the-Box legislation, similar to Oregon, employers that have refused to consider ex-offender applicants in the past may find benefit in the knowledge and experience of other hiring managers' evaluation processes (Oregonian, 2015).

Having a testable concept, model, and/or theory may improve ex-offender applicant screening and hiring outcomes.

Lastly, this research may have significance to ex-offenders seeking employment. It could provide insights into the importance of face-to-face interactions with hiring managers, how individuals that were incarcerated should prepare for interviews, and provide knowledge about what factors improve the chance of a favorable hiring decision (Swanson, Langfitt-Reese, & Bond, 2012). In essence, it could provide ex-offenders with another tool for mitigating or removing the stigma of their scarlet letter.

Research Design

This study used a qualitative grounded theory research methodology. Specifically, it used Straussian grounded theory, which is also known as qualitative data analysis (QDA; Fernandez, 2012). The intent of any research project should be to identify truths about the topic of interest by matching its methodology with the study's purpose and research question (Sogunro, 2002). The purpose of this study was to discover a process. Truths about the process were discovered by asking the correct research question, which was formulated after a thorough literature review of the topic (Elliott & Higgins, 2012; see Chapter 2). Quantitative methodologies would be insufficient in answering the research question (see below) since they lack the ability to describe or explain a process in detail (Hoepfl, 1997; Walker, 2005). QDA was selected because its systematic approach to research provides the best means of answering the research question in rich detail and description of the process.

Unlike some grounded theory methodologies, QDA researchers do not begin their inquiry with an empty slate (Jones & Alony, 2011). A literature review provides some idea about where to begin the inquiry, and structured questions are used to force theory to emerge. QDA

recognizes that theory emerges from concepts, or the researcher's interpretation of the data, not from the raw data itself (Kelle, 2005). Situations are described using memos and conceptual language. In the process, QDA researchers recognize that variables and relationships may arise from the methods and tools they use to collect and analyze the data (Jones & Alony, 2011). Researchers are the primary means of collecting data, meaning that how the researcher observes and interprets the data will influence any theory that emerges. Therefore, QDA processes are systematic and structured in order to maintain credibility of the research. Data collection and analysis methods are scientifically rigorous in order to enhance credibility, dependability, confirmability, and transferability (Kaufmann & Denk, 2011).

Data structuring is important in QDA. Theory is revealed by how the researcher structures data (Jones & Alony, 2011). Structuring is accomplished by rigorous and purposeful data coding. Coding involves prescriptive word-by-word analysis and memoing techniques, along with open, axial, and selective processes to scrutinize the data for concepts. Corbin and Strauss (2008) described open coding as a form of analysis similar to brainstorming. The data is explored in context for all possible meanings in order to locate concepts. Axial coding is used to find relationships among the concepts. Selective coding is then used to identify a core category along with any relationships to secondary categories. The researcher uses constant comparative analysis throughout data collection (Bruce, 2007). This means that the researcher zigzags back and forth between data collection and analysis until the research is complete.

Research Question

How do hiring managers describe the process of considering ex-offender job applicants?

Assumptions and Limitations

The scientific merit of this study must be considered in unison with several assumptions and limitations of its methodology. As in most research, these assumptions and limitations fall into several categories.

Ontological Assumptions

QDA is a qualitative inquiry method with assumptions about the nature of reality that flow from the philosophy of idealism. Reality, in this sense, exists as an aspect of consciousness. That is, there is no single, material, reality that can be discovered; instead, individuals give meaning to reality based upon their own unique experiences and backgrounds (Corbin & Strauss, 2015). The meaning that people give to concepts that correspond to the underlying reality is what can be discovered.

Epistemological Assumptions

The tenets of QDA are formed from its epistemology, which originates from interactionist and pragmatist philosophical roots. According to Corbin and Strauss (2008), interactionism involves people defining and interpreting others' actions. In the process, people assign meaning to those actions in order to evaluate an appropriate response. The chosen response will be based on pragmatism; that is, based upon the person's knowledge of the act, the act's relationship to thought, and the usefulness of prior knowledge to the current situation. The interplay of interactionism and pragmatism define how data is processed, categorized, and used to build theory within QDA.

Axiological Assumptions

This study accepts a values-based component to interactionist and pragmatist interpretations of data. These values are consistent with the modern psychological realignment

between cognitive-behavioral traditions and humanistic psychology (Hayes, 2012). Any concept, model, and/or theory that emerges from the study may consider the viewpoint that all people, including individuals that were incarcerated, are deserving of unconditional positive regard (Rogers, 1995). An assumption is made that all people are deserving of respect and a chance to earn honest work in order to meet their life needs. Additionally, an assumption is made that hiring manager attitudes, perceptions, feelings, cognitions, and other psychological factors may influence their hiring decisions and behaviors.

Methodological Assumptions

QDA makes several assumptions about how truths are discovered. Eaves (2001) summarized many of these assumptions:

- The purpose of inquiry is process discovery;
- Data collection and analysis can occur simultaneously;
- A product will emerge from the data using inductive logic and not from a theoretical framework;
- Process discovery is the product of data analysis, not verification of already established theories;
- Theoretical sampling aids in process discovery and elaboration;
- Understanding a phenomenon comes from understanding its processes; and,
- Systematic and structured analytical techniques allow for the discovery of abstract concepts.

In addition to these assumptions, Corbin and Strauss (1990) asserted that the basic unit of analysis is concepts, not raw data. Concepts can emerge into categories, these categories may be related, and it is through categorization that theory is developed.

Theoretical Assumptions

The purpose of QDA is to discover a new concept, model, and/or theory. This study is not attempting to support or refute an existing theory. It is assumed that the product of this study will be a new concept, model, and/or theory that will require further analysis to be considered accurate in a wide array of settings (Corbin & Strauss, 2015).

Study Specific Assumptions

The study assumes that research participants are similar to other hiring managers within the state of Oregon. However, it is probable that numerous differences exist among hiring managers not included in the study. The study results should be viewed as another component to understanding a complex research topic (Corbin & Strauss, 2015). The study also assumes that research participants will be authentic. No instrument, except for the researcher, was used to ascertain if the participants were being open, honest, and truthful during their interviews.

Limitations

As with any research endeavor, this study has limitations that should be considered when reviewing its findings. One limitation is sample size. It is not uncommon for qualitative studies to use small sample sizes due to the volume of detailed data being collected (Creswell, 2013). Grounded theory designs can be adequately conducted using samples of less than 10 participants, due to theoretical sampling strategies (Corbin & Strauss, 2008). However, care should be taken when trying to generalize the findings to a wider population since this is not the purpose of a grounded theory design. The value of the research will be in the usefulness of the concept, model, and/or theory that emerges from the data. If the final product has practical and real world application for others, then the research will have value.

Another limitation is the data collection method. All data collection came from in-depth, semi-structured, interviews and researcher observations during those interviews (see Chapters 3 & 4). The research topic is a sensitive one that poses many concerns for hiring managers, such as the fear of legal liability. Care was taken to build rapport with research participants and to provide emotional safety in regard to their interests, and their organizations' interests, remaining private and confidential (see Chapter 3). Since a grounded theory design lacks control and experimental groups, the study findings do not allow for comparison studies. To make up for this shortcoming of qualitative research, data collection and analysis processes are highly structured, transparent, and include an audit trail of the analytic processes used during concept emergence (Chenail, 2009). The voice of participants was interpreted in context and directly quoted from the raw data. Detailed memos were used to track researcher analytical processes as the concept, model, and/or theory was developed. Using these structured processes was important because no instrument, except for the researcher, was used in ascertaining if the participants were being authentic during their interviews (see the Role and Responsibilities of the Researcher section).

Delimitations

This dissertation research used a theoretical sampling strategy to locate data-rich study participants (Draucker, Martsof, Ross, & Rusk, 2007). Participants were all between the ages of 18 and 75 years old. This age range was selected to help ensure the rights and welfare of potentially vulnerable individuals was maintained (APA, 2010a). These study participants all met the definition of hiring manager presented within this study (See Definition of Terms below), and they all had considered an ex-offender at some point during a screening and hiring

process for their organization. Additionally, all research participants were recruited from the state of Oregon. Participants that did not meet these criteria were not included in this study.

Definition of Terms

The following terms are defined for the purpose of this research study.

Considering. This encompasses the behaviors, opinions, values, thoughts, cognitions, perceptions, feelings, knowledge, background, or insights a person has in regard to hiring an individual that was incarcerated (Patton, 2002). Research participants may describe these items as a part of their evaluation process of ex-offender job applicants.

Ex-offender. An individual that was arrested, found guilty, and served time in jail or prison for violating a law (Finn & Fontaine, 1985). Any subcategories of ex-offender will be based upon the type of law violated. Subcategories may include a victimless crime, such as possession of illegal drugs; a property crime, such as shoplifting; a person crime, such as armed robbery; a sex crime, such as rape; and a violent crime, such as aggravated assault.

Hiring Manager. A member within an organization that has the positional authority to make decisions related to applicant selection and/or employment (Alder & Gilbert, 2006). This is a person with the positional authority to choose an applicant for selection and/or hire while rejecting other applicants.

Job Applicant. A person that meets the minimum qualifications for an entry-level job opening, and submits all relevant documents needed to be considered for employment in that job position (Pager & Quillian, 2005); in other words, a qualified job applicant.

Role and Responsibilities of the Researcher

The researcher is the primary instrument for data collection, analysis, and interpretation in a grounded theory study. Acknowledging that no person can ever truly be unbiased, it

becomes important for a researcher to bracket these biases in order to demonstrate an understanding about his or her own subjective self. Bias enters research from the choice of topic to the final selection of methodology and research design. Since bias influences all of a person's choices, trustworthiness in the research endeavor is the goal, not complete separation of the subjective self from the research (Mehra, 2002). Adherence to empathic-neutrality, while also voicing researcher biases, allows the researcher to document participant viewpoints accurately (Patton, 2002). In keeping with the concept of voice, I will use the first person perspective when making attributions to my own worldviews and biases (APA, 2010b). I recognize that my own biases make this research only a partial truth, and that I must be diligent to ground participant voice in the collected data.

Researcher Biases and Worldview Relevant to the Study

My educational background within the behavioral sciences was predominantly influenced by cognitive-behaviorism, positive psychology, and humanistic psychology approaches. These approaches, and the bulk of my educational experience, have been guided by a Westernized belief system and traditional scientific methods. As a result, it is likely that my interpretation of the data was guided by these perspectives. I acknowledge that researchers from different backgrounds could analyze the same data and come to a different set of conclusions.

Since graduating high school in 1990, I have worked within law enforcement in one capacity or another. I have experienced life as a military police officer, correctional technician, corrections officer, correctional sergeant, correctional lieutenant, correctional captain, program director for prison-based life skills and vocational trades programs, and as a correctional counselor. These experiences have spanned 26+ years of my adult life, and have given me a detailed perspective as a scholar-practitioner in the world of adult corrections. During this

journey, I have retired from one state correctional department and joined another state correctional department. I have experienced working in correctional facilities from two different organizational cultures, and I have worked with all custody levels and both sexes of incarcerated adults. I have effectively applied Industrial-Organizational Psychology to the management of incarcerated adults, and I have witnessed improvements in correctional outcomes as a result. I am a believer in the scholar-practitioner model of evidence-based practice.

I was also a child raised, for the most part, by a single mother with a history of incarceration. I have vicarious experience watching her struggle to find gainful employment with her conviction history, all while trying to support two young boys. I personally know what it means to be part of the collateral damage of ex-offender employment discrimination. I remember how hard my mother struggled to make ends meet, and being forced to set her own path in life because no one would employ her. We survived on her ability to locate valuable merchandise at yard sales and secondhand stores, and then her ability to wheel and deal at swap meets to resale those items. In the good times, we ate well; in the bad times, we dined on weevil infested macaroni and cheese. These experiences give me a perspective, and a passion, for this topic that may provide unique insights that a researcher without such a background could overlook. I also acknowledge that I must keep the participants' voices grounded in the data in order to separate my voice from their voices.

Credibility

The concepts of credibility in qualitative research is associated with accuracy and truthful representation of the data (Winter, 2000). As part of credibility, alternative explanations for the hiring manager consideration process of ex-offender job applicants were provided if supported by data analysis. Participants are quoted directly and in context, study participants were given

the opportunity to cross-check my interpretations, and my dissertation committee and mentor reviewed my study for errors and improvement.

Dependability

The dependability of the study is established using three techniques. A codebook of data analysis and findings was maintained in order to establish an audit trail for review by interested others (Creswell, 2013). The research question's terms are defined and study methods are detailed to assist others in replicating the study (Kaufmann & Denk, 2011). Atlas.ti version 7 software was used to establish an accurate audit trail, and to aid in data organization, coding, and pattern recognition (Atlas.ti, 2016; Sinkovics, Penz, & Ghauri, 2008).

Transferability

To maximize the potential that information learned from this study will get used in practical application, participant characteristics are clearly described and potential applications for adults that were incarcerated, organizations that employ them, and I-O Psy practitioners are extrapolated from the data, analysis, and findings (Graneheim & Lundman, 2004). The research design is structured to collect high quality data that may add value to the topic of ex-offender employment discrimination, and produce findings that are relevant and useful in real world application.

Organization of the Remainder of the Study

Chapter 1 briefly introduced the problem of ex-offender employment discrimination, perused some background information, and identified the purpose of the research study. Chapter 2 will provide an in-depth literature review describing ex-offender employment discrimination and its many collateral consequences to society. Chapter 3 will detail grounded theory research methodology used to explore how hiring managers consider ex-offender job applicants during a

hiring process. Chapter 4 will highlight the results obtained from the data collection and analysis techniques utilized in this grounded theory research. Chapter 5 will discuss the study results, implications, conclusions, and recommendations for practitioners and scholars.

CHAPTER 2. LITERATURE REVIEW

Introduction to the Literature Review

Ex-offender employment discrimination is a rich and varied topic approached differently by many academic disciplines. The multidisciplinary perspective of this topic speaks to its complexity, the many stakeholders it affects, and the desire of many scholar-practitioners to understand the problem. This dissertation's focus is not to ascertain or confirm if ex-offender employment discrimination exists, or its magnitude, or even what racial or ethnic groups are more disadvantaged because of it. The purpose of this research is to discover a concept, model, and/or theory about the evaluation process hiring managers use when considering an ex-offender applicant for hire. Many variables have been found that appear to influence hiring manager consideration of ex-offender applicants, but little is known about the consideration process itself. A focus on hiring managers' consideration process was selected after an extensive literature review.

This chapter will review the early research that began to look at the scope and magnitude of the ex-offender employment discrimination problem, how this problem grew in scope as employer screening technology improved over time, and the growing understanding of the collateral consequences to society due to the magnitude of ex-offender employment discrimination. It will review the many variables discovered from attitude-behavior studies, and will conclude with the groundbreaking studies that identified a gap in knowledge about hiring managers' consideration process of ex-offender applicants.

Numerous online academic research databases were used to gather the literature under review. These databases were made available via Capella University's online library and included: ABI/INFORM Global, Academic Search Premier, Business Source Complete, ERIC, International Security & Terrorism Reference Center, ProQuest Criminal Justice Periodicals Index, ProQuest Education Journals, ProQuest Medical Library, ProQuest Psychology Journals, PsycARTICLES, PsycINFO, SAGE Journals Online, SAGE Research Methods, ScienceDirect, and SocINDEX with Full Text. Additionally, research articles were mined for additional references not available in the online databases, and these documents were retrieved from their sources. Some of these sources included the National Institute of Corrections (NIC), federal agencies, numerous state correctional entities, and various advocacy and research groups (such as the Pew Research Center). Obtaining the primary source of the information was the goal. All sources were reviewed for credibility, with peer-reviewed academic sources taking priority. However, if information came from a credible source, such as state or federal agencies, or recent academic publications, then the source was used for background information.

Numerous terms were used to search and retrieve sources from the online databases. Searches were narrowed using in-text, abstract, author, and methodology selections when appropriate. Search terms were combined and used in many forms to include (not an exhaustive list): ex-offender, offender, felon, incarceration, discrimination, employment, hiring, background check, grounded theory, prisoner, corrections, human resource, practices, application, recruitment, selection, consider, evaluation, persuasion, decision making, reasoning, process, and many author names.

Theoretical Orientation for the Study

This study is not attempting to test or confirm an existing theory; therefore, it does not have a theoretical orientation. The purpose of grounded theory is to build a concept, model, and/or theory that is firmly grounded in analysis of the collected data. The literature review is used to build researcher sensitivity to the data (Hussein, Hirst, Salyers, & Osuji, 2014). It is through this sensitivity that a researcher gains insights as he or she immerses him or herself in the data. Insights gained from a literature review will assist the researcher in comprehending and interpreting the data.

QDA (qualitative data analysis) was selected as the grounded theory approach because of its pragmatic nature. An advantage of using a grounded theory design is that it may find a root cause solution to the problem of ex-offender employment discrimination that would not come from interpretation of quantitative data alone (Hanzel, 2011). This study explores the experiences of some key stakeholders to the problem: hiring managers. Doing so may provide insights into the ex-offender evaluation process from people with actual experience in considering an ex-offender applicant for hire.

Review of Research Literature and Methodological Literature

Specific to the Topic

To see the importance of researching hiring managers' consideration process for ex-offender job applicants, it is necessary to understand what is already known in the literature. This review will explore the early research into ex-offender employment discrimination, followed by how improvements in applicant screening and background check technology may have exacerbated the problem. Some of the collateral consequences that have arisen due to the problem will be discussed. Lastly, the variables that have been discovered from past research

will be outlined with an eye towards the groundbreaking research that motivated this study's research question.

Early Research Identifies a Problem

One of the earliest studies that explored the relationship between employment opportunity and having a criminal history was conducted by Schwartz and Skolnick (1962). They presented a fictitious job application to 100 employers. The employers were split into groups of 25 and each group received the same application, with the exception of criminal history. The control group received an application with no criminal history, while the remaining three groups' applications listed different degrees of criminal past, up to an assault. The applications listing a criminal history had a prejudicial effect on employer favorability. A criminal history listed on a job application appeared to result in a stigma being attached to the applicant.

Dale (1976) followed the earlier study by looking at the crossroads of a person's identity, occupational attainment, quality of life, and ex-offender employment challenges. His study confirmed that there was a stigma attached to ex-offenders, and this stigma created barriers to lawful employment. Many employers perceived ex-offenders as being a risk to their business, and this perception was supported by insurers that refused to bond an employer that hired an ex-offender. In fact, many insurers would void the insurance coverage of an employer if the employer hired an ex-offender employee. In addition to the bonding barrier, numerous statutes excluded ex-offenders from a myriad of licensed occupations and from government service. Dale's research was an early warning that these practices may cost society dearly since they promoted recidivism, not rehabilitation.

Concerns about the growing prejudicial effect of this stigma resulted in more research studies. Finn and Fontaine published two studies related to the perception of ex-offender employability. Their 1983 study specifically looked at the stigmatic effect of having a criminal history on people's perceptions of employability, and whether job qualifications would impact those perceptions. They discovered that applicants with criminal records were still the least preferred, and that job qualifications did little to mitigate the stigma of having a criminal past. In their 1985 study, they tested the relationship of the stigma to employment when the type of crime, judicial outcome, and applicant gender were manipulated. Once again, a prejudicial bias toward applicants with any criminal history was measured. However, the magnitude of that bias was related to the type of crime committed, and whether the applicant was found guilty of the offense and incarcerated. Job qualifications did appear to mitigate participant bias against applicants with low level offenses, whereas gender did not appear to influence participant bias. This early study was one of the first to note that the type of crime an applicant committed may be related to the type of job he or she would be seriously considered to fill.

Other research studies continued to support a correlational linkage between a person's criminal history and subsequent loss of employment opportunity. Grogger's (1992) research into the effects of arrests of young men identified that a criminal record acted as a disadvantage when attempting to locate employment. The study did not determine whether the disadvantage was due to the young men choosing to stay out of the labor market in order to continue committing crime, or whether the disadvantage was due to the young men being perceived by employers as less employable due to their criminal histories. What was clear is that young black men appeared to be at a greater disadvantage when carrying an ex-offender stigma, in comparison with young white men; they experienced one-third more joblessness than young white men with

criminal backgrounds. A likely explanation for the loss of employment opportunity was that employers considered criminal records to be an indicator of poor worker quality. Therefore, it was in the employers' best interest to screen these applicants out of the job selection pool.

Applicant Screening and Background Checking

As technology advanced, it became much easier for employers to conduct thorough application screenings and background checks on job applicants. Furthermore, legal systems have recognized that employers are obligated to provide safe working environments to their employees, and safe services and products to their consumers (Lam & Harcourt, 2003). This means that employers may be held vicariously liable for the acts of their employees. If an employer knowingly hired an ex-offender and that ex-offender harmed another person during the scope of his or her employment, then the aggrieved person would have the ability to sue the employer for negligent hiring.

Completing background checks on job applicants became an expected practice of most organizations as a result of the "negligent hiring" doctrine. Due to the ease of obtaining a background check, many courts considered an employer's failure to, minimally, do a criminal record check and reference check as evidence of negligent hiring (Levashina & Campion, 2009). Any organization that desired to mitigate potential legal liability would need to show proof that it took reasonable steps to vet potential employees. These steps were designed to show that the employer was demonstrating a *duty of care* in pre-employment screening in order to alleviate potential claims that the employer knew, or should have known, that an applicant was unfit to fill certain job positions.

Today, many organizations have adopted computer-based job application systems. These systems are used to screen applicants for most job positions, from entry level to professional

level. Research has shown the effectiveness of using these systems in conjunction with background checks to easily screen ex-offender applicants out of an employer's job selection pool (Kelly & Fader, 2012). Many of these computerized systems adopt personality test components that are difficult for ex-offenders to pass, or actively request information to automatically screen out people with criminal histories. These questions may request releases of information for criminal records, self-reports of past criminal activity, self-reports of illicit drug use, and permission to access credit histories. Information obtained from any one of these questions, which is perceived as being negative by the employer, may immediately remove the applicant from further consideration.

The growing use of these employment screening practices has significantly impacted ex-offenders' ability to find legal work (Kuhn, 2013). Unlike other measures, such as selection tests, background and credit checks may be perceived along a pass or fail basis, instead of along a continuous range of scores or other comparative scale. Kuhn indicated that using such a dichotomous form of judgment in hiring decisions may make it extremely difficult for some people with criminal backgrounds or poor credit to locate legal work. Employers making hiring decisions in this fashion may also inadvertently promote unlawful hiring practices.

The United States Equal Employment Opportunity Commission (EEOC, 2012) issued new guidelines to ensure that background and credit check practices do not lead to disparate impact or disparate treatment in employment. The new guidelines clarify that employers should narrowly tailor criminal background checks to job positions with a demonstrated business necessity. These new guidelines appear to make sense since they allow employers to protect themselves from negligent hiring claims, while also providing opportunity for employment to people with a criminal history. After all, research has shown that most ex-offenders are

redeemed (no longer committing crimes) after a period of 7 to 10 years of non-offending, and after this time they are statistically indistinguishable from people that have never been convicted of a crime (Blumstein & Nakamura, 2009; Bushway, Nieuwbeerta, & Blokland, 2011). What research has yet to answer is would the time to redemption be reduced for ex-offenders if they could find legal employment after their prison release.

Collateral Consequences

The EEOC's guidelines were designed to provide people with a criminal background an equal opportunity to find work. By 2012, it was clear that ex-offender employment discrimination was having some adverse effects. Chief among these effects was that discrimination acted against community crime prevention efforts (McDonough & Burrell, 2008). Criminal justice practitioners realized that an ex-offender who is not gainfully employed is at greater risk to re-offend. Employment, or lack thereof, turned out to be a strong predictor of recidivism (Gendreau, Goggin, & Gray, 1998). An ex-offender's ability to find and sustain employment is vital in preventing new criminal behavior and in reintegrating him or her back into the community in which he or she resides (Uggen, 2000).

The community reintegration and job finding process may be improved for ex-offenders that receive educational opportunities while incarcerated. Research suggests that a correlation exists between an ex-offender's educational attainment and his or her ability to locate employment after incarceration (Cronin, 2011). The same research identified that lack of employment was the strongest predictor of ex-offender recidivism, which supports the findings of Gendreau et al. (1998). Cronin's research indicates that prison based educational programs may increase an ex-offender's chance of locating employment in his or her community, and this ability to locate work appears to lower an ex-offender's chance of recidivism.

Other prison based programs may also help to reduce recidivism. For instance, female ex-offenders that are provided with behavioral health treatment along with educational opportunities during incarceration increased their chances of successfully locating and maintaining employment after their prison release (Blitz, 2006). This speaks to the importance of using a multitude of strategies for meeting an adult-in-custody's needs so that he or she can improve his or her employment opportunities after prison release.

Other research identified that an ex-offender's ability to find gainful employment, without having the proper education or job training prior to prison release, drastically decreases his or her chances of locating a job during a recession (Nally, Lockwood, & Ho, 2011). In the State of Indiana, the rate of ex-offender unemployment was almost 8 times greater than the general population, with a striking 50% of the employed ex-offenders making less than \$5,000.00 annually, during the 2009 recession. Taken together, the studies discussed to this point echo past research showing that without the ability to earn an honest living, ex-offenders are likely to resort back to crime (Uggen, 2000). This is an unfortunate consequence for ex-offenders that may be compounded if they are released back into an already disadvantaged community.

Recent research has explored how being released into a community with little access to low-skill jobs can affect ex-offender recidivism. Bellair and Kowalski (2011) wanted to know if a difference existed between African American and White ex-offender recidivism rates in regard to the labor market opportunity available to them in their community of release. Their research findings suggest that being released from prison to a community with unequal access to low-skill employment opportunities increases an ex-offender's chance of recidivism. Many African American ex-offenders return to communities with above average unemployment rates due to the

absence of low-skill employment opportunities, which appears to impact their chances for successful reentry when compared to White ex-offenders. This appears to be a nefarious cycle of economic disadvantage for ex-offenders; especially for ex-offenders belonging to a historically disadvantaged minority group.

The Pew Charitable Trusts (Pew, 2010) researched the effect of incarceration on a person's economic mobility. What Pew discovered was the phenomenon of a far-reaching ripple effect and lifelong damage to entire family units, with minority groups experiencing a greater impact. Ex-offenders had reduced potential to earn high wages, which resulted in lifelong economic hardships. These hardships meant less upward economic mobility, which impacted their families. The children of these families were most affected. They suffered both financially and educationally. They were more likely to be suspended from school, have emotional problems, and suffer from psychological trauma. These children's economic mobility became tragically intertwined with their ex-offender parents' economic mobility. As it turns out, where a child starts on the economic ladder to success is one of the biggest determinants of how far he or she will climb. These children are victims of their ex-offender parents' choices to engage in crime, but then become lifelong victims due to ex-offender employment discrimination. The long-term collateral consequences to society for these children's loss of economic mobility has not yet been determined. However, they are likely to have a strong negative impact on crime prevention efforts and the labor market, given what is already known about the cost of ex-offender employment discrimination.

Although it may be impossible to know the true cost that ex-offender employment discrimination has on the economy, there are enough known variables to make a reasonable estimate. This is precisely what Schmitt and Warner (2010) did with their research. They

recognized that incarceration greatly impacts a person's human capital (i.e., their access to education, job experience, soft skills, social networks, and professional licensing). These effects can be quantified, modeled, and used to estimate the impact on employment output. They estimated that in 2008, the total loss to the United States gross domestic product (GDP) due to ex-offender employment discrimination was approximately \$65 billion dollars annually.

Attitude-Behavior Variables

At the same time that researchers were gaining an understanding about the magnitude and collateral consequences of ex-offender employment discrimination, several researchers were approaching the topic from an attitude-behavior perspective. This perspective attempts to gain insights into people's attitudes in order to better predict their behaviors. However, the influence of prejudicial attitudes on discriminatory behavior is more complex than one may think.

One of the seminal research studies into the attitude-behavior relationship was carried out by LaPiere in the early 1930s, and reprinted in 2010. LaPiere discovered that people's communicated attitudes do not always reflect their demonstrated behaviors. People, for instance, could communicate an attitude on a survey instrument and then not behave consistent with that attitude when presented with an opportunity. This means that a person could claim to hold prejudicial attitudes about a certain group of people, but then not actually discriminate against a member of the group in observed social interactions. The opposite may also be true. A person that voices no prejudicial attitudes may still behave in a discriminatory fashion toward others.

This is an important discovery since numerous social interactions and relationships can improve employment outcomes for ex-offenders. Using qualitative inquiry, Shivy et al. (2007) examined the job seeking experiences of nonviolent ex-offenders after their release from incarceration. The researchers identified 11 domains that were important to obtaining a job.

Included within these domains was the importance of education, training, and other life skills programs, being realistic about the kinds of jobs available to ex-offenders, and interestingly, developing social networks and maintaining relationships with others that could help the ex-offenders in their job search. Having references from trusted members of the community assisted some ex-offenders to overcome the stigma of their criminal background, and to remove other barriers to employment. Connections matter, and may help an ex-offender to overcome an employer's negative perceptions about his or her criminal background.

It is well known that a person's perceptions and beliefs can influence his or her attitudes (Ajzen, 2011; Cialdini, Petty, & Cacioppo, 1981; Festinger, 1957). It is also known that prejudicial attitudes and discriminatory behaviors have a complex relationship (LaPiere, 2010). Graffam et al., (2008) attempted to gain some insights into this complex interaction in regard to ex-offenders. They used a large-scale survey of employers, employment services, correctional staff, incarcerated adults, and adults released from prison to measure attitudes about ex-offender employability. Participants were asked to compare people with criminal backgrounds against other historically disadvantaged groups. The only group perceived as having more difficulty in finding and keeping a job than ex-offenders were people with intellectual or psychiatric disabilities.

Graffam et al., (2008) also determined in their study that the labels used to describe ex-offenders affected participant perceptions of employability. The label of ex-prisoner was less employable than ex-offender, and non-criminal applicants were more employable than both prior labels. Having job training prior to prison release made the applicant more preferable than an ex-offender with a single conviction. Ex-offenders with multiple convictions were generally perceived as the least employable. Other factors that appeared to affect participant perceptions

of ex-offender employability were crime severity, criminal history, and demonstrated desire to change criminality. It appears that the stigma, or scarlet letter, attached to some ex-offenders is worse than others.

Other researchers looked at how ex-offender hiring decisions were influenced by participant attitudes about race, criminal background, and job qualifications. Using college students as study participants, Varghese et al. (2010) reaffirmed that there was a significant bias against hiring ex-offender applicants when compared to non-criminal applicants. However, their research conflicted with findings of past research by showing that applicant race and severity of crime (felony or misdemeanor) did not appear to influence the bias. An ex-offender's job qualifications, such as being a high school graduate or having prior work experience related to the available job position, did mitigate hiring bias for misdemeanor offenses, but not for felony offenses.

Surveying actual employers, Swanson et al. (2012) confirmed that ex-offender job qualifications can improve hiring outcomes if the applicant is prepared to discuss how his or her qualifications relate to the available job position. The employers that participated in the study indicated that ex-offender applicants were more likely to be hired if they made face-to-face contact with the employer. The researchers also learned that most employers claimed to have hired an ex-offender in the past, that most businesses did not have formal policies restricting employing ex-offenders, and that ex-offender hiring practices were consistent between independently owned businesses and corporations. An expectation that ex-offender applicants be open and honest about their criminal histories was voiced by employers in the study. One limitation of the research design was that it relied on survey data alone, and as LaPiere's seminal

study demonstrated, stated employer attitudes may not necessarily reflect their actual hiring behaviors.

Groundbreaking Research

The need to broaden understanding about how employer attitudes affect their hiring decisions led to several groundbreaking studies. Pager (2003a, 2003b) pioneered many of these studies with her research associates. Pager (2003a) utilized an experimental audit design in order to isolate the criminal record and race variables, and to test the effect of these variables on employer behavior via field observation. Her research design used four auditors that were paired by race into test groups. One auditor in each pair was randomly assigned as the applicant with a criminal record. This role would then switch to the other auditor the following week, and so on. Each auditor shared a similar employment profile. The audit pairs were randomly assigned 15 entry-level job postings per week from the local paper's classified listings. The auditors would then go apply for the open positions with each pair randomly determining whether the criminal record profile would apply first or second. After successfully applying for a job, each auditor would complete a standardized response form documenting his or her experience. The study's measure was the number of employer call-backs each auditor received, based on the profile that he or she was using to apply for an open position.

The study findings supported the complex relationship between attitudes and behavior, and, more importantly, provided evidence of a causal relationship between applicant criminal history and likely employment outcome (Pager, 2003a). Ex-offender profiles were one-half to one-third as likely to receive a call-back or job offer than the non-criminal profiles. Additionally, auditor race appeared to influence the outcomes. The black auditors were less than half as likely as the white auditors to receive a call-back. The effect of race was so profound that

the white criminal profile was more likely to receive a call-back or job offer than the black non-criminal profile. The percentages of call-backs received was 34% for the white non-criminal profile, 17% for the white criminal profile, 14% for the black non-criminal profile, and 5% for the black criminal profile. The effect of having an incarceration record appeared to have a greater impact on black ex-offender applicants than white ex-offender applicants, which has broad implications for the disparity in collateral consequences for minority group members (Pew, 2010).

Influenced by LaPiere's (2010) research, Pager and Quillian (2005) patterned another audit study using the findings from Pager's (2003a) earlier study. In this study, a telephone survey of the employers audited in 2003 was used to ascertain their attitudes about hiring ex-offender applicants. The employers were read a vignette that matched the profiles used in the 2003 study. The results identified a disparity between employer stated attitudes and their actual hiring behaviors. More than 60% of the employers claimed that they were willing to hire an ex-offender applicant, but the earlier study had identified that only 17% of the white criminal profiles and 5% of the black criminal profiles received a call-back. This study had many limitations that could confound the results, which lead to an improved version of the study.

The improved study used a three-part experimental design consisting of an audit stage, a telephone survey stage, and an in-depth qualitative interview to increase understanding about how applicant criminal history, race, and ethnicity influenced employer hiring decisions (Pager & Western, 2009; Pager, Western, & Bonikowski, 2009; Pager, Western, & Sugie, 2009). Applicant characteristics, criminal records, and job openings were randomly assigned to auditors in a similar fashion as the prior studies. The study results provided more evidence that criminal

records influence employment outcomes of applicants. Other insights into how the stigma of a criminal record may be mitigated by a job applicant were also discovered.

Similar to past studies, the results indicated that applicants with a criminal record were significantly less likely to receive a call-back or job offer (Pager, Western, & Bonikowski, 2009). Furthermore, black applicants with criminal records were disadvantaged twice as much as white applicants with criminal records. An interesting discovery from the research was the effect of face-to-face contact and rapport building on employment outcomes. Auditors that had a face-to-face opportunity to build rapport with an employer improved their likelihood of receiving a call-back or job offer by up to six times (Pager, Western, & Sugie, 2009). Some possible explanations for this effect may be that face-to-face contact reduces stereotypical thinking about ex-offender applicants, or that face-to-face contact may prime a sympathetic response that can counter an employer's negative hiring attitudes. It is important to note that a racial component appeared to exist in regard to opportunity for face-to-face contact. The black auditors were 40% less likely to get the opportunity for face-to-face contact with an employer, which could amount to a significant disadvantage in mitigating the stigma of a criminal record.

Evaluation Process Gap

Face-to-face contact with an employer appeared to improve ex-offender hiring outcomes via numerous pathways. Pager, Western, and Sugie (2009) indicated that an ex-offender's honesty, accountability, and need for a second chance may be part of an employer's sympathetic response. However, it was difficult to fully understand the interaction because employers typically tried to avoid conversations about the applicant's criminal convictions. The face-to-face interactions that showed a sympathetic response by an employer had a 37% likelihood of a call-back for the white auditors and a 33% likelihood for the black auditors. Employers that

demonstrated an overt negative reaction to applicants with a criminal record did not provide any call-backs. Ambiguous reactions by employers resulted in a likelihood of a call-back 32% of the time for white auditors and 11% of the time for black auditors.

The perceived sympathetic response may indicate that the employer had some degree of empathy for the ex-offender applicant. Showing empathy, in addition to sharing one's attention, understanding, and expectations, are characteristics of a rapport building relationship (Coan, 1984; Rogers, 1995). According to Coan, rapport building is a two-way process with many dimensions. Being attentive, for instance, may consist of using open-ended questions, paraphrasing what the other is expressing, using good eye contact, demonstrating a confident body posture, and periodically summarizing the conversation (Rogers, 1995). Other dimensions of building rapport may include showing positive regard by verbally reflecting favorable statements spoken by the other person, being warm and respectful, giving detailed and time sensitive responses, being authentic and genuine, and non-confrontationally recognizing ambivalence in the other person's attitudes and opinions (Ivey & Authier, 1978; Rogers, 1995). These dimensions to building rapport are similar to modern Motivational Interviewing (MI) skills, client-centered therapy, and other values promoted by humanistic psychology (Miller & Rollnick, 2013). Rapport building during MI is a collaborative process that is person centered, culturally sensitive, respectful, nonjudgmental, confidence instilling, and trust building (Tahan & Sminkey, 2012). It could be that these, or similar, variables play a role in developing rapport between an ex-offender applicant and a potential employer during a face-to-face interview.

Review of literature related to face-to-face interviews suggests that the first few moments of the interview may be the most important to forming a positive first impression with an employer (Barrick et al., 2012). Some characteristics that appeared to drive the formation of

rapport during the first few minutes of an interview were the applicant's extraversion and verbal skills; specifically, the ability to convey job relevant information through enthusiastic and expressive communication. Extraverted applicants may appear to have more self-efficacy, which may improve a candidate's first impression with an employer. Other variables may also improve rapport building; such as being polite, taking time to answer questions, demonstrating an ability to be flexible, communicating clearly, displaying a positive attitude, and showing appreciation for others (Wankat & Oreovicz, 1998). Making a good first impression could be important to overcoming employer concerns related to hiring an ex-offender, and be the first step toward establishing trust.

Several employer concerns about hiring an ex-offender were also noted by Pager, Western, and Sugie (2009) during their study. These concerns were related to theft, workplace violence, re-offending, dishonesty, untrustworthiness, and unreliability. These concerns appeared to be mitigated by employers with past positive experiences with hiring an ex-offender. These past experiences may provide the employer with insights that help to mitigate his or her negative perceptions of ex-offenders, or that enhance other dimensions important to rapport building; such as awareness, approachability, knowledge, assessment, and acknowledging individuality (Stewart, 2002). Positive experiences with ex-offenders may provide an employer with self-awareness about his or her own biases in regard to ex-offender applicants, or may assist the employer in being more open, receptive, and approachable to future ex-offender applicants. Perhaps the positive experience provides the employer with knowledge about ex-offenders that he or she did not possess prior to the encounter, or maybe it assists the employer to refine his or her applicant assessment process. Or, maybe, the positive experience assists the employer to

view other ex-offender applicants as unique individuals instead of as members of a stigmatized group.

Pager, Western, and Sugie (2009) also identified that severity of the crime emerged as an element in employer decision making, and that less than 1% of the employers mentioned fears related to legal liability due to hiring an ex-offender. The issue of negligent hiring did not appear to be a part of the consideration process that was voiced in these employers' hiring decisions. Pager, Western, and Sugie's groundbreaking research appears to confirm the importance of quality social interactions in improving hiring outcomes for ex-offenders versus trying to mitigate employer perceptions of legal liability in order to improve hiring outcomes.

Another aspect to consider in these social interactions is the ex-offender's role during face-to-face communication. Rapport building is a two-way process, and perhaps some ex-offenders are better at selling themselves than others. Rapport building is a common sales technique used to improve interpersonal interactions (Gremler & Gwinner, 2008). Perhaps some ex-offender applicants are intuitively showing intense personal interest in the employer and his or her business, or identifying similarities between the employer and him or herself, or maybe the ex-offender is demonstrating sincere and courteous behavior directed at the employer. All of these behaviors would be techniques that work to curry favorable first impressions with others in order to improve interpersonal relationship outcomes.

Whatever the reason for improved hiring outcomes after face-to-face interactions with an employer, Pager, Western, and Sugie's (2009) study provided little information about the evaluation process used by employers when considering an ex-offender for hire. There is a gap in how face-to-face interactions, and other subjective ex-offender applicant characteristics, are weighted, or what effect they have on a hiring manager's decision to hire (Kuhn, 2013). The

evaluation process used by hiring managers when considering an ex-offender applicant is not known. This grounded theory dissertation is designed to increase understanding about that process, and to build a concept, model, and/or theory that may help to describe the hiring manager consideration process of ex-offender applicants in rich detail.

Synthesis and Critique of the Previous Research

Review of the literature shows that there is little disagreement that ex-offender employment discrimination exists, that having a criminal record stigmatizes a job applicant, or that there are collateral consequences due to the practice. There is some disagreement about the effect that race plays in the discrimination. Varghese et al. (2010) did not find support for the race of an applicant or the severity of a crime being a factor in hiring bias. However, their study used college students as participants, and student attitudes may not be reflective of actual employer attitudes. It is likely that more robust studies that audited actual employer attitudes and behaviors represent a better account of these elements (Pager, 2003a; Pager & Quillian, 2005; Pager & Western, 2009; Pager, Western, & Bonikowski, 2009; Pager, Western, & Sugie, 2009). However, the actual weight that race or severity of a criminal offense plays in the decision making process to hire an applicant is unknown. Other studies, such as Finn and Fontaine (1983, 1985), that focused on college students had similar limitations for generalizing the findings to actual employers.

Research with actual employers, and other stakeholders directly involved in ex-offender employment discrimination, has provided knowledge about many variables that could play a part in the process of making a hiring decision (McDonough & Burrell, 2008; Shivy et al., 2007; Swanson et al., 2012). These variables include ex-offender applicant educational attainment, prior work experience, job skills training, life skills training, characteristics of the available job

position, healthy social networks, and the quality of face-to-face interactions between the applicant and employer. The research has also added to an understanding of the complex relationship between people's attitudes and behaviors (Graffam et al., 2008). Specifically, that just because an employer expresses supportive attitudes about hiring ex-offenders does not necessarily mean that the employer will hire ex-offenders (Pager & Quillian, 2005). Past study designs have included both quantitative and qualitative research methods to explore participant attitudes and behaviors (Shivy et al., 2007; Swanson et al., 2012).

The complex nature of the attitude-behavior relationship to discrimination has guided data collection and analysis during the present dissertation study. Social norms appear to change with historical periods and other situational elements. In LaPiere's (2010) study, conducted in the 1930s, employers seemed more open to acknowledging prejudicial attitudes on a survey, and less open to blatantly discriminating in public places. However, these elements appear to have reversed themselves in contemporary society. Pager's (2003b) field notes, and her research with Quillian (2005), appears to reflect that employers may conceal prejudicial attitudes during a survey, but be more open to behaving in a discriminatory fashion in public. These changes may be due to what was considered socially acceptable behavior at the time, the research methodology utilized, or in how people's attitudes are primed.

The fact that people may feel compelled to conceal their prejudicial attitudes for many reasons was taken into account in this dissertation's design. That is, if employers were asked directly about potentially prejudicial attitudes and discriminatory behaviors, then these employers may be less than truthful due to a desire to appear socially acceptable. It is a fair statement to say that a grounded theory study designed in such a manner would likely not shed light on the effects of race in ex-offender hiring decisions (Pager, 2007). Despite that, the

literature review already makes it clear that minority applicants with a criminal record will likely experience a disadvantage in their job seeking endeavors when compared to white applicants. If race, or even discriminatory practices in general, were being looked at directly in this dissertation study, then a research design that measured both attitudes and behavior would be a better fit.

This dissertation study, however, is not designed to measure the effects of race or other forms of discrimination on ex-offender hiring decisions. The grounded theory design of this study is intended to describe the evaluation process hiring managers use when considering ex-offender job applicants in general. The topic of ex-offender employment discrimination is complex and involves numerous stakeholders involved in personnel selection. Hiring managers are one of these stakeholders. Learning how these hiring managers describe their experience of evaluating ex-offender applicants, in order to discover a process, is the goal of this dissertation research. The nexus of workplace practices, employment lifecycle, and psychology make this topic a perfect fit for an I-O Psy (Industrial-Organizational Psychology) scholar-practitioner to explore (Tonowski, 2015). Using a grounded theory design may provide insights into the process that hiring managers use when making their hiring decisions related to ex-offender applicants. This is knowledge that could be useful to understanding reasonable exclusions to employment for ex-offenders, ways to improve workplace assessment, how to decrease risks related to employer liability, and other kinds of information that may guide organizational hiring policies.

Summary

This chapter discussed early studies that identified a criminal record's prejudicial effect on employer practices related to applicant selection and hiring (Schwartz & Skolnick, 1962). The effect was so pronounced that it was labeled a stigma with consequences to obtaining lawful

employment (Dale, 1976). Applicants with the ex-offender stigma were the least preferred choice for employment (Finn & Fontaine, 1983, 1985). This occurred to such an extent that even an arrest record could provide a distinct disadvantage to job seekers (Grogger, 1992). One explanation given for the stigma was that employers may view people with a criminal record as poor quality workers.

The scope of the problem appeared to increase as applicant screening and background check technology advanced (Kelly & Fader, 2012; Levashina & Campion, 2009). The effect was that fewer ex-offenders could find employment, with ex-offenders that belong to minority groups being more prone to disparate impact or disparate treatment (EEOC, 2012; Kuhn, 2013). With fewer ex-offenders able to find employment, the collateral consequences to society started to be recognized. These consequences included harm to community crime prevention efforts, increased recidivism, loss of economic mobility to both the ex-offenders and their families, and damage to GDP (Gendreau et al., 1998; McDonough & Burrell, 2008; Pew; 2010; Schmitt & Warner, 2010; Uggen, 2000).

Additionally, this chapter reviewed the many attitude-behavior variables related to ex-offender employment discrimination. It was learned that a discrepancy could exist between a person's stated prejudicial attitudes and his or her actual observed discriminatory behaviors (LaPiere, 2010); and that ex-offender employment prospects could be improved through education, training, life skills programs, realistic job choices, behavioral health treatment, and social networks (Blitz, 2006; Cronin, 2011; Shivy et al., 2007). Furthermore, ex-offenders that lack proper education and job training prior to prison release may have a more difficult time locating a job than the general population during a recession (Nally et al., 2011). It was also learned that prejudicial attitudes about ex-offenders can be influenced by labels; that perceptions

of ex-offender employability are low; and that severity of crime, criminal history, and ex-offender perceived desire to change can impact employability (Graffam et al., 2008). Other studies reaffirmed that applicants with criminal backgrounds were the least preferred, but that job qualifications could mitigate some of the stigma for misdemeanor offenses (Varghese et al., 2010). Employers confirmed that ex-offender job qualifications could improve their chances of obtaining a job (Swanson et al., 2012). However, if an ex-offender is released to a community with unequal access to low-skill employment opportunities, then his or her chances to locate employment will decrease while his or her chances to recidivate will increase (Bellair & Kowalski, 2011).

Several groundbreaking studies reconfirmed an attitude-behavior disparity. Although many employers claimed to have positive hiring attitudes related to ex-offenders, they failed to employ them when given the chance (Pager, 2003a; Pager & Quillian, 2005). Related studies confirmed a disadvantage to minority ex-offender job applicants, but also discovered that face-to-face interactions with employers could improve hiring outcomes by up to six times (Pager & Western, 2009; Pager, Western, & Bonikowski, 2009; Pager, Western, & Sugie, 2009).

Review of the literature related to face-to-face interactions and rapport building identified numerous dimensions that may play a part in improved ex-offender hiring outcomes. These dimensions include empathy, shared attention, mutual understanding, and setting expectations (Coan, 1984). Other dimensions may include verbal reflections during conversations, being warm, showing respect, being timely, demonstrating honesty, being non-confrontational, showing cultural sensitivity, being nonjudgmental, and appearing confident (Ivey & Authier, 1978; Tahan & Sminkey, 2012). Additionally, the first few moments of the face-to-face interaction may be the most important to forming a positive first impression (Barrick et al.,

2012). The rapport building process is a two-way mechanism where self-awareness and flexibility, approachability and politeness, personal knowledge and positive attitude, and showing appreciation and concern for others can enhance the interpersonal interaction (Gremier & Gwinner, 2008; Stewart, 2002; Wankat & Oreovicz, 1998).

This dissertation uses a grounded theory methodology to better understand how these face-to-face interactions, and other elements, are considered during selection and hiring evaluations (see Chapters 3, 4, and 5). Chapter 3 will discuss the grounded theory methodology and the study design, which allows a concept, model, and/or theory to emerge from collected data about the process hiring managers use when considering an ex-offender applicant (see Chapters 4 and 5).

CHAPTER 3. METHODOLOGY

Purpose of the Study

As stated in Chapter 1, the topic of ex-offender employment discrimination has been studied from a multidisciplinary perspective using a variety of research methods. In Chapter 2, the discussion identified some of the past studies that helped scholar-practitioners to understand the scope and nature of the problem. This chapter will briefly review the research problem, what the dissertation research is meant to accomplish, and explain why a grounded theory methodology was selected for answering the research question: How do hiring managers describe the process of considering ex-offender job applicants?

Past research into the topic of ex-offender employment discrimination supports the idea that having a criminal record harms an individual's chance of gaining lawful employment. A negative prejudicial effect on employer favorability occurs for applicants with a criminal history (Schwartz & Skolnick, 1962). The prejudicial effect acts as a stigma and creates many barriers to employment for ex-offenders, with a greater disadvantage realized by minority applicants (Dale, 1976; Grogger, 1992). One consequence of the stigma is a perception that people with a criminal history make the least employable applicants (Finn & Fontaine, 1983). These less preferred applicants became easier to remove from the hiring process with advances in background check technologies and computer-based application processes (Kelly & Fader, 2012). Some potential side effects of these employment screening practices include disparate

impact and disparate treatment of protected classes in employment (EEOC, 2012). The problem of ex-offender employment discrimination did not just affect ex-offenders.

The literature reviewed in Chapter 2 also identified many collateral consequences of ex-offender employment discrimination. These collateral consequences included harming community crime prevention efforts, an increase in recidivism, a loss of economic mobility for both ex-offenders and their families, and how it impacts the economy via the loss of employment output (Cronin, 2011; Gendreau et al., 1998; McDonough & Burrell, 2008; Pew, 2010; Schmitt & Warner, 2010). The review of this research makes a fairly compelling argument that a problem exists. It has also provided researchers with important knowledge about many variables related to ex-offender discrimination.

Some of these variables act to mitigate the stigma of a criminal record. For instance, ex-offenders with good job qualifications, high levels of educational attainment, and healthy social networks may improve their chances of locating employment (Cronin, 2011; Finn & Fontaine, 1985; Shivy et al., 2007; Swanson et al., 2012; Varghese et al., 2010). Other variables appear to increase the stigma of a criminal record; such as the kinds of labels used to describe people with a criminal history, crime severity, and number of criminal offenses (Graffam et al., 2008). However, some research indicated that crime severity did not influence hiring bias (Varghese et al., 2010). The most groundbreaking research looked at the complex relationship between prejudicial attitudes and actual observed employer discriminatory behaviors.

The groundbreaking studies were looking for causal evidence that criminal history affected employment outcomes. Pager's (2003a) study provided some evidence that an applicant's criminal history had a negative influence on his or her employment outcomes. Furthermore, black applicants with a criminal history appeared to suffer more disadvantage in

their employment outcomes than their white applicant counterparts. Later studies confirmed these outcomes (Pager & Quillian, 2005; Pager & Western, 2009; Pager, Western, & Bonikowski, 2009; Pager, Western, & Sugie, 2009). One interesting finding was that applicants that had an opportunity for face-to-face contact with the employer could improve their employment outcomes up to six times more than applicants who did not get an opportunity for face-to-face contact (Pager, Western, & Sugie, 2009). It appeared that the face-to-face contact allowed the applicant an opportunity to build rapport with the employer, and, perhaps, generate a sympathetic response. Variables such as the ex-offender's honesty, accountability, and desire for a second chance may have influenced the employer's hiring decision. The hiring decision may have also been due to the degree of empathy the employer had for the ex-offender applicant. However, the study results identify a gap in understanding about the psychological process that hiring managers use when considering an ex-offender applicant for hire.

The purpose of this grounded theory dissertation research is to explore this identified gap; specifically, to generate a new concept, model, and/or theory that may explain how hiring managers describe their evaluation process when considering an ex-offender job applicant for employment. As described in Chapter 1, a qualitative grounded theory design was selected because it provides the best means for answering the research question in enough detail. Getting a rich description of the evaluation process used by hiring managers may aid in developing an understanding of how the many variables related to ex-offender discrimination are considered by employers when making a hiring decision.

Research Design

The methodology used in this dissertation research was Straussian grounded theory, which has been described by some as qualitative data analysis (QDA; Fernandez, 2012). As

discussed in Chapter 1, QDA was selected because its methodology is the best fit for answering the research question (Sogunro, 2002). QDA provides a research approach that is systematic, and that will allow for a detailed description of the consideration process used by hiring managers when evaluating an ex-offender applicant for employment.

QDA's purpose is to creatively build a new concept, model, and/or theory from subjective observations of the empirical world, using systematic processes designed to enhance inductive strategies (Corbin & Strauss, 2015). QDA allows a researcher to focus on a process in order to develop a concept, model, and/or theory that may explain a phenomenon (Creswell, 2013). The inductive strategies used in QDA allow theory to emerge from concepts. A concept is an interpretation of the raw data that is provided by a researcher during the data coding and analysis process (Kelle, 2005). Data coding uses a structured strategy for formulating ideas about process flow. The strategy includes open, axial, selective, and memoing techniques.

Similar to other grounded theory methods, QDA data collection and analysis occur simultaneously. The process is known as constant comparative analysis, and it allows the researcher to move back and forth between data collection and analysis until saturation is reached (Bruce, 2007). Saturation means that specific categories with dense properties and dimensional variation have emerged from the data (Corbin & Strauss, 2015). As data is analyzed it is explored in context for meanings. These meanings are used to locate and label concepts during open coding. Relationships among concepts are discovered during axial coding, and selective coding is used to build a core category and any related categories. Another way to think about data analysis is that open coding creates concepts, axial coding categorizes these concepts into different themes, and selective coding is used to show how these themes fit into a process flow. Memoing throughout the process is used to refine these ideas and to build a theory

that attempts to explain the discovered process flow (see below for more descriptions of these processes).

Memoing is perhaps the most important part of completing grounded theory research. The goal of memoing is to assist a researcher in developing his or her ideas that emerge from data analysis (Holton, 2010). Corbin and Strauss (2015) informed their readers that memos do not need to be “finished papers ready for publication” (p. 117). Instead, a memo is a rudimentary way for the researcher to explore the data as the research progresses. Memos may include preliminary diagrams and are useful during early stages of data exploration. Memoing is the primary tool for identifying and developing concepts with detailed properties and dimensions. It is not uncommon for memos to build one upon the other as an idea begins to emerge. Memos are also a useful way of exploring comparisons, contrasts, and relationships among concepts for later categorization. It is during this idea refinement where the process flow of a phenomenon emerges. In essence, memos assist the researcher in building a “story line” that will lead to a theory (p. 117). The theory may explain how a person experiencing the phenomenon moves through it from beginning to end.

The primary source for data in grounded theory research is participant field interviews (Creswell, 2013). These interviews are generally completed one-on-one, are semi-structured, and use open-ended questions. The most commonly used instrument for collecting interview data is researcher direct observations that are aided by audio recordings and descriptive field notes (Patton, 2002). A good grounded theory design begins with appropriate site and participant selection.

Target Population and Participant Selection

This section describes the characteristics of the larger population from which the theoretical sample of study participants was drawn. It also introduces the concept of sample size within a grounded theory study, and it explains how this dissertation's sample size was determined. A detailed, step-by-step, process outlines the sampling procedure used for this dissertation research.

Larger Population

The larger population for this dissertation research included all persons fulfilling the hiring manager role within organizations residing in the state of Oregon. Organizations were selected for recruitment activity from publicly available Chamber of Commerce membership directories. Organizations that appeared to offer employment opportunities related to Oregon Department of Corrections vocational trades programs, or work-based, apprenticeship, or experience-based training opportunities (including welding, automotive technology, building construction, computer technology, paraoptometrics, cosmetology, barista training, manufacturing technology, maintenance technician, sheet metal workers, painting, cabinet making, custodial training, and culinary experience), were contacted by letter to request site permission for participant recruitment.

Letters were sent to 702 organizations resulting in the following: 45 permission denials, 30 letters were returned as undeliverable due to various reasons, 622 had no response, and 4 permissions were granted from business owners or chief executive officers. In addition, one business owner agreed to participate in the dissertation research, but opted to meet me at the local public library in lieu of granting research site permission. Three of the four organizations

that allowed recruitment activity emailed a recruitment flyer to their hiring managers. One of the organizations posted hard copy recruitment flyers in common areas of the business.

Interested recruits then contacted me for screening (see below). The screening criteria for a study participant was that he or she must be between the age of 18 and 75 years old, and meet the definition of hiring manager (see Chapter 1); in other words, he or she must have the positional authority to make decisions related to applicant selection and/or employment (Alder & Gilbert, 2006). Additionally, each hiring manager had experience considering an ex-offender for employment during some stage of the hiring process.

Sample

The sample size used was dependent upon the concept of saturation; meaning that enough data was collected for a model to emerge that contained specific categories with dense properties and enough dimensional variation for future testing (Corbin & Strauss, 2015). This dissertation research was that successful in locating eight hiring managers with varied experience at considering ex-offender applicants for employment (e.g., a hiring manager with experience considering only one ex-offender for employment up to a hiring manager with experience considering over a hundred ex-offenders for employment). As a matter of degree, documenting the experience of hiring managers with more practice considering ex-offenders for employment made it apparent that no new patterns would emerge from continued collection of observations from hiring managers with limited experience considering ex-offenders for employment. Making continued observations became unproductive, saturation was reached, and data collection was stopped. Grounded theory researchers have offered guidance to others about what an acceptable sample size should be, but they do not offer empirical arguments that support their preferred sample sizes (Mason, 2010). For instance, Creswell (2013) suggested that grounded

theory designs should have between 20 and 30 participants, while Morse (1994) suggested they should have between 30 and 50 participants. Capella University recommends that qualitative inquiry designs have between eight and 14 participants (M. Martyn, personal communication, February 6, 2014). Grounded theory research appears to range between five and 350 participants, and there is tension between qualitative researchers about whether the concept of saturation should be operationalized with a certain number of participants (Mason, 2010).

Sampling Procedures

A theoretical sampling strategy was used to recruit study participants since the purpose of the study was to develop a new concept, model, and/or theory. A theoretical sampling strategy looks for participants who may have manifested, or who have the potential to manifest, the dimensions of a concept within the context and criteria under investigation (Patton, 2002). The sampling process used was repetitive and continued until a model emerged from the participants' lived experiences. The sampling process followed the below steps:

Step 1 – Recruitment (Inclusion Criteria): Organizations from publicly available Chamber of Commerce membership directories were selected and contacted by letter (see above). The letters requested site permission to recruit research participants. Letters were targeted to businesses that appeared to offer employment in fields related to Oregon Department of Corrections vocational trades programs, or work-based, apprenticeship, or experience-based training opportunities. These programs include welding, automotive technology, building construction, computer technology, paraoptometrics, cosmetology, barista training, manufacturing technology, maintenance technician, sheet metal workers, painting, cabinet making, custodial training, and culinary experience.

Step 2 - The letters were addressed to the business owner, operator, or chief executive officer and briefly outlined the dissertation study and requested his or her permission to mail, email, and/or post recruitment flyers targeting hiring managers within his or her organization.

Step 3 – Contact: Potential recruits contacted me via mail, email, or phone to request additional information.

Step 4 – Screening (Exclusion Criteria): Interested recruits were screened by asking three questions to ensure they had experienced the phenomena under investigation. The first question was “Do you have the authority to screen applicants or choose applicants for hire while rejecting other applicants for your organization?” The second question was “On at least one occasion have you considered an ex-offender for employment during the hiring process?” The third question was “Are you between 18 and 75 years of age?” Potential recruits had to answer “yes” to each question in order to be considered for study participation. This screening process was designed to maintain theoretical sampling quality. The initial screening was done via postal mail, email, or phone.

Step 5 – Briefing: Potential participants were scheduled for a phone or in-person briefing. Each briefing took no more than 10 minutes. During the briefing, the purpose of the study was described, along with informed consent, confidentiality procedures, and data collection methods (digitally audio-recorded interview with note taking). Still interested participants were scheduled for a semi-structured interview using the process outlined in Step 6 below.

Step 6 – Scheduled interviews took no longer than 2 hours. The interview time and place was collaboratively set with each participant. I first suggested the participant’s place of business if he or she had access to a private room or office. If not, I suggested we use an interview room

at one of the local public libraries that were conveniently located, and offered participant confidentiality and privacy. Six research participants chose to have their interviews at their place of business. Two research participants chose to have their interviews at a local public library.

Step 7 – One day prior to the meeting, I sent a courtesy email notice of the appointment to the participant for confirmation of attendance. Attached to the notice was a digital copy of the informed consent and confidentiality paperwork for participant review.

Step 8 - I met and greeted each participant at the agreed upon date, time, and location. Small-talk was used to put each participant at ease.

Step 9 – Consent: Prior to conducting the interview, informed consent and confidentiality paperwork were reviewed. Participant questions were answered, and the interview was begun only after the participant formally volunteered by affixing his or her signature to the documents. The participant was reminded that he or she could freely withdraw from the study at any time.

Step 10 – When documents were made available to me during an interview, I looked at them and took written notes documenting any pertinent information, and I made additional field notes about the documents after the interview, when necessary. All documents were returned to participants prior to concluding an interview.

Step 11 – At the conclusion of an interview, I asked if the participant knew of any other hiring managers within or outside the organization who may be willing to assist me with the dissertation research. If so, a referral was requested and recruitment procedures began again at Step 3 for internal referrals, and at Step 1 for outside referrals, and moved forward from those points.

Step 12 - I asked each participant if he or she would like to review and provide comments on a draft of the study's findings. I let each participant know that his or her feedback would assist me in crosschecking my interpretations of the collected data.

Step 13 – I thanked each participant for his or her time, and provided each participant with a \$25.00 Amazon.com gift card as an incentive. I left a business card containing my contact information with each participant. On the back of the card were instructions listing how the participant could obtain a final copy of the dissertation after it was completed.

Procedures

The data collection procedure developed for this dissertation research was designed with credibility, transferability, and dependability issues in mind (See Chapter 1). In order to assure the highest level of internal reliability, practical application of findings, and ability to articulate an audit trail, the constraint of using a single researcher was considered as part of the data collection process (Bruce, 2007). Other considerations included gathering direct observational data within a limited timeframe at each site, potential participant concerns about political backlash due to being involved with the research, and ensuring the overt nature of the research did not result in participants telling me what they believed I wanted to hear (Patton, 2002). These considerations made data triangulation an important part of the dissertation research, to ensure high quality results. This dissertation research collected data using three methods and followed the below steps:

Step 1 – Voluntary participants were selected as outlined in the Sampling Procedures section above.

Step 2 – I facilitated a one-on-one conversational style interview with each participant. Interviews were the primary method of data collection for the dissertation research. Each

interview followed a semi-structured format with participant observations digitally audio-recorded for later transcription (Creswell, 2013). Grounded theory interviews are not normally transcribed; however, all interviews were transcribed in order to build an audit trail and allow for a more accurate representation of the qualitative data within the Atlas.ti version 7 software (Corbin & Strauss, 2008). Transcriptions of the digital recordings were accomplished using Dragon NaturallySpeaking software with researcher oversight and corrections. Having accurate transcripts assisted with memoing and systematic coding processes.

Step 3 - The interviews were guided by a questionnaire consisting of open-ended questions (see the Instruments section below). The one-on-one interviews lasted no longer than 2 hours. As the interview protocol commenced, and where appropriate, I asked participants if written documents existed to help illustrate any hiring processes being described.

Step 4 - If a participant produced documents for review, I looked at them and took written notes documenting any pertinent information, and I made additional field notes about the documents after the interview. All documents were returned to a participant prior to concluding an interview.

Step 5 – After each interview, I made descriptive field notes documenting my observations. These field notes are a secondary source of data for the dissertation research. The notes are descriptive and capture the who, what, when, where, and how of each interaction (Patton, 2002). Of particular interest were contextual settings, social interactions, historical perspectives, nonverbal communications, and self-observations. Maintaining descriptive observational notes increased my understanding of the situational context during data analysis. I completed field notes as soon as possible after each interview, and I stored notes in a password encrypted electronic file for later analysis.

Step 6 – This step consisted of documentation review during the interview process. Documents were the third information source for the study. Any documents the participants shared that helped to illustrate their applicant review process were considered. However, review of documents provided little additional useful information; but when documents were offered, they provided further direction for inquiry during interviews (Patton, 2002). Documents that were shared included job applications and job descriptions. I noted any pertinent information discovered during the document review in my field notes. The actual documents themselves were returned to each participant prior to concluding an interview.

Step 7 - Confidentiality of each participant, and the organization he or she worked for, was assured by using a coding system to give both participant and organization an alias that could be matched with the collected data. The coding system was used to link collected information back to each participant during memoing, open, axial, and selective coding processes.

Step 8 - Any quotes or other observations from a participant used within the study was attributed to the alias.

Step 9 - The coding system is maintained on a password-protected and encrypted computer file that is kept separate from participant files.

Step 10 - Backup copies of all data, including hard copy and electronic records, are kept in a fire resistant safe for secure storage.

Step 11 – After a draft of the research findings was written, participants that volunteered to review and provide comments on the draft were mailed a copy. A letter and self-addressed stamped envelope was provided with each copy. The letter indicated that comments could be written directly on the draft and then returned to me in the enclosed envelope. One month was

allowed for participants to provide their feedback. Feedback from participants assisted me in crosschecking my data interpretations.

Step 12 - All information related to study participants will be destroyed 7 years after completion of the dissertation research.

Instruments

The primary instrument used for data collection was the interview. The interview method followed a general conversational style that was guided by a semi-structured interview protocol (Creswell, 2013). Interview questions were open-ended and designed to capture each hiring manager's consideration process. The rationale for the selected interview style was to build rapport and to help ease any anxiety that the hiring managers may have felt about speaking with a researcher. The interview protocol included the following questions:

1. Briefly tell me about your organization and its culture.
2. In the past, you have interviewed or selected applicants for open entry-level positions. Consider a time when at least one or more of the applicants was an ex-offender. What process, if any, did you use when considering the applicants for the open position?
3. Using the same scenario in question 2, describe what the process, if any, would be if an ex-offender applicant was a former sex offender?
4. Describe what the process, if any, would be for an ex-offender convicted of a past violent offense?
5. How does Oregon's new ban-the-box legislation impact your consideration process? (This question sometimes required me to provide a brief explanation of the law prior to getting a substantive answer.)

6. How would the amount of time an ex-offender spent incarcerated influence your selection or hiring decision?
7. How would your organization's culture influence your selection or hiring decision?
8. What is or has been your experience with hiring ex-offenders?
9. What thoughts, if any, enter your mind when considering ex-offenders for hire?
10. What imagery, if any, enters your mind when considering ex-offenders for hire?
11. How do you feel when considering an ex-offender for hire?
12. What concerns, if any, would you have when considering an ex-offender for hire?
13. What would make hiring an ex-offender more attractive for the organization?
14. How does face-to-face communication with ex-offender applicants, such as during a job interview, influence your consideration process?
15. Based on your experience, tell me what is the best process to use when considering an ex-offender applicant for a job?

Common reflective statements/questions that were used to evoke more information from the participants included:

1. Tell me more about . . .
2. What else?

Research Question & Expected Findings

The research question being answered using this grounded theory research design is “How do hiring managers describe the process of considering ex-offender job applicants?” No predictions about the expected findings or outcome of this dissertation research were made since it uses a qualitative inquiry research method. The purpose of the research is to discover a

concept, model, and/or theory that may increase people's understanding related to how hiring managers evaluate ex-offender applicants for hire.

Role of the Researcher – Participant Interaction

My only interactions with the participants were via email or phone during recruitment, a face-to-face interview that lasted no more than 2 hours, and via mail to receive feedback of the study findings from interested participants. All research participants signed informed consent forms prior to being interviewed. No participant concerns were communicated to me during the course of the research, and I have no known conflicts of interest with any participant.

Role of the Researcher – Qualifications

I acted as the primary instrument for data collection, analysis, and interpretation during the dissertation research. See Chapter 1: Role and Responsibilities of the Researcher for a detailed description of my education, experience, and training that makes me uniquely qualified to undertake this research endeavor. In summary, I have completed all course work in my PhD studies. I have 26+ years of experience working in law enforcement and corrections. My life experience allowed me to vicariously learn about the collateral consequences of ex-offender employment discrimination. I had the benefit of a three-person dissertation committee to monitor my work and ensure that accepted research practices were followed. Lastly, part of my experience includes being a Motivational Interviewing (MI) instructor. My experience interviewing countless adults-in-custody, and teaching numerous correctional staff how to use MI, throughout my corrections career, made building rapport with the participants easy in comparison. I was able to evoke rich and detailed experiential data from the participants due to my proficiency in MI.

Data Analysis

The Corbin and Strauss (2015) grounded theory model of data analysis was used for this dissertation research. Atlas.ti version 7 software was used to facilitate data analysis. Atlas.ti has many powerful analytical tools that allowed for greater accuracy, efficiency, and interpretation of the collected data (Atlas.ti, 2016). The use of Atlas.ti also assisted me in creating and linking memos to data, in building an audit trail, in visualizing data relationships, in completing a research journal, and in enhancing study credibility. The software aided in data organization as I moved back and forth between data collection and analysis.

Grounded theory data analysis is a complex process that follows a systematic coding strategy. Coding begins with open coding, followed by axial coding, and ends with selective coding and theory formulation (Corbin & Strauss, 2015). Each of these steps are described in detail below.

Step 1 - Open coding: This is a process used to describe collected data (Corbin & Strauss, 2015). As the raw data was examined, I used a process similar to brainstorming to understand what was being said by each participant in context. Concepts emerged from my immersion and interpretation of the data. I added descriptive labels to each concept. These labels were no more than one or a few words that allowed the data to be categorized. As the study continued, examples of data meeting the labels was accumulated into categories. A category could then be reduced into subcategories if labels falling under that category appeared to have similar properties or dimensions. Corbin and Strauss (2008) described the process as immersing oneself in the data through repeated sorting, coding, and comparisons in order to segment it into informational categories. Items within each category were aligned thematically.

Step 2 - Axial coding: During this process, I looked at the coded themes rather than the original data. The intent was to locate any central themes that may have emerged from the open coding process (Corbin & Strauss, 2015). Axial coding is a visual process that allowed me to make connections among the various categories and their subcategories of data. Causal conditions, relationships, and other interactions were discovered between the central theme and the other categories (Corbin & Strauss, 2008). I identified and described any consequences of these interactions in terms of the properties or dimensions found within the related data categories. In essence, I described potential outcomes based on categorical relationships.

Step 3 - Selective coding: This process was a continuation of axial coding but at the group level of data. I identified the central phenomenon based upon the primary, or core, categories located during the axial coding process (Corbin & Strauss, 2015). The other categories of data were then grouped into their phenomena, and these groupings were arranged around the central phenomenon. This process was used to confirm or disconfirm relationships among groups of data in order to refine and develop a concept, model, and/or theory (Corbin & Strauss, 2008). The relationships and interrelationships of these groupings around the central phenomenon illustrate a process or flow. The result was a central phenomenon showing its process and transactional system (Corbin & Strauss, 2015). In other words, I identified the sequence of interactions needed to produce the phenomenon and the interactions that can be expected throughout the various stages of the process.

Step 4 - The final step in the grounded theory data analysis was to provide a general description of the concept, model, and/or theory that emerged from the data (Corbin & Strauss, 2015). The description includes propositions that can be used to test the concept, model, and/or theory in later research studies.

It should be noted that these steps were generally followed in order, but I did move back and forth between them as necessary, since data analysis was conducted after each participant interview. The findings of the dissertation research will be discussed in detail in Chapter 4.

Ethical Considerations

Although many ethical considerations could be discussed when conducting human subjects research, three primary concerns were paramount in this dissertation research. These concerns included an assessment of risks and benefits to participants, obtaining voluntary participation and informed consent from participants, and participant privacy and confidentiality. Each area is addressed below.

Do No Harm

I was responsible to ensure that the potential risks to study participants were reasonable and that they did not exceed any anticipated benefits from participation. As such, the dissertation study was designed to be compliant with Code of Federal Regulations 45-46.111 *Criteria for IRB approval of research* (DHHS, 2009), The Belmont Report (DHEW, 1979), and *Ethical Principles of Psychologists and Code of Conduct* (APA, 2010a). Capella University's Institutional Review Board (IRB) reviewed the inherent risks for participants and decided they were reasonable when compared with the anticipated benefits of the research, and granted approval for the dissertation study (IRB, personal communication, January 21, 2016).

Voluntary Participation and Informed Consent

Prior to conducting an interview, each participant was informed about the known risks and potential benefits of study participation (see Sampling Procedures above). Each participant was given an opportunity to ask questions or express their concerns about study participation. I acknowledged the sensitive nature of the research since it is related to the topic of ex-offender

employment discrimination. I attempted to minimize participant concerns about legal liability by reminding them that their participation in the study was voluntary, that they could refuse to answer any question, and that they could withdraw from the research at any time without consequence. Participant autonomy was respected throughout the dissertation study, and all participants voluntarily consented to participate by affixing their signature on the informed consent form.

Privacy and Confidentiality

Aliases were assigned to all study participants and their organizations to help assure their anonymity, privacy, and confidentiality (see Sampling Procedures above). I omitted any information from the transcripts that could be used to personally identify a research participant or the organization for which he or she worked. These omissions include things such as business tag lines, names, addresses, city names, references to community awards, and any other piece of information that could potentially link a participant or organization to the research. All research activities to include transcription of digital audio recordings were completed by me, and all research materials were securely maintained in my possession throughout the research process (see Procedures above). All research materials will be destroyed consistent with best practices after 7 years from the date of dissertation completion.

CHAPTER 4. DATA COLLECTION AND ANALYSIS

Introduction: The Study and the Researcher

In this chapter, the results of data collection and analysis will be presented after a brief introduction to the researcher and his role in the dissertation study. The purpose of this chapter is not to present all of the data that was collected, but to provide a synopsis of the data with fairly detailed examples showing how concepts were grounded. The data analysis will be introduced in logical order by showing how concepts were formed using the open coding process. Axial coding will then be discussed along with constant comparative analysis. At the axial stage of data analysis, the concepts became well-defined with properties, dimensions, and other relational groupings. As the data analysis continued, these axial codes were then grouped into higher level themes using the selective coding process. Lastly, these themes were logically placed into a process flow to describe one potential theory of the hiring manager consideration process when evaluating an ex-offender for employment (Corbin & Strauss, 2015). An in-depth discussion of the findings will follow in Chapter 5.

Restatement of the Research Question

How do hiring managers describe the process of considering ex-offender job applicants?

Researcher's Interest in the Phenomenon Investigated

As disclosed earlier in Chapter 1: Role and Responsibilities of the Researcher, I have worked within corrections for most of my adult life. My journey has taken me from the front lines of supervising adults-in-custody (AIC) as a correctional officer and correctional sergeant;

through the management chain of correctional lieutenant and correctional captain where I set policies, procedures, and practices for AIC rehabilitation; and into planning educational and programming opportunities for AICs as a program director. When I retired as a program director from one state's correctional department, I was working as a correctional counselor for another state's correctional department 15 days later. The experience placed me back on the front lines in assisting AICs to overcome their challenges and succeed as law-abiding citizens after their release from prison.

My epiphany from these experiences was that at all stages of my correctional development I worked to help ex-offenders in some capacity. As a correctional officer, I could not bring myself to help an "inmate" directly. I told myself that any help I gave to inmates was not for them, but to prevent a future person from becoming an inmate's next victim. As I grew as a corrections professional, and as a person, I noticed my own thinking changing. The adults under my care stopped being inmates and became offenders, then they became adults-in-custody, and finally clients. The magic, for me, in this thinking transformation was that my clients stopped being "animals" to be managed and became "people" that were someone's child, brother, sister, father, mother, aunt, uncle, spouse, etc. Most of these people could not easily be dismissed as "evil." As I got to know them professionally, I found that they were people with real challenges that had made some generally poor decisions. These decisions had brought them into the prison system. I realized that not much separated law-abiding citizens from my clients. My clients' situations really could happen to anybody under the right circumstances. After all, what successful spouse, business owner, and parent wishes to become ill, to get prescribed painkillers, to fall into a cycle of addiction with those painkillers, and to lose everything as a

result of that addiction. This is just one example of how razor-thin that edge can be between being a law-abiding citizen or being a criminal in our society.

Throughout my corrections career, one common theme kept emerging as I spoke with my clients. That theme was their struggle to find honest employment after leaving prison. As I reviewed many of my client's cases, my anecdotal experience identified that one root cause of recidivism was failure to locate employment. These anecdotal experiences caused me to reflect upon my own childhood, and I realized the many hardships my mother must have faced as an ex-offender trying to raise my brother and me when no-one would give her an opportunity to earn a job. These were hardships that my mother did her best to shield us from seeing and experiencing directly. My brother and I were blissfully unaware of how fragile our daily existence truly was and how hard our mother worked to keep us under a roof with food in our bellies. As a corrections professional, and as a practitioner of industrial-organizational psychology, I looked to the research literature and discovered that it confirmed my experiences (see Chapter 2). When it became time to choose a dissertation topic, the topic of ex-offender employment discrimination provided a wealth of opportunities to choose from and that is how my interest in the phenomenon was formed.

Researcher's Background, Training, and Experience with Grounded Theory

I have completed all coursework necessary to partially fulfill the requirements of earning a doctorate in psychology, with an emphasis on industrial-organizational psychology, at Capella University. This education has provided me with an in-depth understanding of both quantitative and qualitative research methods. Capella University's doctoral in psychology program requires that learners demonstrate competency in many aspects of the scientific method. This includes an understanding of numerous research methods and designs, statistical and qualitative analysis, and

critical thinking skills. These skills are refined throughout a three-stage colloquium experience that prepares adult learners to pass a comprehensive exam and to successfully complete a dissertation.

The process of locating a viable research topic started almost immediately upon entering Capella University's doctoral program. I formulated a research question, after reviewing the research literature, during my progress through the doctoral program. The research question is what determined the research method that was needed to answer it. After going through the process, I now realize that I did not choose grounded theory so much as grounded theory chose me, because I believe that it was the best research method for answering the selected research question.

In addition to qualitative inquiry coursework, which included basic and detailed instruction on grounded theory methodology, I also completed additional actions to prepare me for completing a grounded theory dissertation. These actions included:

- Studying two different styles of grounded theory by reading *Basics of Qualitative Research: Techniques and Procedures for Developing Grounded Theory* (Corbin & Strauss, 2008, 2015) and *Constructing Grounded Theory* (Charmaz, 2014) before selecting Straussian grounded theory for use in my dissertation.
- Reading numerous grounded theory dissertations and published research articles to build my understanding of how to collect data, analyze the data, and present grounded theory research findings.
- Consulting with my three-member dissertation committee in order to enhance the quality of my grounded theory dissertation.

- Completing online tutorials, reading all training manuals, and practicing with the Atlas.ti version 7 software prior to engaging in my actual dissertation research.

Researcher Role in Data Collection and Analysis

I acted as the lone researcher throughout all stages of my dissertation. This means that I prepared the research design, located participants, conducted all interviews, collected all data, completed all transcriptions, analyzed the data, and proposed a theory based upon my interpretations of the data and the data analysis. My literature review prepared me to recognize variables discovered in past research studies, and provided a firm foundation for considering how these variables may form concepts that might help to explain the process of how hiring managers consider ex-offenders for employment.

Description of the Participants

Eight research participants that worked as hiring managers for five organizations within the state of Oregon were recruited for this dissertation study. These participants came from organizations that would be classified as small businesses ranging in size from five members up to 225 members. Each participant met the criteria to be included in the study (see Chapter 3). However, some participants had minimal experience considering an ex-offender for employment, such as in only a single stage of the selection process, while others had experience considering many (in one case, potentially hundreds) of ex-offenders for employment from multiple organizations during their careers. It became clear, as will be discussed later in this chapter, that more experience in considering ex-offenders for employment resulted in more detailed consideration processes. As a result, saturation was reached after only eight participants; continuing to interview hiring managers with experience considering only one or two ex-

offenders for employment was adding no new concepts, dimensions, or properties to the consideration process of those participants with an extensive experience of the phenomenon.

The demographic details of the participants are listed in Table 1 below.

Table 1

Description of Participants

Participant Alias	Organization Alias	Age	Sex	Race/Ethnicity	Position	Ever Convicted of a Felony	*Ever Hired an Ex-offender
Participant 1	Omega	72	Female	Caucasian	Owner	No	No
Participant 2	Pi	39	Male	Caucasian	Manager	No	Yes
Participant 3	Chi	24	Male	Caucasian	Manager	No	No
Participant 4	Sigma	49	Male	Hawaiian/Pacific Islander	Manager	No	No
Participant 5	Alpha	62	Female	Caucasian	Owner	No	Yes
Participant 6	Chi	49	Male	Caucasian	Manager	No	No
Participant 7	Chi	50	Male	Caucasian	Owner	No	Yes
Participant 8	Sigma	61	Male	Caucasian	Owner	No	Yes

*Some participants had the positional authority to make final hiring decisions while others only had the positional authority to make decisions related to selection of applicants. The final hiring decision was reserved for the business owner to make in most of the small businesses where participants were recruited.

Data Collection Procedures

The data collection process was performed as described in Chapter 3. All interviews were conducted face-to-face with participants, and were digitally audio recorded for later transcription. The transcription process was aided by the use of Dragon NaturallySpeaking software.

The process I used was to listen to the digital recordings while wearing a microphone headset connected to my personal computer. As I listened to the recordings, I dictated what I was hearing verbatim so that Dragon NaturallySpeaking could accurately transcribe the

recordings into its notepad software. After a transcript was generated, I would return to the document and follow along word-for-word and line-by-line to make necessary corrections, while listening to the digitally recorded interview again. This process required that the digital recording be paused periodically while I typed any corrections.

It was during the transcription process that I removed any information that may have been captured in the digital audio recording that could be used to identify a participant or their organization. Each transcript was single-spaced and saved as a rich text format file that could be used within the Atlas.ti version 7 software. The data collection process resulted in the products listed in Table 2 that were then used during data analysis.

Table 2

Products from Data Collection

Participant Alias	Length of Digital Audio Recording (Hours: Minutes: Seconds)	Final Page Count of Single-spaced Transcribed Document
Participant 1	21:29	12
Participant 2	1:13:16	25
Participant 3	44:26	14
Participant 4	55:13	16
Participant 5	1:13:34	27
Participant 6	43:52	13
Participant 7	40:31	12
Participant 8	55:00	17

Research Methodology Applied to the Data Analysis

This section will describe the actual steps of data analysis conducted during this dissertation research. To get a full description of grounded theory and its processes, refer back to Chapter 3. The purpose of grounded theory is to discover a concept, model, and/or theory that may explain a phenomenon of interest (Corbin & Strauss, 2015). The purpose of this chapter is

to demonstrate the application of grounded theory processes to actual data analysis via open coding, axial coding, selective coding, and theory proposition.

Step 1 – Open coding. The first two participant interviews were micro-analyzed in order to start forming concepts in a highly detailed manner. This was accomplished by doing a line-by-line analysis of the transcript, and brainstorming answers to questions such as “What is being said or done? Who is doing it? Why?” (Corbin & Strauss, 2015, p. 87). These codes were accurately tracked using Atlas.ti software, which linked in-text citations to open codes and researcher memos (Atlas.ti, 2016). Many of these early concepts became properties or dimensions of more developed concepts through the process of constant comparative analysis, while others were discarded as irrelevant to the phenomenon. Beginning with the third interview, the process of micro-analysis was stopped and regular open coding was used exclusively. Each open code was given a brief name and description that encapsulated the concept it symbolized. Throughout data analysis, as these codes were developed, the name and description could be adjusted as additional properties or dimensions were added to each. The intent of the open coding was to capture the meaning of the data in context with what participants were describing in their own words. The outcome of the open coding process was the development of 32 detailed concepts.

Step 2 – Axial coding. The process of axial coding is highly visual. Most of this coding was completed using the *Network View* in the Atlas.ti version 7 software. Network View allows a researcher to see concepts (open codes) as objects and the relationships these objects have with other concepts and the data grounding each concept (Atlas.ti, 2016). The visual process was instrumental in grouping open codes into families, and in identifying the relationships these codes had with other objects. Using color gradients to highlight concepts also made it easy to

see which concepts were more grounded in the data than others. In addition, seeing the data visually made adjusting relationships between, or merging similar concepts, easy. The ability to use Network View grew in importance as the volume of data increased with each new participant interview. The outcome of the axial coding process was the creation of ten categories that contained collections of open codes that all had related themes.

Step 3 – Selective coding. This process was again highly visual, but also relied extensively upon my memos that were used to document my theorizing about concepts and categories throughout the data analysis process (Corbin & Strauss, 2015; see Chapter 3 in this dissertation). Selective coding was used to unite the ten axial codes into three higher level themes. The selective code that was most grounded with the data was chosen as the primary theme.

Step 4 – Theory proposition. The three selective codes with their various concepts, properties, and dimensions were then used to build a process flow. The process flow acts as a model that may help to explain how the hiring managers recruited for this dissertation research described their process of considering an ex-offender applicant for employment.

As noted in Chapter 3, grounded theory data collection and analysis occurs at the same time. I freely moved back-and-forth between these steps throughout the data collection and analysis process. The process was flexible and reiterative, and it allowed me to update and refine various parts of the data analysis as my understanding of the phenomenon grew with each participant interview.

Presentation of the Data and Results of the Analysis

This section describes the actual coding results from the data analysis. The section is presented in the following order: Open coding, axial coding, selective coding, and theory proposition.

Open Coding

Grounded theory uses open coding as the first step in data analysis. Corbin and Strauss (2015) described coding as the researcher’s interpretation of the data and its meaning. The interpretation is described as a concept that is labeled using words that symbolize the concept’s meaning. Furthermore, according to Corbin and Strauss (2015), each concept may have dimensions and properties. A dimension within a concept indicates that it may be expressed along a range, whereas a property would describe a characteristic that may be found within the concept. Table 3 below lists the 32 open codes that were discovered during data analysis, including their descriptions, dimensions, and properties. Each open code includes descriptive examples of text, selected from participant interviews, to illustrate the concept; and each is followed by a number indicating how many similar examples were used to ground the concept.

Table 3

Results of Open Coding

Row #	Open Codes with Concept Descriptions Including any Dimensions or Properties	Descriptive Text Examples from Participant Interviews	Grounded
1.	Accountability <i>Concept:</i> Hiring manager perceptions of an ex-offender's accountability and remorse may impact	<i>Participant 2:</i> When I have a conversation with someone around their criminal history, in this position or even in the old job, when you have somebody who minimizes the history, blames other people; one of my favorites is, you know, well we were robbing the convenience store, but	9

Row #	Open Codes with Concept Descriptions Including any Dimensions or Properties	Descriptive Text Examples from Participant Interviews	Grounded
	the hiring decision.	<p>if the cops didn't show up there wouldn't have been a big deal. Oh, so it's the cop's fault!?! That you committed this crime. As opposed to somebody who says, well you know I was in a really bad spot, this is what I did, here is why I did it, but since then, especially when you look at crimes related to addiction, like they say, I go to treatment on a regular basis. I went to a victim's impact panel and it really hit me, and I understand the effects of what happened. And so, maybe it takes somebody five or six times through the system before that time [Participant 2 snap's his fingers] where they go, oh gosh, yeah, it clicks for them. I'm a believer that yes people can be rehabilitated. We in Oregon do a good job of providing the tools. It is just a question of whether they take advantage of it, or not.</p> <p><i>Participant 4:</i> That their explanations usually involve self-recognition that they accept that they made a mistake and they're not making excuses at this point.</p>	
2.	<p>Affiliative</p> <p><i>Concept:</i> Organizations that place a high priority on constructive interpersonal relationships may be more supportive of considering an ex-offender for employment.</p>	<p><i>Participant 3:</i> I would like to say it's fun, but as a manufacturing company it does require hard work. We try to really embrace the family culture here, um, every one of our employees is welcome. We have casual conversations. We go out to lunch together. We care about each other and that extends outside of work, which is really great. Everybody is valued for their contribution.</p> <p><i>Participant 4:</i> The company culture here is very—its—we're productive, but we like to have fun and it's relaxed.</p>	14
3.	<p>Background Checks</p> <p><i>Concept:</i> Hiring</p>	<p><i>Participant 2:</i> So prior to working in this organization, I worked for a very large organization that runs background checks as the</p>	30

Row #	Open Codes with Concept Descriptions Including any Dimensions or Properties	Descriptive Text Examples from Participant Interviews	Grounded
	<p>managers may require an ex-offender to complete a background check for various reasons. The outcome of that check may impact an ex-offender's chance for employment. The larger the organization then the more likely a formal background check may be completed. Even small organizations may complete a formal background check if needed to maintain professional certifications.</p> <p><i>Properties:</i> Preliminary employment offer & maintain professional certifications</p> <p><i>Dimension:</i> Organization Size</p>	<p>point of business. I ran the company. We had a volume of around 11,000 background checks every month that we ran, and most of the checks were for employment placement in direct care [of] vulnerable individuals: Assisted living facilities, home care workers, and such. And so, we weren't making hiring decisions, we were providing the fitness determination based on their criminal history; do we feel that they are fit for the position? By policy, we only ran those background checks once an offer of employment happened. So the theory was that they had already gone to an application process, interview process, reference checks, kind of your traditional hiring processes had been done. Hiring had been offered contingent upon them passing the background check.</p> <p><i>Participant 8:</i> At this point, I'm too trusting. I just go for their word. There's been a few times that we've done a minimal background check. What little research I've done is it's not an easy or inexpensive check to do, and you have to do a state-by-state. So do you just check the state of Oregon, or do you check Oregon and Washington? So depending how deep you want to dig, yeah, it can be pretty expensive and there are a few loopholes in it.</p>	
4.	<p>Belief in second chances</p> <p><i>Concept:</i> A hiring manager's perceptions related to giving second chances may influence his or her attitude about employing ex-offenders.</p>	<p><i>Participant 6:</i> If that's your mode of behavior is to offend, then maybe you're not the person I'm looking to give a second chance to. I'm willing to give a second chance, not a ninth chance.</p> <p><i>Participant 7:</i> I'm still willing to hire and give people a chance.</p>	11
5.	<p>Belief that people can change</p>	<p><i>Participant 5:</i> I believe we all change. I believe we all have the ability to change the direction and</p>	6

Row #	Open Codes with Concept Descriptions Including any Dimensions or Properties	Descriptive Text Examples from Participant Interviews	Grounded
	<p><i>Concept:</i> Hiring managers that believe people can change may be more willing to consider ex-offenders for employment.</p>	<p>scope of our life. We all have the ability to change completely.</p> <p><i>Participant 8:</i> If there is an ex-offender, and they want to put the past behind them, and they do actually put the past behind them. You know, then I'm looking for the same thing for them that I would look for in anybody else. What is their work ethic? How independent do they work? How well do they listen? You know, people who would fit our culture and our values. So, in my mind, I want to say it is somewhat two different things. Here is attributes and characteristics of a person I am looking for, and that is somewhat independent of what their past has been.</p>	
6.	<p>Bias Awareness</p> <p><i>Concept:</i> Hiring managers with self-awareness of their own biases and stereotypes may be more fair in their ex-offender hiring decisions.</p>	<p><i>Participant 4:</i> So it was very natural, an easy thing for me to do, based on the expectations of the ownership here to overlook that particular criteria on an application. Just like I would if someone says, “don't bias on sexual orientation or religion or sex” it was just another one of those to me. I am capable of doing that at my level of professionalism and experience. I can just, let's on the surface, does this person seem like they would be a good fit in general? Is there some work history there that may be relevant to what we do here? Do we think that they would be set up more for success moving forward? Not looking so much in the past at any specific offense they may have had because of the direction that the ownership here has stated. As far as, it may be acceptable.</p> <p><i>Participant 8:</i> When I meet with somebody, I go through a normal interview first. Talk about work ethic, aptitude, and everything else first. The very last part of my interview is looking into the criminal history. So it's not something that as soon as they come in the door we do that and</p>	21

Row #	Open Codes with Concept Descriptions Including any Dimensions or Properties	Descriptive Text Examples from Participant Interviews	Grounded
		that influences downstream. I purposely have that as the very last item so it's not like you have to get past this bad first impression, but we try and make an assessment of the person totally independent of the criminal history.	
7.	<p data-bbox="276 598 609 630">Business Interests</p> <p data-bbox="276 672 609 924"><i>Concept:</i> Hiring manager perceptions about how an ex-offender applicant may impact his or her business interests may influence his or her hiring decision.</p> <p data-bbox="276 966 609 1081"><i>Properties:</i> Scarcity, knowledge/skills/abilities, & goal alignment</p>	<p data-bbox="641 598 1258 892"><i>Participant 1:</i> Well, I guess, um, maybe I would decide to hire them if I really liked them, and then if I found out they were an offender, I think I would ask them about their crime, and make a judgment based on whether I thought it was a single crime or multiple times, and what the crime was, and how it might apply to my business or not.</p> <p data-bbox="641 934 1258 1585"><i>Participant 5:</i> Um, okay, and I'll tell you what that exception is in our industry. What the exception is that, right now, God bless, we don't even have this [problem], but I have been in this desk when I have had this [problem], you understand? Like if we have a warranty, we do the warranty work on these cars for Alpha company, so if you're in your warranty on your car, and you come in, and you need the—a diesel turbo blah- blah done. Well, there's a certain technician level that I have to have to do that repair to get paid for warranty. . . . and so, if we don't have that warranty position, have that technician, and, quite frankly Leonard, there is not a lot of them out there these days. For every seven trained master technicians retiring, only one is coming on board; and so, I mean, it's hard to find them.</p>	15
8.	<p data-bbox="276 1627 609 1659">Curiosity</p> <p data-bbox="276 1701 609 1837"><i>Concept:</i> Hiring managers may be curious about an ex-offender's story/offense in order to</p>	<p data-bbox="641 1627 1258 1837"><i>Participant 3:</i> Probably just being, like, unsure, you know? It makes—it requires more judgment, I guess, on my part. So, it makes me more curious. I can say, honestly, that I would probably be feeling, like, you know, the mood could be going back and forth, so well, I would</p>	13

Row #	Open Codes with Concept Descriptions Including any Dimensions or Properties	Descriptive Text Examples from Participant Interviews	Grounded
	make a good judgement and to alleviate feelings of unease, fear, or to develop a gut feeling about the applicant.	<p>like to say that it wouldn't affect that, but I'm sure it would. As a human being, and being in the United States, and the society that we have regarding the criminal justice system, I can say that it would make me more uneasy then I would be otherwise feeling.</p> <p><i>Participant 4:</i> It could be a history of poor decision-making, or it could be—I mean that's certainly a part of it that would come up. It could be, what would come up, is they just can't help themselves. That there's something innate that they are not able to control like alcoholism. That they can't help but, you know, road rage. They've just never been able to determine that they are going to snap again.</p>	
9.	<p>Desire to make a difference in a person's life</p> <p><i>Concept:</i> A hiring manager's desire to make a difference in a person's life, to leave a legacy, may improve an ex-offender's chances for employment.</p>	<p><i>Participant 2:</i> You know, this is going to sound so horrible, I think. I have this feeling like I'm going to give them an opportunity. Like, I almost feel like a champion. It sounds very self-serving, but I know, just through my work experience, that they've had a lot of doors shut in their face. And, I've experienced it where I've started asking them questions about what the context of their history is like. They're used to just having the door shut as soon as they say "yes." I feel hopeful, and helpful, and I'm giving them that thing that they don't normally get.</p> <p><i>Participant 5:</i> So, when you're the person and, I mean, maybe I'm too full of myself, maybe I'm too egotistical, but you always think: "Could you be the person that could make a difference in that person's life?" You know? Giving this job to this guy, or girl, could that make...you know? There's nothing more rewarding in my world than to make a difference in somebody's life.</p>	6
10.	Desire to Hire	<i>Participant 3:</i> Um, you know, there's a lot of	7

Row #	Open Codes with Concept Descriptions Including any Dimensions or Properties	Descriptive Text Examples from Participant Interviews	Grounded
	<p><i>Concept:</i> A hiring manager's desire to recruit ex-offenders for employment may be partially based on available incentives (both tangible and intangible), but also on his or her perceptions about the bureaucracy involved in receiving incentives.</p> <p><i>Properties:</i> Incentives & Bureaucracy</p>	<p>programs that they pay half their wages for six months or, um, they have other benefits associated with expenses for that individual, and to be honest, those things are nice for business. You know, it makes us a little more competitive and cheaper for the duration of time, but I also know that—that typically requires more involvement on my part, more paperwork for me to fill out, and, you know, another—another form, and, to me, that's not necessarily worth it. I'm a busy guy. We do a lot of things here and we wear a lot of hats. So, I would be more inclined to hire somebody outside of that program then hire them with that program. Only because I don't have to do anything different.</p> <p><i>Participant 7:</i> It could be, you know, in some cases, my experience has been, when I've hired ex-offenders in the past, they've really struggled to find employment and so when you finally do give them a chance there's this incredible sense of loyalty; and that is something that is of value to an employer.</p>	
11.	<p>Ex-offender's Commitment to Change</p> <p><i>Concept:</i> Hiring manager perceptions of an ex-offender applicant's commitment to change may affect his or her consideration process. Actions both inside and outside of prison may help to form these perceptions.</p>	<p><i>Participant 2:</i> Have you taken any anger management courses? Are you engaged in any way of trying to make sure that you have an outlet, other than violence? Some things that I've run into on [<i>sic</i>] that are people going to regular counseling, or have they completed a course in anger management.</p> <p><i>Participant 8:</i> I think it's trying to determine, you know, is there some way that I can determine, or assess, or have that gut feel that has the change happened in this person's life, or not; and I would say that my guess is that every one of them the desire is there. I mean, they're not coming saying I'm going to fall back into old habits. I think every one of them that desire is there. I think</p>	24

Row #	Open Codes with Concept Descriptions Including any Dimensions or Properties	Descriptive Text Examples from Participant Interviews	Grounded
12.	<p data-bbox="276 640 397 672">Exposure</p> <p data-bbox="276 714 609 1081"><i>Concept:</i> Exposure to ex-offenders in professional or personal lives, and/or to the criminal justice system including corrections policies, practices, and evidence-based decision making may influence attitudes of hiring managers.</p>	<p data-bbox="641 388 1242 598">that some of them actually have changed, and I think that some of them we've been helpful in them starting a new life, and them putting that behind them; but what I'm trying to do is minimize the risk of those that are high risk. Minimize the risk to us as a company.</p> <p data-bbox="641 640 1266 997"><i>Participant 1:</i> It [ban-the-box legislation] wouldn't have changed for me because I'm a volunteer at the local prison, and so, I already have some firsthand knowledge of that, so it wouldn't have made any difference to me. But, I have heard a lot of employers complain that it is in because they feel like they are wasting their time, because they have to get to the interview process before they can turn down someone that they know they are not going to hire.</p> <p data-bbox="641 1039 1274 1291"><i>Participant 3:</i> It [length of time an ex-offender is incarcerated] just doesn't make sense to me in some cases, but I previously worked in records at the Sheriff's office, so I've seen it. That's where I have some of my connections, and my background, and I understand the legal process is not perfect.</p>	22
13.	<p data-bbox="276 1333 389 1365">Fairness</p> <p data-bbox="276 1407 609 1659"><i>Concept:</i> A hiring manager's attitude about the criminal justice system and its fairness may influence his or her attitude about employing ex-offenders.</p>	<p data-bbox="641 1333 1274 1837"><i>Participant 2:</i> I had a discussion with one of the Senators in this state who has a—is very passionate about creating barriers to employment based on background checks; and I told her, you know, “we are creating these barriers,” and I was talking about murderers specifically, one of the crimes with the lowest recidivism rates out there, and a lot of the people they're in prison for so long that if they get out they're not looking to necessarily get a job. They might want to get a job where through Medicaid they're getting paid to take care of the grandkids, or their spouse, or something like that. You're saying, “they can't do that” because of something they did this long</p>	10

Row #	Open Codes with Concept Descriptions Including any Dimensions or Properties	Descriptive Text Examples from Participant Interviews	Grounded
		<p>ago, that they're statistically never going to do it again. It is just ridiculous. We are hurting people in the name of protecting people. She responded, because I had a bill actually written around changing some of this issue, and she said, "If you introduce this bill, and it gets to the Senate floor, I will stand here and tell you—I will say, you are letting rapists and murderers into the bedrooms of children with developmental disabilities." And, "It will pop on the front page of the Oregonian," and I'll be a bad guy for the rest of my life. Ah, it is so frustrating, but there's another factor to this whole thing too, using murder, another actual example where I've had. It is no secret that our criminal justice system, you can debate whether it happens today or not, but in the past, um, wow, if you are not a white person you are getting the short end of the stick. You know what I mean? The evidence is overwhelming at this point.</p> <p><i>Participant 3:</i> Really, what it comes down to, I don't think it's a fair indicator of who this person is, or what they've done, necessarily, and there's all too often wrongful convictions or, you know, other biases that affect sentencing, and I've seen it even for someone going to jail for instance.</p>	
14.	<p>Gender Differences Female</p> <p><i>Concept:</i> Female hiring managers may be more likely to employ ex-offenders if they perceive them as non-threatening to their business family. This is similar to male perspectives, but with the added dimension of</p>	<p><i>Participant 5:</i> I think violence, I mean, again, it goes back to how long ago was the violence? What triggered the violence? You know? Violence is a very concerning thing to have in the workplace. Again, back for the safety and protection of all, you know what I'm saying? All your other employees; and I always think it's amusing that the very people that are standing down there in Salem passing this stuff, if they were asked to have this person [a non-criminal applicant] or this person [an ex-offender applicant] take care of their children, which one</p>	6

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	<p>viewing the business as a child. The more the business is perceived as the hiring manager's child then the less likely she may be to employ an ex-offender deemed as unsafe.</p> <p><i>Dimension:</i> Business as Child</p>	<p>would you take?</p> <p><i>Participant 5:</i> Yeah, so why is this so—well, “you’re not giving another person a chance?” Well, do you really want to take a chance with your children? Our businesses are our children. You know what I mean? Our businesses are our family, and are our children.</p>	
15.	<p>Gender Differences Male</p> <p><i>Concept:</i> Male hiring managers may be more likely to employ ex-offenders if they perceive them as enhancing workplace enjoyment and comfort.</p> <p><i>Properties:</i> Work Enjoyment & Being Comfortable</p>	<p><i>Participant 3:</i> No, I think that's pretty similar. I mean, my personal feelings have an influence on it. I want to feel comfortable. I want to come to work. I want to enjoy coming to work, and enjoy seeing you, and say “hey!” Those are things I want in an applicant in general, but your status of being an ex-offender, or not an ex-offender, isn't going to provide you any additional level of empathy on my part because I am more interested in who you are upside [<i>sic</i>] of those labels and boxes. Is this something that you want to do here? Is this something you want to show up to work for, and enjoy on a daily basis? Because, I don't want you to do anything you are not going to enjoy, and your enjoyment of that is not affected by me feeling bad for you.</p> <p><i>Participant 7:</i> It’s not just here, it's—it's, for example, there are folks who really they are troubleshooters. They want to figure stuff out and solve problems, and then there are folks who just really enjoy getting work done. Production work, and those are two different kinds of people, and there's places and we have positions for those types of people.</p>	11
16.	<p>Hiring Manager Experience</p>	<p><i>Participant 2:</i> But, what I kind of look at, is I want to know—in my experience, with folks with</p>	31

Row #	Open Codes with Concept Descriptions Including any Dimensions or Properties	Descriptive Text Examples from Participant Interviews	Grounded
	<p><i>Concept:</i> The more experience a hiring manager has in evaluating ex-offenders for hire then the more refined his or her selection model may become.</p> <p><i>Dimension:</i> Categorizing Ex-offenders</p>	<p>criminal history, they tend to fall into one of three categories. There are criminals. There are people who make a conscious decision to do a bad thing to further their own goals. In my experience, anecdotally, it's a relatively small population. Then there are addicts. People who commit criminal acts to help feed their addiction, and those generally fall into folks who are actively addicted or who are living a life of recovery. And then, the largest group, some 70 to 80%, off the top of my head, the folks with criminal history, I use a highly technical term, are idiots. They just made a stupid choice in their—you know, the way that we hire people, applications, interviews, reference checks, that's already kind of geared to screen out idiots.</p> <p><i>Participant 7:</i> Well, I don't know that I—I mean, I wouldn't. I would want—I would just be looking for just that sort of honest, sincere, willingness to want to move forward. I guess, that's the best way I can put it. I wouldn't, I wouldn't necessarily be interested in drilling down into the details of what happened, but it would be more about just looking for that, you know, I don't know how I do that. I don't have a process for it.</p>	
17.	<p>Humanistic-Encouraging</p> <p><i>Concept:</i> Organizational cultures that are participative and person-centered may be more supportive and open to considering an ex-offender for employment.</p>	<p><i>Participant 5:</i> It's not only that, you know, that we try to take care of our customers. We try to take care of our community; also, you know, we hope we have a bit of a legacy here, and that what we do here does change our community, and our surroundings, and so forth. As a matter of fact, that's part of my [story], that's how I ended up here, kind of, I was managing car dealerships in . . . California and I was able to have equity here, and it also gave me an opportunity to run a business how I wanted to run a business; and I've always felt that you can do</p>	9

Row #	Open Codes with Concept Descriptions Including any Dimensions or Properties	Descriptive Text Examples from Participant Interviews	Grounded
		<p>so much more with the business then just sell goods and services. You can sell goods and services, you can make people really satisfied, you can make customers really satisfied, you can have your employees have a great, you know, place to go every day and at the same time take care [of] the community.</p> <p><i>Participant 8:</i> The culture is extremely—the company culture is extremely important to me. One of the reasons I bought a business was to help give a good workplace for people to work so they can both learn and grow. As well as, you know, I've worked in some bad places before, places I haven't enjoyed, and I don't think work has to be a negative place. I've had relatively good success at that.</p>	
18.	<p>Interview</p> <p><i>Concept:</i> Hiring manager perceptions of an ex-offender's interview skills may determine whether further scrutiny into criminal history is warranted.</p> <p><i>Properties:</i> Confidence, eye contact, defensiveness, preparedness, speak clearly, and dressed appropriately.</p>	<p><i>Participant 1:</i> I like it if they look you in the eye, if they can speak clearly, uh, in our case, in the . . . store, they have to be able to spell well.</p> <p><i>Participant 6:</i> I think that with any person that I'm interviewing, in addition to looking into their answers, I'm looking at their body language. If they're looking around the room instead of looking at me. If they—even if you got to the point, even if you were going to talk about the fact that they are an offender and had an offense—if their shoulder's slump or they lose their posture, there's ways to perceive it. You know? They still don't feel good about themselves, they don't feel trustworthy, or they think that that's the end of the interview and you are just going to kick them out. So, I would want somebody to maintain their posture and maintain their eye contact. If they had to answer the question just be honest and own it.</p>	27
19.	Job Position Concerns	<i>Participant 5:</i> Again, it goes back to, it's an	47

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	<p><i>Concept:</i> Hiring managers may base employment decisions on job position concerns and other employment restrictions. For instance: Hiring managers may choose not to put an ex-offender into a job position related to the crime he or she committed.</p> <p><i>Properties:</i> Workplace related crimes, cash handling, access to customers, & access to children</p>	<p>entry-level hire, well, different positions different offenses. Okay, if you've had in the last 5 years tickets for exhibitions of speed and speeding tickets, I'm not going to hire you as a lot attendant. Okay, as an entry-level lot attendant because—because, well, number one, I don't think my liability insurance is going to cover you, and if you can't drive the cars to get them filled up with gas down the street, um, because they will exclude them from my liability policy. Probably not going to happen.</p> <p><i>Participant 6:</i> So if it were a sex crime or violent crime, I would want to be able to let people know that they are potentially vulnerable. I think that if somebody did bring the kids around then learned later that they were a sex offender, and they are at your job site, and you hadn't told them then your relationship with them might change. They would be greatly disappointed, I think.</p>	
20.	<p>Job Skills</p> <p><i>Concept:</i> The hiring manager's initial impressions of an ex-offender's job skills may determine whether additional scrutiny into criminal history is warranted. This part of the selection process is flexible and may involve many properties.</p> <p><i>Properties:</i> Assessments, employment documentation, prior work experience,</p>	<p><i>Participant 1:</i> That you think they might have the skills to do the job. When I interview, there is, the first thing is are they available the time I need them. That's number one. If they are not available, then you don't need to go on with the interview. Okay, and my second one is I want to know what your skills are, and what kind of history you have in employing those skills.</p> <p><i>Participant 6:</i> I think here we would definitely take a little bit more time to get to know a person. They wouldn't necessarily be, you know, their application wouldn't necessarily find the round file simply because the box was checked. We do the Core Values Index test, in addition to an interview, and, in fact, we do the CVI and look at their scores prior to interviewing; and what their CVI score will indicate to us is where</p>	29

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	technological training, demonstrated team player, and/or willingness to apprentice.	we might be able to place them inside of our company where they would be most successful. So, if we were looking for a score that indicates that assembly work is something that they would enjoy, and someplace where they would thrive, and we needed an assembly worker, then that would be the primary element that got them an interview. Is that CVI score.	
21.	<p data-bbox="276 703 609 966">Likability</p> <p data-bbox="276 777 609 966"><i>Concept:</i> Hiring manager perceptions of an ex-offender's character or likability may influence the hiring decision.</p> <p data-bbox="276 997 609 1218"><i>Properties:</i> Social skills, humility, entitlement issues, work ethic, willingness to learn, passion, & trusted referrals</p>	<p data-bbox="641 703 1274 1659"><i>Participant 3:</i> In the selection process it typically boils down to what's their drive, what's their passion, you know, finding out who they are and what they want to do. We can quickly identify if this is somebody who's going to want to work here. You know? Are they willing to get dirty, to put some hours in to repeat the same task over and over again, and usually that relates to, like, do they want to build things, are they innovative, how creative are they, or are they looking for a desk job? You know? That's not, I mean, if we have an office position open for that then obviously things would be different, but most of our positions are production based, so I want to know that they want to do the job, and they are willing to learn new things. Personality wise, we've taken some risks with, like, well this person doesn't seem as socially capable. The interaction is different than you would have with your best friend, but we still offer those positions just based on scoring from the CVI test and their interview, and the questions they answer. We give people an opportunity, and let the culture work their magic out there. Some people don't last, you know, the 90 days probation because they just don't mix well with the family.</p> <p data-bbox="641 1690 1274 1837"><i>Participant 8:</i> One specific example is I had an employee here, that's been an excellent employee, that had a, I think she had a felony. She had some kind of criminal record but I'm not</p>	29

Row #	Open Codes with Concept Descriptions Including any Dimensions or Properties	Descriptive Text Examples from Participant Interviews	Grounded
22.	<p data-bbox="276 787 487 819">Offense History</p> <p data-bbox="276 861 592 1071"><i>Concept:</i> Hiring managers may perceive the history of criminal offenses to be important in making employment decisions.</p> <p data-bbox="276 1113 592 1228"><i>Dimension:</i> Patterns (such as time since last offense)</p>	<p data-bbox="641 388 1274 745">certain she had served time. Well, she had a stepsister that had recently come out of prison, and so she asked me if I would consider her because we needed more people. So that is a specific example of where we ended up going through the interview process. It was a referral we had gotten from a high-quality employee here, but we took her through the normal process. Knowing early on that she was recently out of prison.</p> <hr/> <p data-bbox="641 787 1274 966"><i>Participant 2:</i> So you look at a pattern of things that happen. Again, a big difference between somebody who has a theft or burglary once when they were younger, compared to somebody who has six of them in a period of time.</p> <p data-bbox="641 1008 1274 1260"><i>Participant 5:</i> I mean, just like everything in life, hon, if you see the same offense again, and again, and again. That's, you know, that's pretty telling. I mean, if somebody has three DUIs in their past, you know, they had better have been clean and sober; and I know somebody that has known them for the last 10 years. You know, okay?</p>	19
23.	<p data-bbox="276 1302 365 1333">Power</p> <p data-bbox="276 1375 592 1585"><i>Concept:</i> An organizational culture structured around positional authority may be less likely to employ an ex-offender.</p>	<p data-bbox="641 1302 1274 1522"><i>Participant 2:</i> On the other side, sales and the exec stuff, he's pretty dictatorial in what he does. It's his way. He has a real tendency towards micromanagement, and so, in my role, I am able to provide coaching for him, but ultimately, it's his company, and I'm told that on a regular basis.</p> <p data-bbox="641 1564 1274 1837"><i>Participant 6:</i> Well, I think that in the past, when I have hired people, it was when I was an assistant manager so I could only select people I wanted to hire, but other people still had to approve them above me; and the hiring that I was doing was in the retail atmosphere. We were definitely open to loss. Either product or cashiers who potentially had cash, and so I get the feeling</p>	6

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		that in the atmospheres that I was working in, you know, all of our applications had the box and if I were to submit three people for two openings and one of them had a check that they were a felon, they would not have been given permission to bring them on board.	
24.	<p data-bbox="276 640 609 672">Professional Contact</p> <p data-bbox="276 714 609 1113"><i>Concept:</i> The ability of a hiring manager to locate an ex-offender for hire may depend in some part on his or her access to professional contacts and information (e.g., with representatives from corrections such as parole officers or other partner agencies).</p>	<p data-bbox="641 640 1274 819"><i>Participant 1:</i> We tried to find a felon to fill a . . . position, and we went through her parole officer, but she [ex-offender] didn't show up for the interview. We also asked the parole officer if he had anyone else, and he did not.</p> <p data-bbox="641 861 1274 1260"><i>Participant 7:</i> If they had somebody helping them. Like, in some cases, we've hired through programs, and they've had either a coach or counselor come in and help facilitate; and they were there, they were there before and they were there after, along the way. Helping them, an expert, you know? I've done some programs before where we try to help some people move forward, and we don't have the experience or the background to really understand what some folks have—their different needs.</p>	10
25.	<p data-bbox="276 1302 609 1333">Set the Example</p> <p data-bbox="276 1375 609 1701"><i>Concept:</i> Hiring managers that set the example through positive messaging, modeling workplace values, and setting appropriate boundaries may get more workgroup buy-in when hiring an ex-offender.</p> <p data-bbox="276 1743 609 1837"><i>Properties:</i> Positive messaging, modeling values, & key managers</p>	<p data-bbox="641 1302 1274 1480"><i>Participant 1:</i> That looks like: I've hired this person who committed a crime, they paid their time, I think she would be good for us, she deserves a second chance, and I would like you to give her one.</p> <p data-bbox="641 1522 1274 1837"><i>Participant 4:</i> If I definitely see that kind of thing happening, then my comment would have the intent to normalize the behavior and our expectations of others around that person if it all of a sudden came out. We knew this before. It wasn't meant to be public knowledge, and it certainly wasn't meant to sit there and be a reason to isolate that person, or make them feel picked on. So, from my perspective, I would feel very</p>	8

Row #	Open Codes with Concept Descriptions Including any Dimensions or Properties	Descriptive Text Examples from Participant Interviews	Grounded
	informed	strongly, and I would say in a good number words, just going into, how I see this playing out from this point forward. That I don't, you know, I wouldn't want this and I would give a long speech and reasons, and back it up with stories about my past, you know, and here is what is going on. This is what we work next to, and so this is not what we are going to key on.	
26.	<p>Severity of Crime</p> <p><i>Concept:</i> The severity of a crime may influence hiring manager consideration processes.</p> <p><i>Dimension:</i> Type of Crime (includes situational context & length of incarceration as a means for determining severity; not just legal codes indicating the offense was a felony or misdemeanor)</p>	<p><i>Participant 6:</i> As long as it weren't, like I said, a violent crime or sex crime where I feel like I was opening people up to vulnerabilities, I would actually feel good about it because I would feel like I was doing something to give them the opportunity to not have to go back to a life of crime. I think for some people they are involved in it [crime] because it was their option. It was their upbringing. It was their economic level. There's lots of crimes that pay better than McDonald's; and they say, "why didn't you get a job?", "why didn't you get out?", but, you know, if you lived in a bad neighborhood, and you went to a bad school then sometimes there is just really not a way out, and the crime pays more than the legitimate jobs do.</p> <p><i>Participant 8:</i> Yeah, a little different. So I don't know that he is a, you know, I don't think he's a registered sex offender. In fact, yeah, he came back and was relieved because he was not going to have to register as a sex offender, but to me that's a little bit different than an 18-year-old having sex with a 17-year-old versus a child predator.</p>	32
27.	<p>Stability</p> <p><i>Concept:</i> Hiring managers may want some assurance that an ex-</p>	<p><i>Participant 2:</i> You know, there is an enormous amount of research that shows that the more socially plugged in someone is the less likely they are to reoffend. So things like that are important. Stable relationships. I guess, would</p>	15

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	<p>offender is not going to go back to prison, and waste the organization's investment in time and resources. Hiring manager perceptions of stability may influence the hiring decision.</p> <p><i>Properties:</i> Companions, family support, housing, community supervision, & reliable transportation</p>	<p>be the best way to describe that. If you are able to find those in a conversation with someone.</p> <p><i>Participant 7:</i> Yes, I mean, I can see, in looking back, a lot of the folks that got into trouble because they don't have the support, that support group, those friends or family, and I could see the more people you have trying to help you along, and move you forward, the better chances you have.</p>	
28.	<p>Successful Environment</p> <p><i>Concept:</i> Hiring managers may see more success with ex-offender employees by creating an environment where ex-offenders can succeed.</p> <p><i>Properties:</i> Awareness of supervision conditions, probationary contracts, treat the same, & respect autonomy</p>	<p><i>Participant 2:</i> So in the case of, I have a gentleman right now, who works for me, who just got his second DUI in the last 6 years. So, fortunately for him, it was outside that identified 5-year window so he's in diversion right now; and maintaining his employment, and just kind of working to make sure, I want to create a job environment where he can be successful in his diversion. So trying to minimize times when he has to drive, so he has a hardship license, so he has a 12-hour window that he can drive, so I try to work with his scheduling and things to be more conducive for that.</p> <p><i>Participant 5:</i> So, he came here, and we knew his baggage; and I mean, I'm still kind of dealing with it, you know? I told him he was hired. I said, "but I'm going to be straight with you. You're going to have to demonstrate with me that you are clean and sober, and—and we're going to have a gentlemen's agreement, and I'm going to tell you straight out that after 90 days I'm going to send you in for another drug test." Again.</p>	12
29.	<p>Sympathy/Empathy</p>	<p><i>Participant 5:</i> When you really feel like they really, you know, and again, I don't know it's like</p>	6

Row #	Open Codes with Concept Descriptions Including any Dimensions or Properties	Descriptive Text Examples from Participant Interviews	Grounded
	<p><i>Concept:</i> Ex-offender stories may produce emotions related to sympathy or empathy, and this may trigger a hiring manager to make a more favorable hiring decision.</p>	<p>your kids. But, when you really feel that they want to change where they've been. When you really feel because that's where my heart goes, and I don't know if that's being a mom or whatever, you know, I would give you anything. If you say, what would you do if you could do anything? I would love to be in your body one day. Just to see, you know, you think you know how everything is seen from the world, but I just love to see how it is that somebody else sees things. You know what I'm saying?</p> <p><i>Participant 8:</i> A lot of time sympathy. You know, some people it's been a long time and they truly are a different person, and I feel bad that they've lost out on a lot of life opportunities.</p>	
30.	<p>Truthfulness & Openness</p> <p><i>Concept:</i> Hiring managers may view ex-offender truthfulness and openness as essential to making a good impression.</p>	<p><i>Participant 7:</i> Well, if we are just focusing on the ex-offender piece, I look for that person to give me an honest account of their background, and, you know, lay it all out there. Just be honest.</p> <p><i>Participant 8:</i> One other comment I was going to mention to you, one thing that is important to me when someone is sharing with me what their criminal history was, is I do look really hard at how open and honest they seem to be to me. So if they seem to be evasive, if they don't want to really, you know I'm the only person that we ask them to share this kind of information with, and they may interview with a lot of different people but I'm the only one that goes into their criminal history; but the more direct and open they are with me that gives them a lot higher marks than somebody who tends to be evasive, or I have to basically pull information out of them.</p>	21
31.	<p>Worker vs Employer Rights</p>	<p><i>Participant 3:</i> I think it's good, a good opportunity, for convicted felons to get that</p>	25

Row #	Open Codes with Concept Descriptions Including any Dimensions or Properties	Descriptive Text Examples from Participant Interviews	Grounded
	<p><i>Concept:</i> Hiring manager perceptions of worker versus employer rights. Hiring managers with more favorable views of worker rights may be more likely to hire an ex-offender, and have more favorable views of ban-the-box legislation.</p> <p><i>Dimension:</i> View of Worker Rights</p>	<p>interview. That was a major hurdle for the group to even get an interview, so I think it is good to that point, but from an employer standpoint, I also think it's kind of difficult because you kind of use, you have to use some judgment sometimes, if you're not asking every single applicant if you have a criminal history. Are you going to ask that question just based on looks? Or, their job history or something else? Are you going to make assumptions about this person, and, you know, that's going to trigger you to ask that question in an interview; or are you going to ask every individual regardless of the job history, or what they look like, or what they act like? You know, "do you have a criminal history?"</p> <p><i>Participant 5:</i> I guess what I'm saying, I mean, I don't know if I'm saying this the right way. But if—there could be a person now—you know, how they were afraid? You know, how the entire ban-the-box is to make it so you don't automatically exclude someone? Well, it's just going to be another way of excluding someone in a sense that, now, like in the past, if I had 10 applications on my desk and one said 5 years ago I had a domestic violence case in this, this, this, and this; I would not throw them out of the pile. If I did not know him, you know what I'm saying? I wouldn't have thrown him out if he had all the skills. If he told [about his offense]. If he put it [his criminal background] on there, you know what I mean? Like—he's still going to be considered. Okay. Now, when I get that pile of applications, if I absolutely don't know one thing about this person, and have no reference, and everything, I will probably remove him from the pile.</p>	
32.	Worthwhile Activity	<i>Participant 1:</i> I feel like I'm doing something worthwhile.	7

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	<i>Concept:</i> Perception of the hiring manager that employing an ex-offender is a valuable experience.	<i>Participant 6:</i> I managed a campaign . . . that took on recidivism at the local jail. We went into the jail and in talking with them we found that there was a 74% recidivism rate. So three-fourths of the people that they see once, they see again. That needs to change. Keep the cost of our prisons down, improve the economy by taking a group of people that generally aren't productive and making them productive. Have them building things, and making some money, and adding money to the economy, and not having them go back to jail or go back to prison.	

Axial Coding

A main concept within grounded theory data analysis is constant comparative analysis. This means that collected data is constantly being compared against new and existing pieces of data in order to discover differences or similarities (Corbin & Strauss, 2015). In practice, this leads to an almost simultaneous coding process as a researcher zigzags back and forth between data collection and all the defined steps of data analysis. The process is very fluid, and likely can only truly be understood by those that have conducted a grounded theory research project (Piko, 2014). The sheer amount of data can become all-consuming, which makes the process of memoing so important to theory development and credible research.

Memos during the axial coding process assist a researcher to track how the data fits; that is, how the new data adds to, revises, or updates open codes and how these codes relate to each other in order to build a framework for a new concept, model, and/or theory. An example of a memo can be seen in Table 4.

Table 4

Researcher Memo Example

Memo Date	Concept Discussed	Detailed Description
5/7/2016	<p>Experience Matters</p> <p><i>Associated with Axial Code:</i></p> <p>Considerations for Hiring Decisions</p>	<p>This is an important conversation because it highlights the role of hiring manager experience in making good ex-offender hiring decisions. This participant [Participant 2] has the benefit of experience (potentially screening hundreds of ex-offender applicants) and has developed a very refined hiring process. He is pro ban-the-box, and actively attempts to hire ex-offenders. However, his desire to provide opportunity to ex-offenders is tempered by a sophisticated evaluative system developed from years of experience screening ex-offender applicants in order to mitigate risk. I see the preliminary workings of similar categorization systems from the participants with limited experience [Participants 1, 3, & 7]. They are attempting to mitigate risk in much the same manner, but their methods are not as refined.</p> <p>For instance: Participant 1 first wants to know if the ex-offender has the required job skills, then she wants to “know what their crime was, how much time they had served” and other elements related to job position concerns (e.g., stability—they have community supports that will help ensure they will not go back to prison and be unavailable to work; “are they going to show up on the first day”—and workplace related items—“we would not have hired an ex-offender for a cash handling portion of our business”).</p> <p>Participant 3 operated on an almost textbook human resource selection model. Ex-offender elements do not play a role until after the applicant is determined to be qualified for the position (“to be honest, that's [ex-offender status] not going to be a factor in offering this individual an interview”). However, he was concerned about asking a conviction question during an interview to all applicants because they may get offended, or it could move selector bias from the application phase to a later part of the hiring process. Participant 3 was interested in knowing “criminal history, a conviction,” “nature of the crime that was committed,” and job position concerns such as a “prior history with theft,” but his level of experience had not</p>

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		<p>provided a solution about how he could obtain the information in a fair manner.</p> <p>Participant 7 was looking for a “good fit” and relied on a gut instinct informed by a sense of ex-offender character, “Just being honest about it [criminal offense], I guess. How do I measure it? It's just kind of a personal thing.”</p> <p>In comparison, Participant 2 had built a clear categorization system with job position concerns at the core with two dimensions: severity of crime and offense history. He asked the conviction question of all applicants seriously being considered for employment, and explored the ex-offender's answers for clues to mitigate hiring risks within his categorization system, “in my experience, with folks with criminal history, they tend to fall into one of three categories. There are criminals. There are people who make a conscious decision to do a bad thing to further their own goals. In my experience, anecdotally, it's a relatively small population. Then there are addicts. People who commit criminal acts to help feed their addiction, and those generally fall into folks who are actively addicted or who are living a life of recovery. And then, the largest group, some 70 to 80%, off the top of my head, the folks with criminal history, I use a highly technical term, are idiots. They just made a stupid choice in their—you know, the way that we hire people, applications, interviews, reference checks, that's already kind of geared to screen out idiots.”</p>

The axial coding process is time consuming and can take many months to complete. As open codes are developed and refined, their relationships to other open codes emerge, based on the researcher’s understanding of the research participants’ experiences. These unique experiences form different pieces of a complex puzzle that begins to take theoretical shape as the concepts are explored for meaning.

As an example, as participants discussed their experiences with considering ex-offenders for hire, several concepts began to emerge and these became open codes. These concepts

included a desire to make a difference in a person’s life, a belief that hiring an ex-offender was a worthwhile activity, perceptions about fairness, a belief that people can change, and a belief in second chances. These related concepts were grouped into a family and became a theme that was axial coded as *Service and Community Oriented* (as seen in Table 5). Data analysis proceeded along in this manner until ten themes emerged from grouping the open codes presented earlier in Table 3.

Table 5 lists the ten axial codes that emerged from data analysis along with their family of open codes, with the number of examples used to ground the concept. Following the table is a discussion about how these axial codes were selected, which includes data examples from participant interviews that support the data analysis.

Table 5

Axial Coding Results

Axial Codes (Total Grounded)	Open Codes within Category (Grounded)
Experience with Law Enforcement, Corrections, & Ex-offenders (47)	Exposure (22) Worker vs Employer Rights (25)
Gender (17)	Gender Differences Female (6) Gender Differences Male (11)
Good Fit for Organization (80)	Bias Awareness (21) Business Interests (15) Likability (29) Stability (15)
Integration into Workplace (20)	Set the Example (8) Successful Environment (12)
Considerations for Hiring Decisions (129)	Hiring Manager Experience (31) Job Position Concerns (47) Offense History (19) Severity of Crime (32)

Axial Codes (Total Grounded)	Open Codes within Category (Grounded)
Nature of Applicant's Criminal Behavior (73)	Accountability (9) Curiosity (13) Ex-offender's Commitment to Change (24) Sympathy/Empathy (6) Truthfulness & Openness (21)
Promote Relational & Supportive Organizational Culture (29)	Affiliative (14) Humanistic-Encouraging (9) Power (6)
Recruiting Ex-offenders (17)	Desire to Hire (7) Professional Contact (10)
Selection: Preliminary Consideration & Scrutiny (86)	Background Checks (30) Interview (27) Job Skills (29)
Service and Community Oriented (40)	Belief in Second Chances (11) Belief that People Can Change (6) Desire to Make a Difference in a Person's Life (6) Fairness (10) Worthwhile Activity (7)

Experience with Law Enforcement, Corrections, & Ex-offenders.

Hiring manager consideration processes and their views about employing ex-offenders were influenced by life experiences related to different aspects of the criminal justice system and individual rights. These experiences were varied, and included personal and vicarious exposure to criminal justice and business elements; such as past interactions with law enforcement or the impact an ex-offender can have on business interests, and knowing an ex-offender either professionally or personally. These *exposure* experiences were associated with hiring manager views concerning ban-the-box legislation. Participants that favored ban-the-box legislation tended to vocalize viewpoints that were more *worker rights* oriented; whereas participants that

held unfavorable views about ban-the-box legislation tended to be more vocal about supporting *employer rights*. Hiring manager views about worker or employer rights should not be confused with their willingness to employ ex-offenders. All of the hiring managers in this dissertation research expressed a willingness to employ ex-offenders. However, hiring manager views about worker or employer rights did appear to influence the level of scrutiny each placed in his or her consideration process of ex-offender applicants. Hiring managers with strong employer rights views may be less likely to make a hiring decision favorable to an ex-offender applicant.

One example of how a participant's positive exposure to corrections via volunteering is associated with her favorable views of worker rights can be seen in the verbal exchange below.

Researcher: Oregon has just instituted this new ban-the-box legislation, are you familiar with it?

Participant 1: Oh yes.

Researcher: Okay. If that had been in place when you were doing this, how would that have changed your process?

Participant 1: It wouldn't have changed for me because I'm a volunteer at the local prison, and so, I already have some firsthand knowledge of that, so it wouldn't have made any difference to me. But, I have heard a lot of employers complain that it is in because they feel like they are wasting their time, because they have to get to the interview process before they can turn down someone that they know they are not going to hire.

Researcher: Okay. So, some employers, in your opinion, have said that this would waste their time because it—what part of that wastes their time? Is it just that they can no longer screen them out at the first . . .

Participant 1: Yes, because now they can't screen them out to begin with.

Researcher: From the get-go. Did they express to you why they would not be able to hire them? Is that a policy element or personal element?

Participant 1: No, they didn't say, they just, I just have heard, you know, just in general discussion, um, that the employers were not in favor of that passing.

Researcher: Okay. I see.

Participant 1: I think it's very fair. [Participant 1 confirms that she believes Oregon's ban-the-box legislation is fair.]

Researcher: Yeah.

Participant 1: How is someone supposed to start again if they can't even get, you know, try to give a good impression in an interview?

The next example demonstrates how a participant's negative experience of trying to balance a desire to hire ex-offenders with the reality of business interests, such as insurance costs, is associated with her favorable views of employer rights.

Participant 5: No, and that's why this whole ban-the-box stuff offends me because it's just like they're [ex-offenders] not telling the truth; and so, you're putting the onus on me. You're not trusting that I can be fair, so then why are they going to tell me the truth? You know, like, they're going to hide this from me anyhow, um, and then at the end of the day, at the end of the day, it isn't even about the box. It's—it's about—it's about the actuary of the underwriting company that we have to buy insurance from. I mean, they [Oregon law makers] didn't address, it's much like government, they don't address the root cause of the problem. The root cause of the problem is when I fill out an application for general liability insurance, and I have to say if I have any felons, or any of this, or any of that; and I answer no, no, no, no, no—and I get a better rate.

Researcher: The ban-the-box is really a symptom, and the root cause is really deeper into the business. That's really the nuts and bolts. I'm hearing, you know, things like profit that's going to insurance when you hire. Is that correct? Is that, kind of, the correct assessment?

Participant 5: Yea, I mean, come on, of course it's a correct assessment. You think a bank is going to hire, I mean, you can't even—this is why—there are so many laws, and they conflict with each other. I'm on a board of a publicly traded bank. Okay. It's a community bank, but it's still publicly traded. So it is suspect to all the Dodd Frank laws, new Dodd Frank laws, all the new, you know what I mean? All the OCC [Office of the Comptroller of the Currency] laws and blah, blah, blah. We can't hire. I mean, they preclude you from hiring anyone with any offenses. Like, you would get written up on your OCC.

Researcher: It could be the end of the bank.

Participant 5: Right, so like seriously? And, the same thing in the medical profession, quite frankly, I mean, I don't think, I'm not an expert on it, but I am pretty much on banking. Okay, so that is not the question you asked me. Utopian is, you know, complete transparency on both sides and I will, you know, like you put your thumb on the button and I'm telling you the truth and you're telling me the truth; and, I mean, there's consequences for all of our actions. Regardless of who we are. If I don't watch ground and make sure everything is safe here, and so forth, and people have a lot of slip and falls, whatever it is that I don't do correctly, and so if I just allow everything to just—just like in our homes with our kids, or whatever. If I don't have some standards around here, and it ends up I have people driving new cars off the lot and wrecking them, etc.

Obviously, my insurance is going to go up and I'm going to be not profitable; and then I'm going to go out of business, and the people are going to lose their jobs.

The two examples above show how the concepts of *Exposure* and *Worker vs Employer Rights* are associated and may influence a hiring manager's evaluation process when considering an ex-offender for hire. In the first example, Participant 1 shows familiarity with ex-offenders and correctional practices due to her prison volunteer experience. That familiarity, in addition to her experience with other business owners, may make her more aware of the challenges ex-offenders face in locating employment, and may be associated with a view that ex-offenders should not be punished forever by denying them an opportunity for a job interview (Lam & Harcourt, 2003; Pager & Western, 2009).

Whereas, in the second example, Participant 5, who had earlier in the interview expressed to me that "I did construction management for a period of time, for about 7 years, in a detention facility" was also familiar with ex-offenders, correctional practices, and ex-offender employment challenges. Her experiences appeared to make her sympathetic to hiring ex-offenders (Pager & Western, 2009). However, the realities of owning and operating a business tempered that sympathy with employer rights considerations related to property ownership and employee, customer, and other stakeholder (insurance actuary) obligations (Lam & Harcourt, 2003).

Gender.

The gender of a hiring manager appeared to act as a filter in the ex-offender hiring consideration process. Both male and female genders appeared to have more similarities than dissimilarities in their consideration process, but there were important differences that may influence hiring decisions. For instance, both genders may view their business as a family.

Participant 8: A lot of people say that business is like a family, and what are you bringing into this family that could cause some harm to someone that is already here? You know, basically, an innocent bystander. I would say that's probably my biggest concern.

Researcher: You do consider this business as your family, don't you?

Participant 8: Absolutely.

And, as said by Participant 5, “Our businesses are our family,” which identifies similarities in perceptions. However, Participant 5 also identified an important gender difference as she finished her thought (see below). That difference is the role that the business plays in one’s perception of family. For Participant 5, that role was personalized as a child. Children are some of the most vulnerable members of a family unit and require more protection than adult members. This gender difference in perspective may influence ex-offender hiring decisions.

Participant 5: Yeah, so why is this so—well, “you’re not giving another person a chance?” Well, do you really want to take a chance with your children? Our businesses are our children. You know what I mean? Our businesses are our family, and are our children. We have leveraged all of our personal assets into our businesses. Leonard, when the downturn came, my husband and I took money out of our personal retirement. You know what I mean? We were set to retire, but we took money out so we could keep

people employed; and so, we risk everything to keep people employed, and this thing—these sort of things—make me feel like that you want us to risk our business. You know what I'm saying? Why wouldn't we want all the information we can get?

Perceptually, there is a difference in being asked to risk one's child based on a hiring decision, versus risking an adult member of a family due to a hiring decision. An example of the additional level of scrutiny that Participant 5's perception may place on a hiring decision is seen in the below exchange.

Participant 5: I think violence, I mean, again, it goes back to how long ago was the violence? What triggered the violence? You know? Violence is a very concerning thing to have in the workplace. Again, back for the safety and protection of all, you know what I'm saying? All your other employees; and I always think it's amusing that the very people that are standing down there in Salem passing this stuff, if they were asked to have this person or this person take care of their children, which one would you take?

Researcher: It's kind of like they're disconnected from reality.

Participant 5: Right, I mean, come on. You have a choice of having this person with a completely clean record to take care of your children; or you have this person with a violent criminal offense take care of your children.

Researcher: Right.

Participant 5: And, you're choosing a babysitter, which one are you going to choose?

This perspective of the business as a family relationship was different for the male participants. Not one male participant vocalized a perception that the business was their child. Instead, the business as family concept was perceived more as a place where one could feel comfortable, grow, and enjoy work.

Participant 3: I want to feel comfortable. I want to come to work. I want to enjoy coming to work, and enjoy seeing you, and say “hey!”

And,

Participant 8: One of the reasons I bought a business was to help give a good workplace for people to work so they can both learn and grow. As well as, you know, I've worked in some bad places before, places I haven't enjoyed, and I don't think work has to be a negative place.

Evaluating how employing an ex-offender may negatively impact one's perceived business family appears to have a gender filter that may influence the outcome of a hiring decision.

Good Fit for Organization.

Evaluating whether an ex-offender will be a good fit for the organization was well-grounded in the data. Hiring managers appear to consider four associated concepts in determining a good fit. The first is their own *Bias Awareness*. Hiring managers that are self-aware of their own biases against ex-offenders tend to take more care in not letting those biases influence their consideration process (see Table 3, Row 6 for examples).

The second concept is *Business Interests*. This is an interesting concept because business needs may actually override a hiring manager's poor impressions about an ex-offender applicant due to scarcity. When a resource is perceived as being scarce then it may become more persuasive as part of an emotional argument in changing a person's attitude (Cialdini, 2003). However, attitude changes based on emotional messages tend to be temporary or short-term (Cialdini et al., 1981). In Participant 5's example (found above in Table 3, Row 7), the need for an employee possessing a rare certification would act as an exception in her consideration

process. However, if Participant 5 were compelled to hire an ex-offender based on scarcity then her consideration process was not over.

Participant 5: Now, I'm going to tell you, that in this position, if I had to do that, I would still continue to look for someone else.

Researcher: Okay.

Participant 5: That didn't have the baggage, you know? I mean, that's what I do here. You would still, I mean, well, a perfect example [Participant 5 picks up a document from her desk and shows it to me. The document appears to be a résumé that reinforces Participant 5's narrative], that gentleman that I told you I took a chance on and hired; I'm still taking résumés of other sales managers because I'm not—I want to make sure . . .

Researcher: You've got a backup, if that doesn't work out.

Participant 5: Right. I'm still looking for other people. You know what I mean? I'm not just going to do it, and then . . .

Researcher: You're done.

Participant 5: I'm done. You know, it's a dance.

Another example of how ex-offender applicants aligned with business interests was in ensuring that good employees remain at an organization that may be unable to offer more competitive benefits. Ex-offenders may be perceived as a good source of high potential and loyal employees that are less likely to be stolen by a larger competitor.

Participant 8: I will mention one other thing to you that is maybe not tied into this question, but it is a factor we look at, and I don't want this taken wrong.

Researcher: Okay.

Participant 8: Sometimes there can be a real advantage to us with taking the added risk of hiring an ex-offender. In that, every so often, we basically hit the jackpot. Right now, Oregon has an extremely low unemployment rate. So, we will have ex-offenders that are being turned away from 80% of their other potential, you know, my competition, that is also trying to hire people; and so, by us having that as a consideration that we do, we may get somebody. For example, one of [the] things that our company cannot afford yet is to provide health insurance benefits; and so, it's hard for us, when we are playing on an even playing ground, to be competitive with the Intels and Nikes. The people offering these good, strong, benefits. So, in order, and a lot of them will not even consider this other group of people, and so in some ways I may, you know, have had some extremely talented, great workers, that the number of job opportunities that they have is quite a bit less than other people. So, we have had some, not that I'm trying to abuse that, or take advantage of that in any way, but we, as we're trying to compete for high quality, high character kind of people, I think we've been fortunate that we have got some that may have gone elsewhere for more money or for more benefits, but they were not able to because of their past. I don't know if that makes sense to you?

Researcher: No, I think it does make sense. What I'm hearing is that you are willing to take a risk on someone, that maybe somebody else might not take a risk on, because there is a potential that that person is a high-value employee that someone's passing up; and you can benefit from that because someone else might choose to go elsewhere because of benefits, and this person will never get that opportunity.

Participant 8: Correct.

Other items that aligned with business interests included information about an ex-offender's knowledge, skills, abilities, and their goal alignment with the organization. As hiring managers sift through this information during a hiring process, they may also consider an ex-offender's *Likability*; the third associated concept. Things that make an ex-offender likable are related to perceptions of having a good character. These things may include having good social skills, showing humility, not demonstrating entitlement issues, proof of good work ethic, showing a willingness to learn, having passion for the work, and obtaining a referral from a trusted member of the community (see Table 3, Row 21 for examples).

Lastly, hiring managers may consider the ex-offender's *Stability* in the community. When hiring managers consider if an ex-offender is stable, they are looking for items that may indicate if the ex-offender is serious about staying out of jail or prison. Hiring managers do not want to waste their time and efforts in locating an employee that may not come to work because he or she is likely to re-offend and be returned to jail or prison.

Researcher: What do you worry about?

Participant 7: That they either—they don't—that they're not able to take advantage of the opportunity. Whether it's, I don't know, that could be a number of different things, I guess. They mess up outside of work, and affects their ability to come to work, or they're coming to work and maybe they're struggling. I just worry that it's not working out for them.

Researcher: You want a good employee. You don't want somebody that is going back to prison.

Participant 7: Yeah.

Hiring managers use several indicators when considering stability, such as companions, family support, housing, community supervision, and reliable transportation.

Participant 1: Okay, let's see, so if I had somebody—uh, number one would be, when I say, “So how is your attendance?”, “How has your attendance been?”, which doesn't really work for felons, but, well it would be “Do you think you could get here every day?”, oh, “Do you have transportation?”, “Where do you live, how would you get here if you don't have a car?”, “Is there a bus that you can take?”, “Is it reliable?”, “Can I rely on you to be here?”; and if they said, “Well, I think I could get a ride,” well, then no. If they were chewing gum, or swearing, or—or, let's see, if they dressed like a streetwalker. Those generally unfavorable appearances . . .

And,

Participant 1: If they had been incarcerated for a long time, and they just got out, and they didn't have a stable place where they were staying, or stable friends and, I don't know how you would find that out, but, had they adjusted to the outside world.

And,

Researcher: You kind of want to make sure, um . . .

Participant 1: They're not back with the same friends that they—that caused them to go in [prison] to begin with.

Researcher: You want to make sure that employee is going to be there for you . . .

Participant 1: Yeah.

Researcher: That is what I'm hearing . . .

Participant 1: Yeah.

Researcher: They're not going to go back to prison.

Participant 1: That's right, what's the point of trying to help them to change, or, you know, start life over, if they are just going to go back to the same thing.

In summary, hiring managers may consider their own biases, their business interests, the ex-offender's likability, and the ex-offender's stability in the community as part of evaluating whether the ex-offender will be a good fit for their organization.

Integration into Workplace.

Hiring managers may consider how an ex-offender will be successfully integrated into the organization if selected for an open position. As part of the integration process, hiring managers may set the example for other employees by providing a positive message, role modeling organizational values, and by keeping key managers informed (see Table 3, Row 25 for examples). Additionally, hiring managers may take steps to ensure the ex-offender's working environment fosters his or her success. This may be accomplished through awareness of the ex-offender's supervision conditions, setting probationary contracts, treating them equally, and by respecting the ex-offender's autonomy (see Table 3, Row 28 for examples). Some examples of hiring managers considering the integration process of ex-offenders into the workplace are provided below.

Participant 2: Honestly, I'll give you my extreme opinion first, and then I'll give you my practical one. My extreme opinion is, just let him go to work. If they need help, if they are pretty fresh out of prison, and they need some help acclimating, I'm going to lean on the resources they have out of corrections and post-prison supervision. To kind of help me with some tools to get them in, but, generally, I'm going to say go to work. You're a human being, and you're doing your job and that's what matters; and, in fact, that's a

conversation that I would have face-to-face with an employee who said, so and so is a this, and I would be like, yeah, are they doing their job? That's the litmus test. The more practical answer is with a guy I have with a theft conviction. I had a really frank discussion with him of [*sic*] this is going to come up. It's going to happen, and the accountability you showed me. You're going to have to show them. You're just going to have to do it, but the reality is people haven't cared that much; and, I think, I would like to take some credit for that because I, generally, try and put that forward. In the workplace, we judge people based on the work that they do. I'm giving you money to do this, and you need to do that. I've tried really hard to breathe that into the culture.

And,

Participant 3: You know; it would be treated the same as anybody else. We have an onboarding process for orientation, safety training, those things would be no different. They wouldn't be introduced to the team as here's an ex-offender Joe. That would be something that they can share, if they wish, with the rest of the team; but that is not something that is going to affect the onboarding process that they receive here.

Researcher: That's not something that you set out to do. Inevitably, when it gets out that they are an ex-offender, what does that look like?

Participant 3: I would hope that the team would be responsive to that. It really depends on their reaction to it because the biases that the team has are completely different from what I have. In my understanding, in [*sic*] the hiring process is to be fair, to give people a chance, and for them they might not be so willing to do that. So, that's where it makes things different. If you can see that best fit may not be there just based on their biases alone, and I think that can only be addressed with communication. If our team addresses

it as an issue, then I think it's fair to have that conversation with them and to try and see what we can do to make them more open-minded to it. If they have a problem with it, that's just going to be their opinion. If they don't like it then, you know, I can't change that, but I can say that you can't let your personal opinions and biases affect the work you're performing here, and certainly not affect your treatment of the other employees.

And,

Participant 5: Well, usually, I'm going to talk to the key managers and say, you know, I have these concerns about this person, but I also think he has these opportunities.

As demonstrated above, a hiring manager's consideration process may be influenced by his or her perceptions about how well an ex-offender will be able to successfully integrate into the organization if employed.

Considerations for Hiring Decisions.

This axial code consists of a family, or theme, of four open codes (Hiring Manager Experience, Job Position Concerns, Offense History, and Severity of Crime) that were the most grounded in data, and which appear to play a pivotal role in the hiring manager consideration process of ex-offender applicants. One potential model of how these concepts are associated in the hiring manager consideration process can be found in Figure 1, following a detailed discussion of each concept contained within the model.

Hiring manager experience in considering ex-offender applicants appears to be associated with how complex, or refined, the hiring manager's evaluation process becomes. Examples of this complexity can be seen in Table 3, Row 16 above. In these examples, Participant 7, who has considered very few ex-offenders for hire, has not developed a process that can help him to discern the level of risk associated with hiring different types of ex-offenders. Participant 7 has

not developed or refined a categorization process, and instead appears to rely upon gut instincts in his hiring decisions. This is much different from Participant 2 who had extensive experience in considering ex-offender applicants for hire. Participant 2 had developed a very clear categorization process that allowed him to easily categorize perceived risks associated with hiring different types of ex-offender applicants. As hiring managers gain more experience in considering ex-offender applicants, their process of categorizing ex-offenders based on perceived risks gets more complex as described in my research memo example found in Table 4. The categorization process appears to be framed within a matrix of job position concerns with two dimensions of risk. These dimensions are offense history and severity of crime.

Job position concerns appear to be paramount in this part of the ex-offender hiring consideration process. These concerns included not placing an ex-offender applicant into a job position related to his or her crime, trust issues related to cash handling positions, an ex-offender's access to customers based on crime severity, and an ex-offender's access to children or other vulnerable people if the crime committed was a sex or violent offense. In addition to the examples provided in Table 3, Row 19 above, the following select examples, from the many described by research participants, highlight concerns about placing ex-offenders into certain job positions.

Participant 1: Right, and we—we would not have hired an ex-offender for a cash handling portion of our business, but certainly for decorating cookies it was perfect.

Researcher: What were your reasons for not wanting an ex-offender to handle cash?

Participant 1: Ah, I didn't want it to be a, um, a draw, or um, what would you say, uh—uh something attractive.

Researcher: Okay.

Participant 1: I would want an ex-offender to work for me for a while before I would let them handle cash.

Researcher: So, to build trust.

Participant 1: Uh-huh. [Affirmation]

Researcher: So, you might have been afraid that having access to the cash might act as a trigger to crime?

Participant 1: Yes.

And,

Participant 5: If I had somebody check the box, and they said, I am—I, you know, they're 50 years old, but at 49 years old they were caught shoplifting, you know what I'm saying, or something, like stealing something, and I'm hiring them to be a cashier on the night shift when they have to be by [themselves], you know what I'm saying, by themselves, I probably would put that in another pile [Participant 5's body motions indicate that the applicant would be rejected].

Researcher: Right. [I indicate that I get the point that the applicant would no longer be considered for the position.]

Participant 5: But, by the same token, for the same position, if, I mean, I don't think having a DUI has anything to do with your ability to be honest, you know what I'm saying, that kind of thing. So, you tell me the truth, and if you haven't had one for 10 years then okay.

And,

Researcher: How do you see their crime affecting what job you put them in?

Participant 6: Well, here it wouldn't necessarily, because, like I say, we are going to match them with tasks based on the Core Values Index test. Now, everybody here for the most part, you know, are cross-trained and we are going to put them where the work needs to be done. That just means that violent offenders are going to have hand tools, power tools, and files, or whatever, in their hands to get the job done; but if they pass the screening process, and they are doing well out there on the floor, then I wouldn't necessarily think twice about them.

Researcher: So, I'm an ex-offender, and my crimes are petty theft, is there any position here that you wouldn't put me in?

Participant 6: No. No. I mean, if you were still somebody that stole, I mean maybe I'm wrong, but you know petty theft is kind of a crime of opportunity. You see something that you like, or you see something that you need, or you see something that you think you can turn for cash quickly, you take it; and there's nothing like that here. They did have an issue before I started here of people just assuming that it would be okay for them to take the recycling and keep the check for it. Those metals are worth something. There's a few things that you could take from here, and if you want to do some damage with them you could, but that's not why you took stuff. Right? There's just nothing out there to lose that is vulnerable.

And,

Participant 2: Generally, when it comes to what they're looking at, I try to draw a direct nexus to the position.

And,

Researcher: And so, you obviously wouldn't hire that one whose crime was related to the very position he was trying for.

Participant 2: Right, correct. Yeah, if this person's job is an accountant, or to handle my POS [point of sale] at an event, doing money, and you have a theft; and frankly, it's not that if you have a theft that you are out, but if you have a recent theft, or you are minimizing, or you're not taking accountability for what happened, then, yeah, you're not getting the job.

And,

Participant 8: If I can give you another example, early, a couple years, 2 or 3 years after I bought the business, I had a person that on the application said they had not had any previous criminal history. After some period of time, I had found out that she actually had been in prison for embezzlement, but she was doing a lot of accounting functions for me, and privy to everybody's Social Security number information, payroll, and everything else. So, I felt like that was a real compromise. Had I known that I may have given her other responsibilities, but there is no way that someone who was an embezzler before that I would hire them for that. In fact, I'd even interviewed later on a bookkeeper, that was quite open, and said "I went to prison for this. It's behind me," but I felt that risk was, she may be okay in a sales position, but that's probably too much of a risk to employees to put her in as a bookkeeper. So, in that case, that did, basically in my mind, disqualify her from being considered for that position. So, I look at the type of crime, the length of time, and what kind of position that they will be working in.

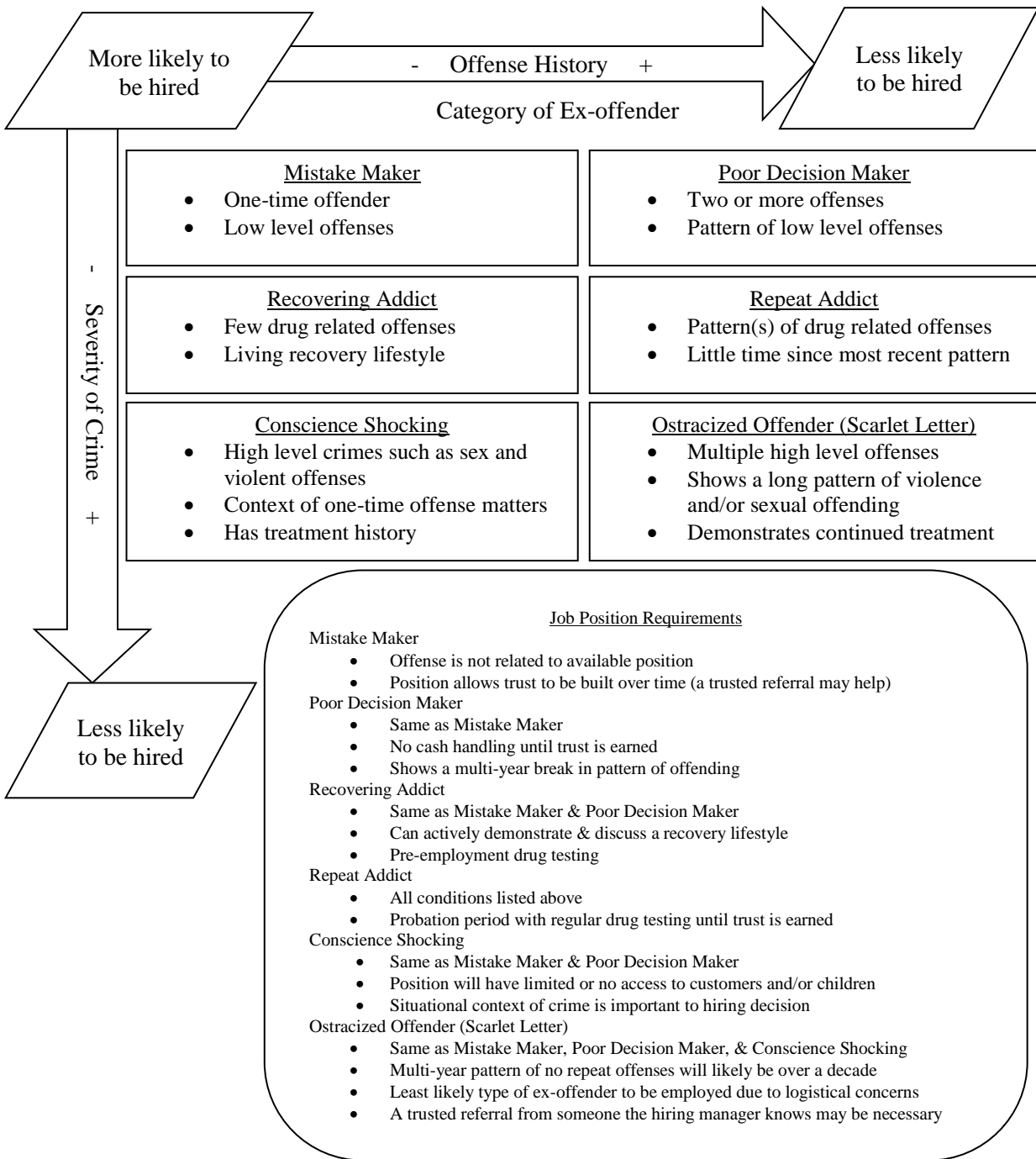
Participant 8's final sentence above makes for a good transition into discussing the two dimensions of this axial code: Offense History, which looks for the number of offenses, the time

since the last offense occurred, and if the offenses describe a pattern of criminal behavior; and Severity of Crime, which consists of more than legal definitions related to whether a crime is a misdemeanor or felony. Hiring managers also appear to be influenced by the situational context of the crime and the length of time an ex-offender applicant was incarcerated when considering the Severity of Crime. Hiring managers may infer that length of incarceration is related to the severity of the crime committed, and/or to the loss of relevant job skills needed to be a productive employee.

If Offense History and Severity of Crime are placed on different axis on a grid, then hiring managers may form a simple typology of ex-offender applicants that make it easier for them to assess potential risk (an example of one possible typology can be seen in Figure 1; for instance, the category of Mistake Maker would include an ex-offender applicant with one low level offense). Ex-offender applicants with few offenses and less severe crimes have a greater chance of being placed into a job position relative to ex-offender applicants with several offenses and more severe crimes. The more offenses that an ex-offender accrues, and the more severe those offenses were, then the harder it becomes for a hiring manager to balance logistical concerns related to filling the open job position, with the criminal history of the ex-offender applicant (as represented in Figure 1 under Job Position Requirements).

Figure 1

Considerations for Hiring Decisions - Model



Some examples of Offense History considerations can be seen in Table 3, Row 22, and some Severity of Crime considerations can be seen in Row 26 of the same table. Participants provided many examples of this type of thinking. A few more examples can be seen below.

Participant 1: I would want to know more about the history of what the offense was.

Researcher: Why is that important?

Participant 1: Because, I think, if a woman serving prison time up there for hitting her husband with a claw hammer, after being abused for years, shouldn't bother to be there. I think there are a lot of people that get into situations where they have to strike back; and so, that is very different to me than someone who willfully goes out and just murders somebody for the heck of it.

And,

Participant 3: What did they do? What was the offense? Is really, the first question that pops into my head because there are so many different kinds of offenses, and offenders can be anything from tree spiking to, you know, domestic violence.

Researcher: Right, so what makes that important to you?

Participant 3: I would think that it would affect their ability, you know, what affects their ability to perform the job? Is, ultimately—any applicant, you know, with any applicant that's what we want to investigate is: Can you do the job; because we don't want somebody's behavior or actions to affect our operations here.

And,

Participant 6: What the offense was because, like I say, if it was a violent crime or sex crime I would definitely think twice about hiring them just because we are so close

around here. People's kids are here. Like I said, sex offender I would probably want to find out why, but, you know, if it was rape or molestation, I probably wouldn't hire them.

Researcher: You wouldn't hire them, probably. That's because of issues related to workplace safety.

Participant 6: Yes.

And,

Researcher: Would it be fair to say that the more egregious or shocking to the conscience that someone's offense is that maybe the less likely you would be to hire them?

Participant 6: I would say yes, but only if it was a crime of violence or sexual in nature. I don't think it's an unusual answer. I mean, I was reading an article the other day, well, not the other day, it was a couple months ago, about a town in Florida that is built on an old sugar plantation and it's just sex offenders; and the ones that are married and their wives and kids that live there along with some descendants of slaves that once worked the sugar plantation; and the, I think, that society does it on purpose sometimes to ostracize them, and give them a high recidivism rate. Sometimes, I mean, for good reason. I agree with the sex offender list existing. I just don't agree, necessarily, that everyone on there is a sex offender. You know, the teenage love affair and parents get mad, the statutory rape charge which makes you a sex offender. I don't necessarily subscribe to that. Kids today trade, you know, intimate pictures of each other, bad judgment, but sex crime? I don't think so. If the guy gets caught with those pics on his phone, and in some jurisdictions, he is now a sex offender.

Researcher: Okay, I'm hearing that you see a stigma attached to that sex offender title, which might not be as severe as the stigma attached to a violent offender.

Participant 6: Yeah, I think there are definitely people that have that label of sex offender who don't necessarily deserve the label. The punishment doesn't fit the crime and the situation.

And,

Researcher: So just from your experience, you see that there's a difference between a habitual DUIist, and someone who just got one once from leaving a party intoxicated.

Participant 2: Correct.

Researcher: And, you're using that context to make a decision about whether or not to have this person proceed through the hiring process.

Participant 2: Through the hiring process. Yeah, and in our case, all of our jobs require transportation. You know? We are based and work in our homes, but we run events throughout the state of Oregon; and, uh, actually Oregon and Nevada both, and so, you are transporting and, often times, I use my full-time employees to transport our contractors back and forth with renting vehicles. So yeah, I need to make sure you are not—this is not going to be a problem. So, you look at a pattern of things that happen. Again, a big difference between somebody who has a theft or burglary once when they were younger, compared to somebody who has six of them in a period of time.

Researcher: Is there anything someone that has six of them can do to also be considered and passed through?

Participant 2: You know, I think so. I'm a strong believer we as a society profess to have a rehabilitative mindset. That is why we call it corrections, right? We're going to

correct your behavior and put you out; and I'm going to speak some your language in this, and we have the Oregon Accountability Model here, which says a lot about what somebody who goes through Oregon's correctional system should have the opportunity to participate to make them a contributing member of society when they get out. So, if you use someone who has multiple incarcerations, one of my first questions is “what programs did you participate in while you were incarcerated?” And, if the answer is “none,” clearly they're not trying to make right on things.

And,

Participant 4: Well, I think the first thing you have to kind of consider would be how long has it been since the last time; and how frequent their previous offenses that occurred to incarcerate them occurred, and how much time in between each of those too. I think time is a telling factor in that kind of story, but it's kind of like an alcoholic. I mean, if an alcoholic falls off the wagon, and they were dry for 3 months, and then they fell off and they got back on. Then, on the way, they stopped again, and then they went for 5 months or 6 months. Then they end up drinking and drinking again. If they haven't beat their personal record as far as how long they've been off of not drinking, then I don't know that they've got there yet. But, if a person truly has had multiple mistakes, and it's been 6 years, and those mistakes were made when they were in their teens or early 20s kind of thing, and it's been 6 years you can definitely look at that and see. You know, you can still ask some questions to see where their head is at, but I think the main thing you see is—the ultimate thing there is the time consideration as a reason to believe that they may be past that point of high probability of reoccurrence.

And,

Researcher: The question I had posed before was: You have someone who is an ex-offender and they have come in and applied. They might have multiple offenses. What is it, that when you're considering them, what makes them employable to you?

Participant 8: So, some of that depends on length of time, type of offense, and the type of job that they are interviewing for. Probably the most common offense is tied into drugs, and for that I tend to look at a length of time. If somebody's offense has been fairly recent, it's a much higher risk for us, so we're not sure that they've turned the corner and are starting a new life. For example, if somebody's had a history with theft then I'm quite concerned with that because we, as a company, our culture is very open, very trusting. People leave purses in the open, lockers, and different types of things. So, that's not just a risk for us as a company, it is a risk for our fellow employees.

In summary, hiring managers may view the logistics of the available position when considering an ex-offender applicant for employment. The experience of the hiring manager in evaluating ex-offenders for hire may determine how robust his or her categorization process is for mitigating risk to the organization when making a hiring decision. Categorizing ex-offender applicants may involve a typology along two dimensions: Offense History and Severity of Crime. This means that offense history, especially as it relates to patterns of criminal behavior, and severity of crime, to include the situational context of the crime, together must be perceived by the hiring manager as an acceptable risk based upon the requirements for the open job position.

Nature of Applicant's Criminal Behavior.

Hiring managers may perceive the nature of the applicant's criminal behavior as being important to their hiring decision. Several related concepts are important to hiring managers

when making an evaluation about an applicant's nature. These may include whether an ex-offender takes accountability for his or her criminal actions (see Table 3, Row 1 for examples), whether the hiring manager's curiosity about the offense is satisfied (see Table 3, Row 8 for examples), whether the ex-offender demonstrates a true commitment to changing his or her criminal behavior (see Table 3, Row 11 for examples), whether the hiring manager sympathizes or empathizes with the ex-offender applicant's story (see Table 3, Row 29 for examples), and whether the ex-offender is perceived as being truthful and open about his or her criminal past (see Table 3, Row 30 for examples).

One thing to keep in mind with these concepts is that the research participants expressed how important it is for an ex-offender applicant to freely, openly, and truthfully share his or her criminal past and story without the hiring manager having to dig for the information.

Participant 3: Socially, if they weren't adaptable, you know, if they weren't responsive to my questions. If they were hard to dig answers out of. I shouldn't have to dig for an answer with anybody. I feel like there should be a back-and-forth conversation in an interview, and if you don't have those skills then I don't know how far that interview is going to go; and I don't know how—it's not somebody you necessarily want to work with on a daily basis. So, that applies to everybody, but I can picture an ex-offender, maybe, have different social traits than those who don't have that experience of being in a correctional facility. Or, whatever it may be. It depends on how long they were there, and how they came out of, you know, there are people who have been there for 10 years and have great social capabilities, and people that have been there for 2 months and didn't have any social abilities to begin with.

And,

Participant 5: The best practice, to me, would be that as an offender, that I would know, that I would feel confident, do you understand? That I could tell you what my offense was because I think I deserve that. Okay, to make a good decision, and the utopian practice would be that the offender, you know, is interviewed by someone who is empathetic, and that is fair. If it could be an empathetic Solomon, you know what I'm saying, then that would be the utopian thing; and that the offender tells the whole story.

Researcher: You shouldn't have to dig it out of them.

Participant 5: No . . .

And,

Participant 8: One other comment I was going to mention to you, one thing that is important to me when someone is sharing with me what their criminal history was, is I do look really hard at how open and honest they seem to be to me. So, if they seem to be evasive, if they don't want to really, you know I'm the only person that we ask them to share this kind of information with, and they may interview with a lot of different people but I'm the only one that goes into their criminal history; but the more direct and open they are with me that gives them a lot higher marks than somebody who tends to be evasive, or I have to basically pull information out of them.

Researcher: Okay, so you don't want to—you don't want to feel like you have to yank that information from them. You want them to be willing to share that with you. You shouldn't have to dig.

Participant 8: Correct.

Researcher: Okay, so what thoughts, if any, enter into your mind when you're considering an ex-offender for hire?

Participant 8: As I've mentioned before it's really what was their offense, how long ago, and have they changed.

Researcher: If you get those things, and you don't have to dig it out, does that satisfy your curiosity?

Participant 8: Again, we talked before about the three things. So, if it doesn't conflict with those three things, then I'm going to give them the benefit of the doubt and we're going to check references, and then they basically are on the same playing field as anybody else.

The more honestly and openly that an ex-offender shares his or her story, then the more likely that the hiring manager may perceive the ex-offender as a safe risk to employ. If the hiring manager feels like he or she had to dig the criminal information out of the ex-offender, then he or she may perceive the ex-offender applicant as attempting to be dishonest or deceptive.

Promote Relational & Supportive Organizational Culture.

Hiring managers that participated in this research were all supportive of employing ex-offenders, and all appeared to express attitudes supportive of affiliative and/or humanistic-encouraging organizational cultures. Cooke and Szumal (1993) described affiliative organizational cultures as ones “that place a high priority on constructive interpersonal relationships. Members are expected to be Friendly [*sic*], open, and sensitive to the satisfaction of their work group. (Dealing with others in a friendly way),” and humanistic-encouraging organizational cultures as ones “that are managed in a participative and person-centered way. Members are expected to be supportive, constructive, and open to influence in their dealings with one another. (Helping others to grow and develop)” (p. 1329). Examples of these participant experiences can be found on Table 3, Rows 2 and 17.

A couple of participants described being employed by a current, or former, organization that appeared to promote a power oriented culture. These power oriented cultures did not appear to be supportive of employing ex-offenders.

Participant 2: Thank God I'm in a position where I can influence the culture. So, our owner, given his—if left to his own devices, and fortunately over a couple years I've been able to convince him to let me handle hiring, and you're just going to get us sued because of the way you hire people. I am able to influence. Now, if it was under his jurisdiction, in fact, our current employees going through diversion right now, he wanted to terminate them as soon as they got arrested for DUI.

Cooke and Szumal (1993) described a power oriented culture as being:

Nonparticipative organizations structured on the basis of the authority inherent in members' positions. Members believe they will be rewarded for taking charge, controlling subordinates and, at the same time, being responsive to the demands of superiors. (Building up one's power base). (p. 1330)

Examples of these participant experiences can be found on Table 3, Row 23.

Recruiting Ex-offenders.

This axial code represents a minor piece in some hiring manager consideration processes. Hiring manager consideration processes may be influenced by their perceptions of available ex-offender hiring incentives (such as insurance bonding and wage subsidy programs) and the bureaucracy involved in receiving those benefits. Additionally, hiring managers with a professional contact within a correctional entity may be more likely to actively recruit ex-offender applicants. Some examples of participant experiences can be viewed in Table 3, Rows 10 and 24.

Selection: Preliminary Consideration & Scrutiny.

This axial code captures several of the routine concepts that occur at the preliminary stages of a selection process. These stages act as the first line of scrutiny in a hiring manager's consideration process. The applicant evaluation process is generally the same for both ex-offender and non-criminal applicants at these stages. The difference is that during these stages an ex-offender's criminal background may be discovered. Once the criminal background of an applicant is known, it may result in a higher level of scrutiny prior to a hiring manager making a favorable decision for an ex-offender applicant to be employed. Three concepts appear to be important to hiring managers in these early stages of the selection process: background check considerations, perceptions about the applicant's interview skills, and perceptions about the applicant's job skills (see Table 3, Rows 3, 18, and 20 for examples).

As Participant 1's experience suggests, "unless they have a strong company policy against hiring felons, but especially in small businesses, I don't think that people have a strong, um, employee policies as they do in larger businesses," a formal background check is unlikely to be completed in smaller organizations. A main reason for this appears to be the cost of obtaining background checks. As Participant 5 reminded me, "they charge you per county" and Participant 8 confirmed, "it's not an easy or inexpensive check to do." Thus, the likelihood of a small organization conducting a formal background check appears to be small. An exception to this unwritten rule may be if an organization requires a background check to maintain professional certifications.

Participant 3: Those questions are important to ask for the basis of our certifications.

Researcher: To maintain the certifications?

Participant 3: Yes, there has to be some background investigation, in some fashion, to be conducted. So, I have to ask those kinds of questions. Whether or not I act on them is up to us. It is our decision as an employer.

Researcher: And, that's to protect not only the employer, but your customers?

Participant 3: Correct.

All participants indicated that having good interview skills was important for ex-offenders if they hope to advance along in a selection process. Participant 1 indicated that ex-offender applicants should be “dressed appropriately,” “feel confident,” and “look you in the eye, to not be fidgety, to sell themselves, to not be defensive when they're asked questions.” In addition, Participant 1 indicated that unfavorable appearances such as “chewing gum, or swearing,” or dressing like a “streetwalker” could result in an ex-offender applicant being removed from the selection process.

Participants 3, 6, and 7 also indicated that scores on a pre-employment assessment test were important in their consideration process. As Participant 3 stated:

We send everybody an email invitation to take the Core Values Index test; the CVI test. It's kind of like a personality test, but it's more geared towards your innate nature. They say that if you take it years later it's not going to change, and we review the scores based on the position that is open, because we already know what kind of scores we are looking for for the positions that we are hiring for. The strengths and weaknesses of each score. Based on those scores, we will invite applicants to an interview, and then at that point we will look at the résumé and the cover letters.

During the interview, Participant 3 wanted to see “a positive person,” while Participant 7 liked “to connect with people” in order to determine if an applicant would advance in the

selection process. Participant 6 looks at “their body language.” This was similar to Participant 5 who appreciated applicants “making eye contact, body language, relatability, humility” over someone that acted with “bravado.”

All participants focused on an applicant’s job skills as the primary consideration in their selection process. If an ex-offender applicant was perceived as not having the correct job skills, then he or she would not advance, in the same manner as a non-criminal applicant wouldn’t advance without the necessary job skills. At this preliminary stage of the hiring manager consideration process, Participant 4 summed up what many participants indicated:

To see how successful they would be going forward, and I exclude the criminal history at that point. I’m just going off of their skills, and their history, and experience at work.

We talk about behaviors and traits that we try to garner from the conversation to see if they’re on time, whether they care about quality, whether they have attention to detail, whether they have dexterity in their fingers to do the work; and so just the surface questions to see whether on the surface could they be successful. At that point, if I find whether they have had or not had criminal history before, I would suggest that we dig deeper and potentially keep them in the selection process.

Digging into an ex-offender applicant’s criminal background, in most cases, appears to be a higher level of scrutiny that is completed after a hiring manager has determined if an ex-offender applicant meets his or her preliminary expectations for an open job position.

Service and Community Oriented.

The hiring managers that participated in this dissertation research all voiced attitudes that supported a person-centered service and community orientation. That is, they voiced beliefs that all people were deserving of second chances, that people have the ability to change, and that they

had desires to make a difference in people's lives. The participants viewed hiring ex-offenders as a worthwhile activity in itself, as well as for achieving community goals related to improving the criminal justice system. The participants also believed that the criminal justice system should be fair, but that it did not always live up to this ideal, which helped to foster many of the aforementioned beliefs.

Researcher: So, there's an element also for you, of how is the justice system fair? In some of your decision-making.

Participant 5: Well, yeah. I mean, this one young man he—he, it was one of those things. He doesn't look like the cleanest, you know what I'm saying, especially off the job. You know what I am saying? He's not as clean-cut as you might want him to be. He pulled out, he was at a local bar, you know, he was at a bar. He was at a pub, or whatever, and he pulled out, and he, um, and they stopped him and they cited him for exhibition of speed; and I mean, quite frankly, in that distance? I don't know even how you could do that?

If an ex-offender applicant was perceived as being treated unfairly by the criminal justice system then it could influence a hiring manager's consideration process (see Table 3, Rows 4, 5, 9, 13, and 32 for examples).

Selective Coding

To best understand selective coding, it may be good to use an analogy of perspectives from different levels of observation. Open coding is similar to being at the ground level of a phenomenon. Open coding allows a researcher to learn from participants' first person perspectives in order to form concepts in context with the observed data. Axial coding takes the process to a more tactical perspective where insights are gained from reviewing open codes for

thematic relationships from more of a third person perspective. Selective coding then provides a higher-level view. It is a more strategic third person view of the data. In other words, selective coding allows a researcher to show how the axial codes come together to form a coherent, accurate, and overall picture of the phenomenon (Corbin & Strauss, 2015).

Three high-level selective codes were created as part of the data analysis. These codes were organized by a primary code, *Hiring Decision: Additional Scrutiny for Ex-offenders*, and two secondary codes, *Worldview Concerning Ex-offenders* and *Recruitment, Selection, and Integration*. These high-level selective codes may be organized into phases beginning from Phase 1 – Worldview Concerning Ex-offenders, which moves into Phase 2 – Recruitment, Selection, and Integration, and that ends at Phase 3 – Hiring Decision: Additional Scrutiny for Ex-offenders. Based on the detailed descriptions of participants who have experienced the phenomenon, these phases reflect one potential process that hiring managers use as they move through considering an ex-offender job applicant for an employment opportunity.

The axial codes discussed previously were categorized under the three selective codes as detailed below:

1. Worldview Concerning Ex-offenders
 - a. Experience with Law Enforcement, Corrections, & Ex-offenders
 - b. Gender
 - c. Promote Relational & Supportive Organizational Culture
 - d. Service and Community Oriented
2. Recruitment, Selection, and Integration
 - a. Integration into Workplace
 - b. Recruiting Ex-offenders

- c. Selection: Preliminary Consideration & Scrutiny
- 3. Hiring Decision: Additional Scrutiny for Ex-offenders
 - a. Good Fit for Organization
 - b. Considerations for Hiring Decisions
 - c. Nature of Applicant's Criminal Behavior

The hiring managers that participated in this dissertation research appeared to move through these selective codes from a wide-range perspective (their Worldview Concerning Ex-offenders), into a mid-range perspective oriented around common selection processes (their Recruitment, Selection, and Integration practices), and arrived at a close-range perspective in order to make a fair hiring decision (their Hiring Decision: Additional Scrutiny for Ex-offenders). These phases appear to rest one-inside-another, with the internal phases being influenced by the outer phases in order for a hiring manager to arrive at a hiring decision. This process will be described in detail, along with the overarching theoretical code (*Arriving at a Decision to Hire/Not Hire an Ex-Offender Applicant*), as part of the theory proposition below. Included within the theory proposition is a detailed example that demonstrates how a hiring manager may move through the process.

Theory Proposition

This section proposes a theory, based upon a thorough analysis of the collected data, that answers the research question: “How do hiring managers describe the process of considering ex-offender job applicants?”

Figure 2

Conditional/Consequential Matrix

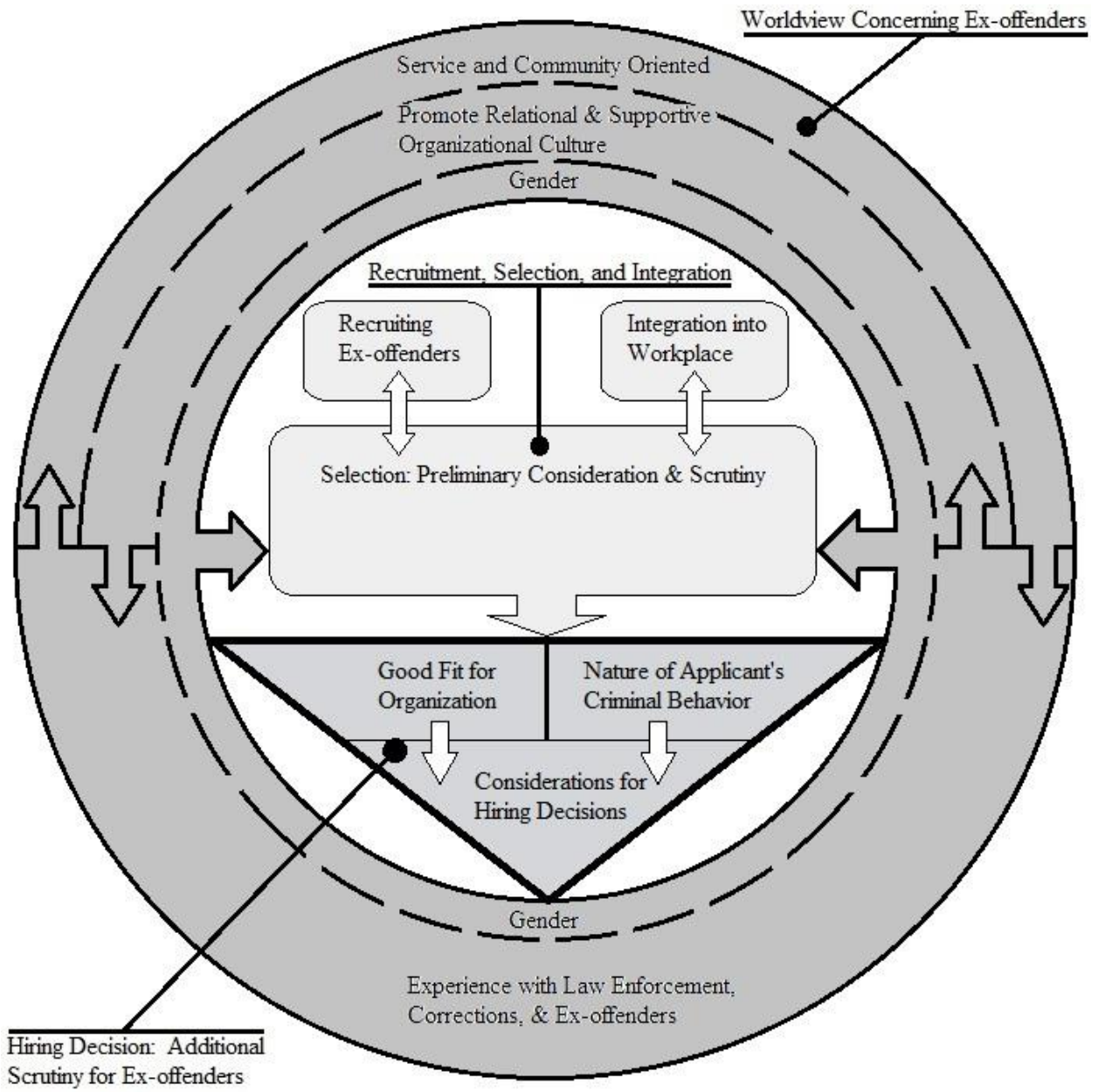


Figure 3

Proposed Theory

THEORETICAL CODE:
ARRIVING AT A DECISION TO HIRE/NOT HIRE AN EX-OFFENDER APPLICANT

Selective Code 1 (Secondary Code):

WORLDVIEW CONCERNING EX-OFFENDERS (Phase 1)

Axial Code 1. *Experience with Law Enforcement, Corrections, & Ex-offenders*

Open Code 1. Exposure

Open Code 2. Worker vs Employer Rights

Axial Code 2. *Gender*

Open Code 1. Gender Differences Female

Open Code 2. Gender Differences Male

Axial Code 3. *Promote Relational & Supportive Organizational Culture*

Open Code 1. Affiliative

Open Code 2. Humanistic-Encouraging

Open Code 3. Power

Axial Code 4. *Service and Community Oriented*

Open Code 1. Belief in Second Chances

Open Code 2. Belief that People Can Change

Open Code 3. Desire to Make a Difference in a Person's Life

Open Code 4. Fairness

Open Code 5. Worthwhile Activity

Selective Code 2 (Secondary Code):

RECRUITMENT, SELECTION, AND INTEGRATION (Phase 2)

Axial Code 1. *Integration into Workplace*

Open Code 1. Set the Example

Open Code 2. Successful Environment

Axial Code 2. *Recruiting Ex-offenders*

Open Code 1. Desire to Hire

Open Code 2. Professional Contact

Axial Code 3. *Selection: Preliminary Consideration & Scrutiny*

Open Code 1. Background Checks

Open Code 2. Interview

Open Code 3. Job Skills

Selective Code 3 (Primary Code):

HIRING DECISION: ADDITIONAL SCRUTINY FOR EX-OFFENDERS (Phase 3)

Axial Code 1. *Good Fit for Organization*

- Open Code 1. Bias Awareness
- Open Code 2. Business Interests
- Open Code 3. Likability
- Open Code 4. Stability

Axial Code 2. *Considerations for Hiring Decisions*

- Open Code 1. Hiring Manager Experience
- Open Code 2. Job Position Concerns
- Open Code 3. Offense History
- Open Code 4. Severity of Crime

Axial Code 3. *Nature of Applicant's Criminal Behavior*

- Open Code 1. Accountability
 - Open Code 2. Curiosity
 - Open Code 3. Ex-offender's Commitment to Change
 - Open Code 4. Sympathy/Empathy
 - Open Code 5. Truthfulness & Openness
-

The theoretical process that a hiring manager uses to arrive at a decision to hire/not hire an ex-offender applicant begins well before the two people are introduced. The hiring manager's life experiences have a ripple effect that influence his or her decision making process for employing ex-offenders from start to finish of a selection/hiring process. The theoretical process appears to move through three phases that resemble going from a wide-angle, impersonal, but community oriented view; all the way down to a highly-focused, ground level, and personal consideration process. Each phase adds to the degree of scrutiny that a hiring manager uses when considering an ex-offender applicant for hire.

Arriving at a Decision to Hire/Not Hire an Ex-Offender Applicant

In order to explain the theoretical code in appropriate detail, two participants from organization Sigma will be used in a walk-through example of the theoretical process. The experiences of Participants 4 and 8 provide rich details that will highlight their movement through the three phases of the process: *Worldview Concerning Ex-offenders; Recruitment, Selection, and Integration*; and *Hiring Decision: Additional Scrutiny for Ex-offenders*. Movement through these three phases assists a hiring manager to arrive at a decision to hire or not hire an ex-offender applicant.

Phase 1 – Worldview Concerning Ex-offenders

The hiring manager consideration process of ex-offender applicants begins with each individual hiring manager's worldview of ex-offenders. These worldviews appear to be formed from two types of lived experiences that are closely associated. The first type is the hiring manager's past exposure to law enforcement, corrections, and/or ex-offenders in his or her personal or professional life. These exposures appear to inform the hiring manager's attitudes in regard to worker and employer rights. The following shared experience highlights this first type of lived experience.

Researcher: So I want you to think right now just about that word “ex-offender” or “felon,” and when that comes into your mind, and you’re thinking about that in a hiring context, what's the imagery that comes into your mind?

Participant 4: I don't have one specific thing, and it's because I have some experience with hiring felons, but also with the law. One time my ex-wife, my son's mom, tried to get me in trouble with her video camera.

Researcher: Okay.

Participant 4: So she's out, during Halloween, she is on a business trip. We're going through a divorce at the time. So, I said, "can I borrow your video camera and take some videos of our son at Halloween trick-or-treating?" [She says] "Sure. Oh yeah, that would be great so that I can see it." So, I borrowed her video camera. I take pictures of him trick-or-treating, you know, on the video, and all that stuff, and then I still had it at my house because I was watching my son. She comes back into town and demands it back right that second. I go, oh my gosh, she is going to call the cops. So, I was kind of fearful of that, so I took it to the UPS store. I decide just to ship it back because I didn't think seeing her in that state would be good.

Researcher: Right.

Participant 4: I ship it back to her with UPS, and I have the receipt; and it was two days, or whatever, and so she was going to get it. But, all the threatening, it scared me. So, a day later, it hadn't arrived yet, I guess. A day later, she demanded it back again because it was my weekend with our son. She was, "I'm going to come pick up our son." I'm like, "No, this is my weekend." And she was, "No, I'm going to call the cops and tell them that you stole my video camera." I said, "I didn't, I shipped it back." The cops come to my door. They say, "Are you Participant 4?" [I say] "Yeah." They go, "Did you take the video camera?" I tell them the same story I just told you, "Yes, I did. I borrowed it because she said I could. I shipped it back." Well, the minority cop that was with this guy said, "Well, do you have a copy of the receipt that shows you shipped it back?" I say, "Yeah, I do. It is right over here." The other guy, cop, says, "Nope. It is too late. Turn around and put your hands behind your back." Because the value of that item was over \$500, they were going to arrest me for felony theft. Which was just a joke.

So, when you tell me about a felony, my idea of what a felony is—is so marginal that I don't get that original shock value, you know, as if someone put a gun to somebody's head. I don't get—I don't make that immediate analogy.

Researcher: It sounds almost like a cautionary tale. As I get a read from that story, what things that come to my mind is that it could happen to any of us.

Participant 4: Yes, that's my point. The line between what is and is not legal, and especially at that felony level, is very fine.

Researcher: And, that's the imagery that comes into your mind.

Participant 4: Yep, so I don't, I try not to predisposition it at the point of selection because I don't know. I mean, I haven't asked, and I don't know what the nature of that is; and until we get to a point where we really feel comfortable of asking, and that's not my level, I'm not under the direction to do that, I think that if I was at the level of the owner, making that decision, then I think I may start to get into that discussion; and get some ideas about what that would be when they tell me the nature of the actual offense.

Researcher: Alright. Shifting focus a little.

Participant 4: Anyway, the end of that story is they released me because it was a total bogus thing.

Participant 4's lived experience humanizes ex-offenders for him, and gives him a favorable worker's rights perspective that a person's criminal past should not be considered at the preliminary stages of a selection process. As will be demonstrated, this viewpoint influences later phases of the hiring manager consideration process.

The second type of lived experience is having a service and community orientation, which may include a belief in second chances, a belief that people can change, a desire to make a

difference in a person's life, a concept of fairness, and/or a belief that hiring ex-offenders is a worthwhile activity. A hiring manager's service and community orientation appears to be fluid with his or her views about organizational culture. These two axial codes appear to be closely related. In general terms, the service and community orientation appear to influence the kind of organizational culture the hiring manager will choose to promote and support. It appears that person-centered and relational organizational cultures, such as affiliative or humanistic-encouraging, are more conducive to hiring ex-offenders than are organizational cultures with a power orientation. It is important to note that a hiring manager's organizational culture may also influence his or her service and community orientation, which is why the Conditional/Consequential Matrix (as seen in Figure 2) shows a porous border (dotted line) separating these two axial codes. This interaction of the second type of lived experience can be seen below with organization Sigma's owner.

Participant 8: It comes back to my feeling is that everybody in life makes mistakes, and every single person, myself included, makes mistakes that we are not proud of; and I think you mentioned before, you know, have they truly put this behind them and moved on. That probably comes down to the key question in my mind is can I determine if this is past history, or is it a higher risk because it's been repeated, repeated, repeated.

And,

Participant 8: The culture is extremely—the company culture is extremely important to me. One of the reasons I bought a business was to help give a good workplace for people to work so they can both learn and grow. As well as, you know, I've worked in some bad places before, places I haven't enjoyed, and I don't think work has to be a negative place. I've had relatively good success at that.

In Participant 8's first quote above, he identifies key pieces of his service and community orientation. These include a belief in second chances and a belief that people can change. These beliefs act fluidly to support Participant 8's second quote above, which indicate the importance Participant 8 places on his organization's business culture. Participant 8 wants to foster a person-centered, supportive, and relational culture where people can learn and grow. A place, perhaps, where mistakes can be overcome through new learning; and where growth can foster lasting changes in people. Participant 8's perspective appears to be supported by his hiring manager.

Participant 4: I think, again, back to the culture of who we are; I think the ways I, personally, or this company, could help them to be a better person. I think of the hope. The possibilities for positive change. I think of growth and betterment.

Researcher: It makes you feel good.

Participant 4: It does, yet, there's also—it's measured with a degree of caution and trying to be realistic about expectations.

The final aspect of a hiring manager's worldview concerning ex-offenders appears to be a gender filter. That is, a person's two types of lived experiences, that are postulated as being under this selective code, may pass through a gender filter and influence his or her interpretations of those lived experiences; especially as those experiences relate to a hiring manager's perspectives about his or her organization being a family, and the need to keep that family safe. Female hiring managers may view their organization as a family where forming relationships is important, but may also anthropomorphize it as a child; whereas male hiring managers may associate the organization with a family for the purpose of increasing comfort and enjoyment in the workplace. The main difference between these two perspectives appears to be the amount of

scrutiny a hiring manager may place on determining the kind of threat an ex-offender applicant poses to the workplace. A hiring manager that views the business as a child may be more protective of the business than one who views it as a generalized family. The male gender filter appears to be involved in the below examples.

Participant 4: The company culture here is very—its—we're productive, but we like to have fun and it's relaxed. We, I think, most individuals here care very much about the quality of the product they produce and also the rate at which they can produce them at. And,

Participant 8: The biggest concern I have really is the potential negative impact to our other employees. So, we mentioned before like theft. Now somebody that is not an ex-offender can steal, and we've had that happen to us, but it is “am I introducing a potential negative” into the culture. A lot of people say that business is like a family, and what are you bringing into this family that could cause some harm to someone that is already here? You know, basically, an innocent bystander. I would say that's probably my biggest concern.

Researcher: You do consider this business as your family, don't you?

Participant 8: Absolutely.

And, for contrast purposes, here is a female gender perspective from another business owner.

Participant 5: I think violence, I mean, again, it goes back to how long ago was the violence? What triggered the violence? You know? Violence is a very concerning thing to have in the workplace. Again, back for the safety and protection of all, you know what I'm saying? All your other employees; and I always think it's amusing that the very

people that are standing down there in Salem passing this stuff, if they were asked to have this person or this person take care of their children, which one would you take?

Researcher: It's kind of like they're disconnected from reality.

Participant 5: Right, I mean, come on. You have a choice of having this person with a completely clean record to take care of your children; or you have this person with a violent criminal offense take care of your children.

Researcher: Right.

Participant 5: And, you're choosing a babysitter, which one are you going to choose?

Researcher: Yeah, it's almost a no-brainer.

Participant 5: Yeah, so why is this so—well, “you’re not giving another person a chance?” Well, do you really want to take a chance with your children? Our businesses are our children. You know what I mean? Our businesses are our family, and are our children.

The different aspects of a hiring manager's worldview concerning ex-offenders may influence the remaining two phases of the theoretical process. The first phase, the wide-angle view, sits above the other two phases. The focus of the hiring manager consideration process of ex-offender applicants may narrow with each phase, but the later phases may never fully leave the influencing shadow cast by the first phase.

Phase 2 – Recruitment, Selection, and Integration

This selective code encompasses the preliminary stages of considering an ex-offender applicant. The kinds of psychological and cognitive concepts that occur here are very process oriented and specific. They are designed to screen out applicants that are perceived by a hiring manager as not being qualified to fill a vacant job position. The axial code *Selection:*

Preliminary Consideration & Scrutiny is the main aspect of this phase. Concepts that influence a hiring manager during selection include the need for background check information, hiring manager perceptions concerning an ex-offender during an initial interview, and hiring manager perceptions about the ex-offender applicant's ability to do the job. In the quote below, note the hiring manager's respect for individual consideration during a selection process. As stated earlier, this appears to be partially influenced by his worldview associated with worker rights.

Participant 4: So I would, if they had check-marked something on the application that said "yes they had a criminal offense," I would understand that question and just like if it said "male or female" or that would've said something about religion, or marriage status, or whatever it was. It is not criteria that I would look at to eliminate them. So, I take an application side-by-side with another one. One says criminal history and one doesn't. I'm looking way beyond that. I don't even really consider it. I look at their—how—what they can do for us as a company or what their history has said about how reliable they are, or what skills they have that would lend themselves to what we do. That may, whether you have the checkmark for criminal history or not, that may get them an interview through the door. At the interview process, I still talk about everything that could be relevant to the job. To see how successful they would be going forward, and I exclude the criminal history at that point. I'm just going off of their skills, and their history, and experience at work. We talk about behaviors and traits that we try to garner from the conversation to see if they're on time, whether they care about quality, whether they have attention to detail, whether they have dexterity in their fingers to do the work; and so just the surface questions to see whether on the surface could they be successful. At that point, if I find whether they have had or not had criminal history before, I would

suggest that we dig deeper and potentially keep them in the selection process. Meaning, more people here may want to meet with them including the most important person that would deal with the criminal background history, and that would be the owner,

Participant 8.

And, later during the same interview.

Researcher: So, we talked a little bit about Oregon's ban-the-box legislation as you came in. You are aware of it. You can't put the conviction question on an application anymore. You can ask during an interview, or if you are going to hire someone if they've had that history. How do you see that new ban-the-box legislation affecting your consideration process, if any?

Participant 4: Me, personally, I don't. I don't see it affecting it greatly at all. Again, because it was never a criterion before to automatically dismiss a potential candidate because of it. We would bring them in the same way, and interview them, and at the point that we were interviewing somebody anyway; if we were talking with them that's when it's okay. Even when it was okay, they could checkmark the box. Now, with the new bill, and it is still going to go through the same channel—through the owner. It's at that point, it's at that level, that the decision is made now and that's the same way that a decision was made then. So, I don't see it here affecting us greatly at all.

The remaining axial codes under this selective code appear to be associated with the one described above, and may be considered by the hiring manager before, during, or after selection. If a hiring manager is specifically interested in recruiting ex-offenders, then two concepts appear to be necessary before that will happen. The hiring manager appears to need a desire to hire ex-

offenders, and also needs a professional contact who is associated with a correctional organization in order to target potential ex-offender applicants.

In organization Sigma's case, its hiring manager appears to have a desire to hire ex-offender employees, but he also appears to lack a professional contact within corrections that could make the process of recruiting ex-offenders a reality. As such, the desire to hire ex-offenders influences his selection process, but not to such a degree that he has put steps into place to actively recruit potential ex-offender employees; at least at the moment and time of his interview. In the example below, note the continued influence of the hiring manager's worldview concerning ex-offenders.

Participant 4: I think in some instances because we are open, we are a company that's open to giving people that second chance if they've gone through the whole process; and screened, and feel it's a good hiring decision for us without regard to specifically just the incarceration reference thing. I think that they sometimes could be an advantage because a person will work even harder because they are given a chance.

Researcher: They may be more loyal or hard-working because they don't get an opportunity elsewhere.

Participant 4: Right, because they won't get an opportunity elsewhere, and we want to give them an opportunity here, and continue to help them grow.

And,

Participant 4: You know, as far as—as far as the person who has been incarcerated before. Let's say they spent time in there [prison], they received technical skills training, or they worked a job in the laundry, or cooking, or the library, or whatever they do. If they truly want to help that individual, I don't know whether they do this now, but I

haven't seen it. But, having a point of contact for a reference check in a nontraditional sense because you're trying to check and see if what they said that they did during this incarceration period was happening.

Researcher: Like from a prison employer.

Participant 4: Like, if they are doing that job, then I think the state would be serving a solid purpose. The state or the institution would be serving a solid purpose for all their effort to rehabilitate these people if they were able to provide that information; as far as what their position was, how long did they do it, would you—not that you want them back in there—but were they the type of person you would be looking for again to fulfill the role. So, some basic information to work with as a reference check. Because, I think, that would be telling.

Researcher: That would be helpful for you as a manager for making a decision.

Participant 4: Yeah, because otherwise just, “No, I was in prison for 5 years.” Okay, well, “What did you do while in prison?” I don't know, “I worked in the laundry.” So, then what did you do? What was that like? You can ask the questions, but we have no way to assess them. We ask those questions of a normal person that may have worked at McDonald's. I want to know that same information from that employer.

The final axial code associated with this phase is considering how an ex-offender would be integrated into the organization's workplace. Hiring managers appear to accomplish this by setting the example for other employees and by fostering a working environment that promotes ex-offender employee successes.

Researcher: Eventually, it comes out, somehow, that this person who was hired is an ex-offender. What does that look like? How do you all deal with that? When that gets out?

Participant 4: I don't think we key on it; and if people were keying on it—if people were keying on it, and I found out, and I would observe that kind of behavior soon enough. I would be able to, I think, I would simply make a well-placed comment, in a well-placed time and meeting with the audience that would let people know that—if the nature was it just got out there and they were a good employee before—now people just know. They were this person before you knew anything about it, kind of thing; and reiterate that nobody's perfect kind of message, and we expect that what they produce here at work, that it is important they are doing that. Again, it is kind of like when people would find out if you had done drugs in the past. It could be as simple as, you know, what someone else gets paid. It is not a topic of conversation that should be continued to be brought up in the workplace, and maybe it's something like, I don't know, “Would you want someone to know all your deepest, darkest, secrets too?” Is this something you want to continue to talk about on a daily basis, or consider? If you've got a personal problem with it, you can come see me or the owner.

Researcher: It sounds like it gets back to the company values of this is going to be a good place to work. We want this to stay fun. We want this to be a pleasant work environment. So, you're going to find a way to put a stop to anything that would, kind of, bias that employee.

Participant 4: Yeah, I would. If I definitely see that kind of thing happening, then my comment would have the intent to normalize the behavior and our expectations of others around that person if it all of a sudden came out. We knew this before. It wasn't meant to be public knowledge, and it certainly wasn't meant to sit there and be a reason to isolate that person, or make them feel picked on. So, from my perspective, I would feel

very strongly, and I would say in a good number words, just going into, how I see this playing out from this point forward. That I don't, you know, I wouldn't want this and I would give a long speech and reasons, and back it up with stories about my past, you know, and here is what is going on. This is what we work next to, and so this is not what we are going to key on.

Researcher: You're setting the standard. You're being a moral compass. This is how I expect you all to behave.

Participant 4: Yeah, and, you know, I think to some degree that's why. I don't know how to build anything down there, or do anything down there. They do. They do, very well. My experience is in trying to keep groups working together. That's my job, and I think that I would find a time- and place-appropriate message to send. To reinforce a message that that is the last thing we want; is to make someone feel bad, still, about something that we already knew and made the decision to move forward on it.

And,

Participant 4: I would ask them, if we were to extend an offer to them, what they think that we as a company would be spending 8 hours of a day, 5 days a week at, that we can do to ensure that that [violence] would not be an issue here; and I'd ask, finally, if I was getting ready to extend an offer, if they ever got to a point that they felt that they couldn't deal with something that they could just let me know; and tell me that they need to go home, and we can deal with it outside. Just remove themselves from the situation so that they do not cause anything worse for themselves or for others.

This phase of the hiring manager consideration process appears to identify applicants with the necessary skills and qualifications to advance through the selection process. It is also

designed to locate ex-offender applicants from the pool of qualified applicants. As part of this process, the hiring manager may consider concepts such as his or her desire to hire an ex-offender or how to successfully integrate an ex-offender into the workplace if one is hired. These concepts appear to be additional levels of scrutiny that non-criminal applicants do not face. The additional scrutiny does not end at this phase of the consideration process. Due to the perceived risks associated with employing an ex-offender, any ex-offender applicants that pass preliminary screening may face higher levels of scrutiny in the next phase of consideration.

Phase 3 – Hiring Decision: Additional Scrutiny for Ex-offenders

This final phase of the hiring manager consideration process of ex-offender applicants is the primary selective code. Within the theoretical process, this is an important phase because it is the one that most directly answers the research question posed. In their consideration process of ex-offender applicants, hiring managers appear to scrutinize two main areas before seriously considering employing an ex-offender. In no specific order, hiring managers appear to determine if an ex-offender applicant will be a good fit for their organization and they make an inference, either positive or negative, in regard to the nature of an ex-offender applicant's criminal behavior. If these two areas are not passed to the satisfaction of a hiring manager's expectations, then it appears that the ex-offender applicant will not advance further in the consideration process. Ex-offender applicants that meet a hiring manager's expectations in these two areas may then pass to the final area, which involves the hiring manager considering whether the ex-offender applicant can logistically meet the requirements of the available job position. If few logistical concerns are noted by the hiring manager, then the likelihood of a hiring decision in favor of employing the ex-offender applicant may increase.

Determining whether an ex-offender applicant is a good fit for an organization appears to be done best by hiring managers that are aware of their own biases against ex-offenders. An ex-offender that is perceived as a good fit may generally have qualifications that align with the organization's business interests, may have characteristics deemed to be likable, and may demonstrate that he or she is stable within the community. Although Participant 4 was able to articulate these concepts in his interview, he did not have final say over hiring an ex-offender applicant within organization Sigma. That responsibility fell to the organization's owner. For that reason, our walk-through example will pass along to the owner of Sigma, Participant 8, to demonstrate this phase of the theoretical process. To begin with, Participant 8 demonstrates that he is self-aware of his own biases, and that he has implemented a selection and hiring process at Sigma to mitigate the potential harm such biases could have on an ex-offender applicant.

Participant 8: The way that we do it they generally meet with several people within the company prior to meeting with me. I'm typically the very last one they meet with. When I meet with somebody, I go through a normal interview first. Talk about work ethic, aptitude, and everything else first. The very last part of my interview is looking into the criminal history. So, it's not something that as soon as they come in the door we do that and that influences downstream. I purposely have that as the very last item so it's not like you have to get past this bad first impression, but we try and make an assessment of the person totally independent of the criminal history.

And, he provides an explanation that demonstrates how hiring ex-offenders aligns with the business interests of his organization.

Participant 8: Sometimes there can be a real advantage to us with taking the added risk of hiring an ex-offender. In that, every so often, we basically hit the jackpot. Right now,

Oregon has an extremely low unemployment rate. So, we will have ex-offenders that are being turned away from 80% of their other potential, you know, my competition, that is also trying to hire people; and so, by us having that as a consideration that we do, we may get somebody. For example, one of [the] things that our company cannot afford yet is to provide health insurance benefits; and so, it's hard for us, when we are playing on an even playing ground, to be competitive with the Intels and Nikes. The people offering these good, strong, benefits. So, in order, and a lot of them will not even consider this other group of people, and so in some ways I may, you know, have had some extremely talented, great workers, that the number of job opportunities that they have is quite a bit less than other people. So, we have had some, not that I'm trying to abuse that, or take advantage of that in any way, but we, as we're trying to compete for high quality, high character kind of people, I think we've been fortunate that we have got some that may have gone elsewhere for more money or for more benefits, but they were not able to because of their past.

Hiring managers may consider many properties that make an ex-offender more likable to them (see Table 3, Row 21). In the example below, having a referral from a trusted source makes an ex-offender applicant more likable than if the applicant had no such referral.

Participant 8: One specific example is I had an employee here, that's been an excellent employee, that had a, I think she had a felony. She had some kind of criminal record but I'm not certain she had served time. Well, she had a stepsister that had recently come out of prison, and so she asked me if I would consider her because we needed more people. So, that is a specific example of where we ended up going through the interview process.

It was a referral we had gotten from a high-quality employee here, but we took her through the normal process. Knowing early on that she was recently out of prison.

An ex-offender's stability in the community can also be determined by a hiring manager after considering many properties; one of which is contact from professionals involved with an ex-offender applicant's community supervision (see Table 3, Row 27).

Participant 8: Yeah, another similar example is a person we interviewed several months ago, that was up front that they've had some history. They may have even been a sex offender. I'm trying to recall, but I asked if he was meeting with the psychiatrist and also if he had a parole officer; and I said I can't reach out to these people, but if you can contact them and have them call me, and have that trusted authority give me a reference that you have changed, because he interviewed fairly well, and he said that he would. They never did contact me. Either the parole officer, or the psychiatrist, or whoever he was meeting with. So, I felt like the risk was too high to take in that example. So, and I would almost say, a parole officer has so much on their plate they are not going to go about giving job references, but for my understanding is they probably know some of these people as well or better than others; and I would love to have a parole officer give me a call and say, "hey, this person calls all the time, is compliant all the time, he does all this type of stuff."

When considering the nature of an ex-offender applicant's criminal behavior, hiring managers may be curious to learn about the situation and context of the applicant's offense. Hiring managers may be curious about the offense so that they can gather insights into whether the ex-offender's criminal behavior is a result of mistakes, poor choices, or is more innate. It appears that the more a hiring manager perceives the behavior to be innate then the more uneasy

or fearful he or she will be in taking an employment risk with the ex-offender applicant. Some participants described these emotions of unease or fear as a gut feeling.

Participant 8: One of my thoughts of talking with a lot of people that have had some past, that have had different levels of mistakes, it's amazing to me. It's almost like they use the exact same words, "I'm a different person now." Sometimes they are and sometimes they're not. So, honestly, I can't tell when they truly are a different person versus when they just say they're a different person.

Researcher: Okay, so it kind of really just gets back to that gut feeling.

Participant 8: And it's a risk.

Hiring manager curiosity can assist them to uncover other concepts relevant to this axial code. For instance, the hiring manager may learn if the ex-offender applicant takes accountability for the offense, and/or whether he or she is committed to making change.

Participant 8: I think it's trying to determine, you know, is there some way that I can determine, or assess, or have that gut feel that has the change happened in this person's life, or not; and I would say that my guess is that every one of them the desire is there. I mean, they're not coming saying I'm going to fall back into old habits. I think every one of them that desire is there. I think that some of them actually have changed, and I think that some of them we've been helpful in them starting a new life, and them putting that behind them; but what I'm trying to do is minimize the risk of those that are high risk. Minimize the risk to us as a company.

It appears that the more a hiring manager perceives that an ex-offender applicant is being truthful and open about his or her offense, then the more likely a favorable hiring decision will be made.

Participant 8: One other comment I was going to mention to you, one thing that is important to me when someone is sharing with me what their criminal history was, is I do look really hard at how open and honest they seem to be to me. So if they seem to be evasive, if they don't want to really, you know I'm the only person that we ask them to share this kind of information with, and they may interview with a lot of different people but I'm the only one that goes into their criminal history [Participant 8 confirms that he does the high-level scrutiny of criminal history, while Participant 4 does the preliminary scrutiny of criminal history]; but the more direct and open they are with me that gives them a lot higher marks than somebody who tends to be evasive, or I have to basically pull information out of them.

Lastly, learning the situation, context, and other related stories behind an ex-offender applicant's criminal behavior may invoke feelings of sympathy or empathy from the hiring manager. These feelings may act to humanize the ex-offender applicant from the perspective of the hiring manager, and may improve the likelihood of a favorable hiring decision.

Researcher: So, what feelings come to mind when you consider an ex-offender?

Participant 8: Caution. A lot of time sympathy. You know, some people it's been a long time and they truly are a different person, and I feel bad that they've lost out on a lot of life opportunities. For the most part, I look at them as a person just like anybody else.

Researcher: Think back on the last ex-offender you had that generated that feeling of sympathy, what was it in the conversation that caused you to feel sympathy?

Participant 8: We have a lot of single mothers here that have children, and I don't know if this is the most recent one, but one example is a mother that had her children taken away from her because of an offense; and, you know, you could just feel the pain that

caused that person, and not that she didn't understand. She fully understood the reason why, and for where she was and that's what happened, but it has such long-ranging consequences due to some of those things.

Researcher: For child and mother.

Participant 8: Yes.

The shadow of the hiring manager's worldview concerning ex-offenders appears to influence this part of the process, as a connection is made between the hiring manager and ex-offender applicant.

If a hiring manager determines that an ex-offender applicant meets his or her expectations related to good fit and nature of criminal behavior, then he or she may consider the logistics of filling the open position with the ex-offender applicant. Hiring managers appear to build more elaborate categorization processes the more experience they have in considering an ex-offender applicant for employment (see Figure 1 as one possible example). Three concepts are common in making determinations about the logistics of filling an open position with an ex-offender applicant. These include concerns related to the job position (such as not putting someone into a role related to his or her criminal offense), offense history (such as looking for patterns or time since the last offense), and the severity of the crime committed (such as type of crime and the situational context of the crime).

Participant 8: So, some of that depends on length of time, type of offense, and the type of job that they are interviewing for. Probably the most common offense is tied into drugs, and for that I tend to look at a length of time. If somebody's offense has been fairly recent, it's a much higher risk for us, so we're not sure that they've turned the corner and are starting a new life. For example, if somebody's had a history with theft

then I'm quite concerned with that because we, as a company, our culture is very open, very trusting. People leave purses in the open, lockers, and different types of things. So, that's not just a risk for us as a company, it is a risk for our fellow employees. If I can give you another example, early, a couple years, 2 or 3 years after I bought the business, I had a person that on the application said they had not had any previous criminal history. After some period of time, I had found out that she actually had been in prison for embezzlement, but she was doing a lot of accounting functions for me, and privy to everybody's Social Security number information, payroll, and everything else. So, I felt like that was a real compromise. Had I known that I may have given her other responsibilities, but there is no way that someone who was an embezzler before that I would hire them for that. In fact, I'd even interviewed later on a bookkeeper, that was quite open, and said "I went to prison for this. It's behind me," but I felt that risk was, she may be okay in a sales position, but that's probably too much of a risk to employees to put her in as a bookkeeper. So, in that case, that did, basically in my mind, disqualify her from being considered for that position. So, I look at the type of crime, the length of time, and what kind of position that they will be working in.

It appears that the fewer concerns a hiring manager has with the logistics of filling the open position with an ex-offender applicant, then the more likely a favorable hiring decision will be made.

Participant Checking: Validating the Theory

Seven of the eight research participants volunteered to review a draft of the research findings and provide comments if desired. Participant checking is a technique used to verify the accuracy and truthfulness of the researcher's interpretation of the phenomenon by letting

research participants crosscheck those interpretations (Corbin & Strauss, 2015; Creswell, 2013). The seven participants were mailed a hard copy of the findings, along with a self-addressed stamped envelope to return their comments to the researcher. The seven participants were given one month to provide feedback. Two participants returned feedback, which is quoted verbatim below.

Participant 3: As you introduced your background and interest in working with and assisting clients, I became immediately defensive when you alluded that any law-abiding citizen could easily become a criminal in the right circumstances. I wouldn't like to think that the edge is as razor-thin as you provide, but your example of becoming addicted to and abusing painkillers could easily lead you to make poor life choices hit home for me. My father overdosed on pain narcotics, having struggled with an addiction for many years. In those final years of his life, he began making poor choices too that got him into trouble, such as finding a neighbors [*sic*] credit card in the parking lot and using it to make purchases rather than return it to the owner like any law-abiding citizen would be expected to do. I think back even further in my life when his behavior while on painkillers was erratic and borderline abusive. And in today's society, it is not hard to develop addictions like this, whether it be painkillers, alcohol, or some other "fix." This also relates to Participant 4's story of a time he was in legal trouble despite his awareness and intent to do what was right, but placed in a situation where the legal system could take advantage of him without proper justification. Those with the greatest intentions of life are placed in those certain circumstances, as you say, that can totally transform a person's life from being a model citizen to an inmate at a state correctional facility,

having an effect not only on that person's life, but everyone who supports that person or has been affected by that person's choices.

Overall, I believe that the three high-level phases, or selective codes, you offered are logically ordered and provide hiring managers with a way of identifying biases and guiding perceptions as they relate to the scrutiny required for considering ex-offenders in objective recruitment, selection, and integration processes. I look forward to reading Chapter 5, hoping that your recommendation will include relevant questions that hiring managers should focus on, the varying answers that one can receive, how each of those answers would relate to the categories depicted in Figure 1 (*Considerations for Hiring Decisions Model*), or some similar model, and what steps should be taken for applicants falling into each category. This would serve as a phenomenal resource to adapt our current hiring procedures to be more inclusive and more objective in evaluating ex-offenders during the recruitment, selection, and integration processes.

Participant 8: I received and appreciated a copy of your research findings. I reviewed the summary (some sections in more detail and others more of a scan). From my perspective, I think that you covered the topic very well. In particular, you represented my comments and opinions very well. Because of my time constraints, I'm unable to review the summary in more detail. Best wishes on addressing a very deserving topic.

Summary

The research question posed in this dissertation research was "How do hiring managers describe the process of considering ex-offender job applicants?" After a thorough data analysis, an answer, firmly grounded in the data, has emerged. The value of that answer rests on the

usefulness of the proposed theory to ex-offender job seekers, to hiring managers, and to scholar-practitioners.

The theoretical code that emerged from my interpretation of the data was *Arriving at a Decision to Hire/Not Hire an Ex-Offender Applicant* (see Figure 3). Hiring managers appear to arrive at a hiring decision after a three phase consideration process. The first phase appears to be a wide-angle view based upon a hiring manager's worldview concerning ex-offenders. This phase is followed by a selection, recruitment, and integration phase that is process oriented for the purpose of discovering qualified applicants. If the qualified applicant also happens to be an ex-offender, then he or she will undergo additional consideration and scrutiny prior to a hiring decision being made. The final phase is where the hiring decision is made.

Ex-offender applicants appear to be scrutinized for good fit and the nature of their criminal behavior. If an ex-offender passes these additional levels of scrutiny, then a hiring manager may consider any logistical concerns with filling an open position with the ex-offender applicant. It appears that the fewer concerns that are noted by the hiring manager, the more likely a favorable hiring decision will be made to employ the ex-offender applicant. In Chapter 5 these results will be discussed in greater detail and will be explored for recommendations, conclusions, and limitations.

CHAPTER 5. RESULTS, CONCLUSIONS, AND RECOMMENDATIONS

Introduction

In this final chapter of the dissertation, the study results will be summarized and discussed. The discussion will focus on the meaning of the results and the conclusions that may be drawn from that meaning. The conclusions will be discussed in relation to past research into the topic of ex-offender employment discrimination, and how these conclusions may be useful to ex-offender applicants, to hiring managers and the organizations for which they work, and to scholar-practitioners working in the field of industrial-organizational psychology and/or adult corrections. Lastly, the limitations of the study will be discussed in detail, and the dissertation will conclude with recommendations for further research studies.

Summary of the Results

The purpose of this dissertation research study was to answer the research question: How do hiring managers describe the process of considering ex-offender job applicants? The reason for answering this research question was to fill a perceived gap in scholar-practitioners' understanding of the consideration process that hiring managers use when evaluating whether, or not, to employ an ex-offender job applicant. This gap in the research was discovered after a thorough literature review of the research topic (see Chapter 2). Gaining a better understanding of the phenomenon provided rich details into the process hiring managers use when weighing different aspects of an ex-offender applicant, both subjective and objective, in order to reach a hiring decision.

The research method selected for answering the research question was grounded theory. Grounded theory uses qualitative inquiry in order to build an understanding about a phenomenon's process flow, which can be advantageous when seeking solutions that focus on the root cause of a problem (Hanzel, 2011). The grounded theory approach to research tends to use a range of participants from between five and 350 in order to build a concept, model, and/or theory rich in enough dimensions, properties, and details, that it may explain how participants experience the phenomenon under investigation (Mason, 2010). Understanding of the phenomenon emerges from, and is grounded in, the data gathered from participants.

The data was gathered from participant interviews, and underwent a rigorous data analysis process that progressively moved from coding researcher interpretations of the data into concepts, and up through a multi-level categorization process that resulted in a final theoretical code (Corbin & Strauss, 2015). The theoretical code was used as the basis for proposing a theory that may explain how participants moved through their experiences of the phenomenon (see Figures 2 & 3).

This dissertation research specifically recruited participants from the state of Oregon who had considered an ex-offender applicant during some stage of a hiring process, and who were all hiring managers for their organizations (see Chapter 1 for definitions and Chapter 3 for sampling procedures). All participant interviews were digitally audio recorded, transcribed, and coded by the researcher. The coding and data analysis process was structured and allowed for fluid movement between open, axial, selective, and theoretical coding. Data gathering and analysis continued until saturation was reached with the eighth participant; in other words, once enough specific categories with dense properties and dimensional variation had emerged from participant interviews (Corbin & Strauss, 2015).

The final outcome of the data analysis was the creation of 32 open codes. These open codes were categorized into ten axial codes, and these axial codes were categorized into three selective codes. A final theoretical code was created to explain how these three selective codes describe participants' movement through their experiences of the phenomenon of considering ex-offender applicants for hire (see Figure 3).

Selective code number 1 was interpreted as participants' *Worldview Concerning Ex-offenders*, and was composed of four axial codes, with the first entitled as *Experience with Law Enforcement, Corrections, & Ex-offenders*, which contained the open codes of *Exposure* and *Worker vs Employer Rights*. The second axial code was *Gender*, which contained the open codes of *Gender Differences Female* and *Gender Differences Male*. The third axial code was *Promote Relational & Supportive Organizational Culture*, which contained the open codes of *Affiliative*, *Humanistic-Encouraging*, and *Power*. The fourth axial code was *Service and Community Oriented*, which contained the open codes *Belief in Second Chances*, *Belief that People Can Change*, *Desire to Make a Difference in a Person's Life*, *Fairness*, and *Worthwhile Activity*.

Selective code number 2 was interpreted as the participants' preliminary psychological and cognitive processes related to *Recruitment, Selection, and Integration*; and was composed of three axial codes, with the first titled *Integration into Workplace*, which contained the open codes *Set the Example* and *Successful Environment*. The second axial code was *Recruiting Ex-offenders*, which contained the open codes *Desire to Hire* and *Professional Contact*. The third axial code was *Selection: Preliminary Consideration & Scrutiny*, which contained the open codes *Background Checks*, *Interview*, and *Job Skills*.

Selective code number 3 was interpreted as the participants' *Hiring Decision: Additional Scrutiny for Ex-offenders*, and was composed of three axial codes, with the first entitled *Good Fit for Organization*, which contained the open codes *Bias Awareness*, *Business Interests*, *Likability*, and *Stability*. The second axial code was *Considerations for Hiring Decisions*, which contained the open codes *Hiring Manager Experience*, *Job Position Concerns*, *Offense History*, and *Severity of Crime*. The third axial code was *Nature of Applicant's Criminal Behavior*, which contained the open codes *Accountability*, *Curiosity*, *Ex-offender's Commitment to Change*, *Sympathy/Empathy*, and *Truthfulness & Openness*.

The three selective codes described above were organized into a final theoretical code that described the overall process experienced by participants. The identified theoretical code was *Arriving at a Decision to Hire/Not Hire an Ex-Offender Applicant*. This final theoretical code best encapsulates the study results, and answers the research question posed: How do hiring managers describe the process of considering ex-offender job applicants?

Discussion of the Results

The results of this dissertation research identify a process flow that hiring managers may follow when considering an ex-offender applicant for employment. The process flow is visually represented in Figure 2, and consists of three general phases: Phase 1 – Worldview Concerning Ex-offenders; Phase 2 – Recruitment, Selection, and Integration; and Phase 3 – Hiring Decision: Additional Scrutiny for Ex-offenders. The participants' lived experiences of the phenomenon of considering ex-offenders for employment appeared to systematically move along from phase-to-phase within the process.

Phase 1 was interpreted as encircling the remaining two phases, and appears to cast an influencing shadow over the phases contained within it. Without Phase 1, it is unlikely that a

hiring manager would be supportive of employing an ex-offender. Phase 1 begins well before the hiring manager and ex-offender applicant begin to interact within a selection or hiring process. In fact, Phase 1 may begin well before the participant ever assumed the role of hiring manager within an organization. The reason for this is that Phase 1 appears to be the culmination of many life experiences that may later influence a hiring manager's consideration process of ex-offender applicants. These experiences become part of that hiring manager's worldview concerning ex-offenders in general.

Participant worldviews concerning ex-offenders appeared to be formed from attitudes and perceptions that resulted from personal and/or professional exposure to different aspects of the criminal justice system, including law enforcement, corrections, and ex-offenders. These exposure experiences may act to humanize ex-offenders in the mind of a hiring manager; and may assist the hiring manager in forming a more favorable perception of worker rights in relation to ex-offender applicants (such as being pro ban-the-box). A hiring manager's attitudes and perceptions about ex-offenders also appear to be influenced by his or her service and community orientation.

Hiring managers with a strong orientation toward service and community may hold beliefs that all people are deserving of second chances, that all people have the capacity to change, that it is important to make a difference in people's lives, and that helping an ex-offender to succeed is a worthwhile activity designed to improve not only the ex-offender, but also the community in which he or she resides. Hiring managers with a strong service and community orientation may also hold strong beliefs that the criminal justice system should be fair. When these hiring managers perceive that an injustice may have occurred to an ex-offender applicant, they may become more supportive of employing the ex-offender.

The service and community orientation of a hiring manager, especially those that are business owners, appears to influence the kind of organizational culture that the hiring manager implements, or supports, within his or her organization. All of the hiring managers that participated in this research vocalized support for organizational cultures that were affiliative and/or humanistic-encouraging; that is, the cultures they supported were relational, person-centered, and supported member learning and growth. Some participants conveyed lived experiences that demonstrated that power-oriented organizational cultures were not as supportive of hiring ex-offenders as affiliative and/or humanistic-encouraging cultures. Organizational culture also appeared to be able to influence, in an almost reciprocal manner, a hiring manager's views related to service and community orientation.

The final influencing aspect of a hiring manager's worldview concerning ex-offenders was his or her gender. Gender appeared to act as a filter for interpreting a hiring manager's lived experiences associated with considering an ex-offender for hire. Specifically, female hiring managers that perceive an organization as their child may place more scrutiny on an ex-offender applicant prior to reaching a hiring decision. The increased scrutiny appears to be related to a desire to keep the organization-as-a-child safe from harm.

Phase 2 of the process was interpreted as the preliminary psychological and cognitive processes that a hiring manager moves through in a recruitment, selection, and integration process. The concepts that occur during this phase are very process-specific and appear to be designed to screen out unqualified applicants, regardless of whether the applicant is an ex-offender or non-criminal. However, these initial screening processes may identify an applicant as an ex-offender, which may result in additional levels of scrutiny prior to a hiring decision being made by the hiring manager.

During this phase of selection, the hiring manager may move ex-offender applicants through a background check, an initial interview, and a review of his or her job qualifications. Smaller organizations will likely not conduct a formal background check unless the hiring manager needs one to maintain professional certifications associated with the organization. Hiring managers working for small organizations tended to perceive formal background checks as being too costly to justify ordering them for ex-offender job applicants. However, more informal background checks via checking references, retrieving publicly available court documents, or asking the ex-offender applicant to provide background information or documentation themselves in order to be considered further, are options that hiring managers indicated they have used in place of ordering a formal background check.

Hiring managers that participated in this research uniformly stated that an ex-offender applicant that does not possess the required job qualifications would not advance along in a selection process; in the exact same manner as a non-criminal applicant would not advance if he or she were not qualified. Hiring managers consider many things when evaluating an applicant's job qualifications. These things may include performance on a workplace assessment, possessing needed employment documents, having prior work experience, having technical training, demonstrating the ability to work as part of a team, and having a willingness to apprentice. In addition to considering job qualifications, hiring managers indicated that ex-offender applicants would be heavily scrutinized on their "soft skills" during an initial interview. These soft skills included showing confidence, making eye contact, not fidgeting, not getting defensive, being prepared, speaking clearly, dressing appropriately, having good posture, and other subjective interpretations of what constituted good interview behavior.

Two additional themes may be considered by hiring managers as they evaluate an ex-offender applicant during, or after, the preliminary selection processes. The first theme contains two concepts. The first concept considered may be a personal or professional desire to recruit ex-offender employees. This desire to hire may be driven by a hiring manager's perceptions about tangible benefits (wage subsidies, insurance bonding, etc.) or intangible benefits (gaining a loyal employee, it feels good, etc.), and his or her perceptions about the amount of bureaucracy involved, or effort needed, in order to obtain those benefits.

The second concept involved in recruiting ex-offenders was a hiring manager's professional contacts. If a hiring manager had a professional contact associated with a correctional agency, then he or she was more likely to take steps to specifically recruit ex-offenders as part of a hiring process. Obviously, if a hiring manager is seeking ex-offender employees then the likelihood of a favorable hiring decision for an ex-offender applicant may increase. Hiring managers with a desire to hire ex-offenders, but without the professional contact, may still show more favorable attitudes toward employing ex-offender applicants that possess the necessary job qualifications even if that hiring manager did not specifically set out to recruit ex-offender employees for the available job position.

The second theme that may be considered during this phase by hiring managers is how well an ex-offender applicant would be integrated into the existing workforce. Hiring managers that set a positive example of inclusion for ex-offender employees through positive messaging, modeling organizational values, setting appropriate boundaries, and keeping key managers informed, appeared to be more effective in gaining workgroup buy-in when employing an ex-offender. In addition to setting a positive example, hiring managers that fostered a working environment designed to promote ex-offender employee success appeared to have better results

in integrating an ex-offender employee into the workplace. A successful environment was described as one where the hiring manager is aware of an ex-offender employee's post-prison or parole supervision conditions, and works with the ex-offender to ensure that his or her work obligations do not violate these conditions; one where probationary work contracts are used for ex-offender employees deemed as more high-risk, such as recovering drug addicts; one where ex-offender employees are treated the same as non-criminal employees; and one where the ex-offender's autonomy and ability to choose is respected.

Hiring managers appeared to have more success in integrating an ex-offender applicant into an organization if they set the example and fostered an environment of success. The more a hiring manager perceives an ex-offender applicant as being able to successfully integrate into the organization, the more likely the hiring manager will move the applicant into the next stage of the hiring process. Ex-offender applicants that are perceived as risks for a smooth integration process may be less likely to advance in a hiring process.

Phase 3 of the hiring manager consideration process for ex-offender applicants was interpreted as the primary category where a hiring decision will be made. During this part of the process, additional scrutiny that is specific to ex-offender applicants is applied and evaluated by hiring managers. This phase contains three themes, two of which appear to need successful evaluations in order for the third to be seriously considered by a hiring manager. These two themes include a determination of whether an ex-offender applicant will be a good fit for the organization, and a determination about the nature of the ex-offender applicant's criminal behavior. It appeared that these two determinations could be made in any order by hiring managers.

Hiring managers appeared to consider four concepts when evaluating whether an ex-offender applicant would be a good fit for their organization. The first concept was the hiring manager's own bias awareness. Hiring managers that were more aware of their own stereotypes and other unfavorable impressions of ex-offenders tended to implement practices to mitigate these biases. A common practice was to look at job qualifications first, and then to consider the applicant's criminal history. Perhaps the best practice discovered was saving the criminal history question until the very end of a final interview, and only asking it if the ex-offender applicant was being seriously considered for the available job position. In this manner, the ex-offender's criminal history would not aggravate a hiring manager's biases, and/or interfere with an accurate evaluation about whether an ex-offender applicant was qualified for the job.

The second concept considered when evaluating good fit was business interests. Hiring managers may consider how an ex-offender applicant's knowledge, skills, abilities, and other attributes may benefit the organization despite the applicant's disadvantage of having a criminal history. A key question that hiring managers appear to be answering when evaluating business interests is "how will hiring this ex-offender applicant impact my organization?" If the impact is perceived as negative, then the hiring manager will be less likely to move the ex-offender applicant forward through a hiring process. Ex-offender applicants that communicate how their interests align with the organization's interests may make a better impression with hiring managers.

Another important aspect of considering business interests is the concept of scarcity. Scarcity of resources appears to be a large motivator in the hiring manager consideration process of ex-offender applicants. If a hiring manager needs an employee with a specialized set of skills, or a specific professional certification, then he or she may override negative perceptions about an

ex-offender applicant in order to obtain those skills. However, the job position offered may be a tenuous one for an ex-offender because the hiring manager is likely to continue looking for a more likable, or perhaps non-criminal, applicant to replace the ex-offender that was hired due to perceptions of scarcity.

The concept of likability is another thing considered by hiring managers when making a determination about good fit. Hiring managers may perceive an ex-offender applicant to be more likable if the applicant shows good character in the form of positive social skills and other attributes. Positive social skills include being humble, not being entitled, showing a willingness to learn, demonstrating a passion or interest in the work offered, and being able to communicate back-and-forth with the hiring manager in a natural conversational style. Being likable appears to put hiring managers more at ease with an ex-offender applicant. Ex-offender applicants that have a job referral from a trusted source, especially if the source is someone the hiring manager knows professionally or personally, may make them immediately more likable to the hiring manager.

The final concept hiring managers may consider when making a determination about good fit is an ex-offender applicant's stability in the community. Hiring managers may not want to waste their organizations' time and resources to hire and train an ex-offender that they perceive is a high-risk of returning to prison or jail. Hiring managers appear to want some assurance that an ex-offender applicant has the ability to show up to work and will be dependable from day 1 after being hired. The hiring managers in this dissertation research considered the types of companions an ex-offender associated with, whether the ex-offender had family support, whether the ex-offender had housing and reliable transportation, and how well the ex-offender was doing on community supervision, as part of their determination about stability. The more a

hiring manager perceives an ex-offender applicant to be stable, then the more likely he or she will advance the applicant to the next stage of the hiring process.

The second theme that hiring managers considered in Phase 3 was the nature of the ex-offender applicant's criminal behavior. Determinations about the nature of an applicant's criminal behavior appeared to be based on subjective interpretations about whether the cause of the criminal behavior was due to poor decision making or due to a mistake, versus being due to more innate personality characteristics. It appeared that the more a hiring manager perceived an ex-offender applicant's criminal behavior to be innate, then the less likely that applicant would be moved along in the hiring process. Four concepts appeared to be considered as part of a hiring manager's consideration process about the applicant's criminal nature.

The first concept was hiring manager perceptions about whether the ex-offender applicant was taking accountability for the criminal behavior. Ex-offenders that demonstrated an understanding about how their behaviors affected others, have taken steps to make amends for that behavior, and who are perceived as having remorse for their actions, appeared to be more likely to be evaluated as showing accountability by hiring managers. Hiring managers did not necessarily want to see an ex-offender demonstrate contrition, but they did appear to want to see some level of sincere remorse.

The second concept that may be evaluated as part of determining the nature of an applicant's criminal behaviors was hiring manager curiosity. It appeared that hiring managers needed to have their curiosity about an ex-offender applicant's criminal history satisfied, but not all hiring managers felt confident enough to ask about the applicant's convictions. It appeared that the more a hiring manager's curiosity about an offense was satisfied, the more that hiring manager felt at ease, was able to mitigate his or her own fears, and was able to develop a positive

gut feeling about the ex-offender applicant. Most of the hiring managers in this dissertation research voiced opinions that it was their right to know the details of an ex-offender applicant's criminal history in order to make an informed hiring decision.

The third concept that may be considered when evaluating the nature of the criminal behavior was an ex-offender's commitment to change. Hiring managers appeared to consider actions that an ex-offender applicant took to address his or her criminal conduct, both inside and outside of prison or jail, as part of this concept. Completing programs, undergoing counseling, or taking other steps to address criminal behavior while incarcerated, or after prison release, were generally regarded as positive by hiring managers. Ex-offender applicants that seem disinterested in their own rehabilitation are likely to be perceived by hiring managers as high-risk gambles to employ.

A fourth concept that may be considered as part of a hiring manager's evaluation process of an applicant's criminal nature are feelings of sympathy or empathy. Hiring managers that emotionally connect with an ex-offender applicant's story may experience feelings of sympathy or empathy. Such feelings also appear to be influenced by the hiring manager's worldview concerning ex-offenders, so when these feelings are triggered they may drive more favorable hiring decisions. This concept appears to be closely related to the concept of curiosity. It is unlikely that a hiring manager may feel sympathy/empathy for an ex-offender applicant that is not confident in sharing his or her life story related to criminal convictions. Another way to say this is that if a hiring manager's curiosity about the criminal history is not satisfied, then it is unlikely that he or she may experience feelings of sympathy or empathy.

A final concept considered as part of determining the nature of an applicant's criminal behavior is the hiring manager's perceptions of an ex-offender's truthfulness and openness.

Hiring manager perceptions about an ex-offender applicant's honesty appeared to influence the consideration process. The more an ex-offender was perceived as being truthful and open, it appears that the more he or she was likely to make a favorable impression with a hiring manager. Similar to the concept of sympathy/empathy, this concept also appears to be closely related to hiring manager curiosity. Since some hiring managers feel uncomfortable probing into an ex-offender applicant's criminal history, the more that an applicant invited questions about his or her criminal past, could speak confidently about his or her role in the criminal conduct, and could openly discuss what he or she learned from the experience and how that learning could benefit the organization, the better chance the applicant had of receiving a favorable evaluation during this part of a hiring manager's consideration process. If a hiring manager felt like he or she had to dig for the information, then the ex-offender applicant would likely not continue to advance in the hiring process, due to perceptions that he or she was being deceptive or hiding needed information from the hiring manager.

If a hiring manager makes positive determinations about an ex-offender applicant's good fit for the organization and nature of his or her criminal behavior, then the hiring manager may seriously consider the final theme of Phase 3, which was interpreted as the logistics of filling the available position with the ex-offender applicant. Evaluating the logistics of an available position appeared to encompass four related concepts.

An underlying concept in this part of the consideration process is the experience of the hiring manager in evaluating ex-offender applicants. It appeared that the more experience a hiring manager had in evaluating ex-offender applicants for employment, then the more complex and refined that hiring manager's categorization process for determining risk to an employer

was. These categorization systems appeared to be mental models, and were not formal or written policies or procedures.

Hiring managers with little experience did not appear to have a process for evaluating an ex-offender applicant's risk to the organization, and instead relied primarily upon their gut feelings. In contrast, hiring managers with considerable experience in evaluating ex-offender applicants for hire had highly refined typologies of ex-offender applicants, which appeared to make it easy for them to categorize the risk an ex-offender applicant posed to the employer (see Figure 1 for one potential model of a typology). Hiring managers with a well-developed categorization system appeared to be more confident in making hiring decisions when considering an ex-offender applicant. They also appeared to be more willing to ask questions related to an ex-offender applicant's conviction history, and to ask follow-up questions in order to make an informed decision about the kind of risk the applicant may pose to the organization if hired.

A second concept that may be considered when determining the logistics of filling the available position with an ex-offender applicant was job position concerns. Hiring managers may consider whether the ex-offender applicant's criminal offenses were related to the tasks or duties of the available job position. Hiring managers may be less likely to place an ex-offender applicant into a job that is closely related to the applicant's crime; for instance, an ex-offender applicant convicted of embezzling funds will likely not be seriously considered for filling an accounting position within an organization. Other job position concerns may be related to cash handling, access to customers, and access to children, depending on the ex-offender applicant's convictions. Convictions related to sex and violent offenses appeared to result in more concerns related to job positions, in comparison with other convictions.

A third concept considered when evaluating the logistics of filling an open job position was the offense history of an ex-offender applicant. It appeared that when hiring managers were considering an ex-offender applicant's offense history they were looking for patterns of criminal conduct, including the amount of time that had elapsed since the last criminal episode. Ex-offender applicants with fewer offenses, and who demonstrated a break in a pattern of criminal offending, appeared to be looked at more favorably by hiring managers.

The final concept considered by hiring managers when evaluating the logistics of filling an available position was the severity of the crime, or crimes, committed by an ex-offender applicant. When considering the severity of a crime, hiring managers appeared to evaluate more than the legal definition of whether the crime was a misdemeanor or felony. They also considered the situational context of the crime(s) and the length of time the ex-offender applicant was incarcerated, in making determinations about crime severity. An ex-offender applicant with a crime, or crimes, that were evaluated as being less severe appeared to result in more favorable hiring manager impressions than an ex-offender applicant with a crime, or crimes, that were evaluated as being more severe. Hiring managers that appeared to perceive a criminal offense as being less severe had more favorable impressions related to the risks of hiring an ex-offender applicant.

If a hiring manager perceived an ex-offender applicant as successfully meeting his or her standards for being a good fit for the organization, made a positive inference about the nature of the ex-offender applicant's criminal behavior, and could safely minimize the logistical risks associated with filling an available position with the ex-offender applicant being considered for the open position, then a favorable hiring decision was more likely to be made. The higher level of scrutiny placed on ex-offender applicants at Phase 3 of the process must be successfully met

in order for a hiring manager to feel confident in making a favorable hiring decision. The three phase process described above appears to answer this dissertation's research question by postulating a theory that explains how hiring managers arrive at a decision to hire or not hire an ex-offender applicant.

Discussion of the Conclusions

This section will discuss the conclusions of this dissertation research, with a focus on how these findings contribute to the findings of previous research studies. Limitations of this dissertation research will be briefly noted and explored in greater detail in the limitations section of this chapter. The conclusions of this research will be discussed in subsections deemed important to their intended audiences. These subsections include conclusions for ex-offenders, conclusions for hiring managers and their organizations, and conclusions for scholar-practitioners.

Conclusions for Ex-offenders

Beginning with Phase 1, an interesting finding of this research was how influential a hiring manager's worldview concerning ex-offenders could be in his or her overall evaluation process when considering an ex-offender applicant for employment. All of the participants in this study expressed worldviews that were favorable to hiring ex-offenders, and these worldviews tended to incorporate concepts that support, or promote, organizational cultures that are person-centered and relationship oriented. That is, the hiring managers promoted friendly, open, participative, supportive, and constructive working environments where members could learn, grow, and develop strong interpersonal relationships with other organizational members (Cooke & Szumal, 1993).

These organizational cultures, and the hiring managers that expressed support for them, were not only concerned about their own members; they also expressed a strong desire to make their communities a better place to live. Frankly, it appeared that the same organizations that were willing to assist me (a doctoral learner trying to complete his dissertation research) were the same ones that also expressed a willingness to help ex-offenders earn an employment opportunity. These two items do not appear to be connected, except for the perceptions and desires of the participants to make a contribution back to their communities. Some of the participants noted that assisting ex-offenders to become employed was a service to their communities by lowering recidivism and crime, and they also noted similar sentiments about assisting with research that may help to mitigate the problem of ex-offender employment challenges. Simply put, helping others within the community was seen as a worthwhile activity for these participants. These participants not only wanted to make a difference in an individual's life; they also appeared to want to make a difference in the quality of their communities.

Another observation was that the organizations that agreed to participate in the research not only had affiliative and/or humanistic-encouraging organizational cultures, but they also appeared to be small businesses. These small businesses noted some key intangible benefits to them for employing ex-offenders, such as obtaining loyal, committed, and high-performing employees. A key take-away from these observations for ex-offenders may be for ex-offenders to informally conduct some organizational research as part of their job-seeking process. Targeting smaller businesses, especially those with mission statements, vision statements, organizational values, or guiding principles that emphasize the importance of relationships, learning and growth, and community outreach, may improve an ex-offender applicant's chances of successfully locating employment. Many organizations choose to maintain an internet

presence for both relationship and customer marketing purposes, which can make searching for items related to organizational culture easily attainable to ex-offender applicants (Bauer & Grether, 2002). However, these conclusions should be evaluated with caution. A limitation of this study was the small pool of organizations represented by the sample.

Phase 2 supports what is already known in the research literature. That is, ex-offenders should actively participate in job training, education, and programming during their incarceration. The reason for this is that employers are more likely to hire an ex-offender applicant if they perceive that he or she has the proper education, job skills, and has attended treatment or programs to address criminal behaviors (Blitz, 2006; Cronin, 2011; Nally et al., 2011; Shivy et al., 2007). In fact, the participants in this research all indicated that job qualifications took precedence before any consideration of an applicant's criminal background. If an ex-offender applicant is perceived as not being qualified to do the job, then he or she will likely not be considered further for the job; in the exact same manner as a non-criminal applicant that is also not qualified.

This phase also supports the importance of making strong interpersonal connections with corrections professionals and other members of the community for ex-offenders. Developing strong social networks can assist an ex-offender in locating employment (Shivy et al., 2007). Some of the participants in this research indicated that they may actively seek out, recruit, or have a desire to hire ex-offender applicants. In these instances, the hiring managers may have connections with community corrections personnel. Similar to past research findings, the hiring managers in this study indicated that receiving a positive recommendation for employment from a parole officer may improve an ex-offender applicant's likelihood of being placed into a job (Rakis, 2005).

Another concept that appeared to be key for ex-offender applicants to successfully navigate through Phase 2 was their interview skills. Items that appeared to be important to the research participants during their ex-offender applicant interviews could be described as “soft skills.” Tonkin, Dickie, Alemagno, and Grove (2004) defined soft skills as basic skills (such as reading, writing, and math skills), interpersonal skills (such as teamwork and conflict resolution skills), and personality characteristics (such as having a positive attitude). Ex-offender applicants should be well-prepared to highlight their skills in these areas during an interview, and to discuss these areas with confidence. As such, ex-offenders would be well-advised to take advantage of transitional service programs offered to them prior to their release from incarceration. Transitional service programs may provide vocational training and coaching opportunities for ex-offenders to practice interviewing, job seeking, résumé writing, and personal relations skills (Thompson & Cummings, 2010). Ex-offenders should be well-prepared to enter a job interview in appropriate dress, feeling confident, and with the ability to sell themselves to an employer by making good eye contact, not fidgeting, not swearing, and by not getting defensive if asked about their criminal history. These kinds of interview behaviors may be important in building rapport and making a first good impression (Barrick et al., 2012; Rogers, 1995; Wankat & Oreovicz, 1998).

Phase 3 is perhaps the most important phase in determining whether an ex-offender applicant will receive a favorable hiring outcome. It appears that this phase of the consideration process is where the stigmatic effect of having a criminal record may impact a hiring manager’s perceptions the most when evaluating an ex-offender applicant’s employability. Similar to past research, the stigma may be related to type of crime and offense history (Finn & Fontaine, 1985).

However, a difference in this dissertation's findings is what hiring managers perceive as components of the type of crime.

This research found that when hiring managers think about *type of crime*, they may not simply be thinking about whether the crime was a misdemeanor or a felony conviction. They may be thinking about type of crime in a much broader sense of *severity of crime*. The severity of a crime was perceived as the type (misdemeanor or felony) and whether it was a more generalized low level offense, or if the offense was conscience shocking (such as a sex or violent crime). The severity of crime also included how long someone was incarcerated and the situational context of the crime. Evaluations about situational context appeared to be highly subjective and related to the participants' worldviews concerning ex-offenders (e.g., their exposure experiences to elements of the criminal justice system and to ex-offenders in their personal or professional lives). A person's attitudes and behaviors can have a complex relationship, and this is one area where that complexity was found in abundance (LaPiere, 2010).

An important concept that may help an ex-offender to navigate the complexity of this phase is to be truthful and open during his or her interview with the hiring manager. A hiring manager's evaluation of an ex-offender's truthfulness is related to how he or she may perceive the applicant's criminal nature. Pager, Western, and Sugie (2009) found that an ex-offender's honesty, accountability, desire for a second chance, and a hiring manager's sympathetic response, may improve favorable hiring outcomes. This research supports those findings, but also proposes that these concepts are related to how a hiring manager weighs his or her inference about the nature of an applicant's criminal behavior.

The more an ex-offender is perceived as taking accountability and truly desiring to change, the more likely a positive inference will be made that the criminal behavior was due to

poor choices or a mistake, instead of being innate to the applicant's personality or character. The more open and truthful an ex-offender applicant is about his or her criminal conduct, the more likely the hiring manager's curiosity about the offense will be satisfied and alleviate feelings of unease or fear. The hiring manager may also get a good gut feeling about the ex-offender. This process of connection, or rapport building, is likely to generate feelings of sympathy or empathy if elements of the ex-offender's story trigger the hiring manager's worldview concerning ex-offenders. After all, a person's perceptions and beliefs can influence his or her attitudes, and these attitudes may prompt an emotional or behavioral response (Ajzen, 2011; Cialdini et al., 1981; Festinger, 1957).

Some participants expressed reluctance to bring up or discuss an ex-offender applicant's criminal convictions. This is a similar finding to Pager, Western, and Sugie (2009), where employers were observed trying to avoid conversations about an applicant's criminal convictions. However, most of the participants believed it was their right to know, and that they should not have to dig in order to satisfy their curiosity about the offense. Ex-offenders should practice discussing their criminal convictions with confidence, humility, and to identify what the experience has taught them that could benefit the employer. Ex-offender applicants should invite questions from the hiring manager, and let the hiring manager know that they are willing to discuss their criminal convictions openly and honestly. One way to approach the topic with confidence, based on this dissertation's findings, may look like the following:

I was an adult-in-custody of the Oregon Department of Corrections for making some poor choices in the past. I feel ashamed of these past events, but I am open to discussing them with you so that you can gain an understanding of how these events helped to change my life for the better. I have had time to learn and grow from these experiences,

and I understand how my actions impacted others. I would like to share with you how my experiences add to my job qualifications, and how they could benefit your organization. I am asking for an opportunity to prove to you that I am deserving of a second chance, and to continue to put my life back on the path towards success.

It will be important for each ex-offender to be authentic about his or her own experiences, and to be able to speak confidently about his or her conviction history, in his or her own words. Speaking confidently does not mean memorizing a speech; it means being able to answer the hiring manager's questions concisely, honestly, and with a focus on the positive aspects of change; this is not a time to ramble or focus on grisly details of past crimes (Cypress College, 2016). However, be careful of labels when discussing criminal convictions. Graffam et al. (2008) discovered that certain labels, or how something is discussed, can influence a person's perceptions and attitudes about an ex-offender's employability. Ex-offender applicants should avoid using words such as incarceration, prisoner, or inmate.

The participants in this study also recognized the importance for an ex-offender applicant to possess good social skills in order to receive a favorable hiring decision. It may be important for an ex-offender applicant to be perceived as being likable by a hiring manager. Some helpful suggestions that ex-offenders may use to appear more likable include showing humility, not acting entitled, demonstrating a good work ethic, communicating a desire to learn new things, showing passion for the job they are interviewing for, and providing a referral from a trusted source. This last item is supported by past research. Shivy et al. (2007) identified that having a referral from a trusted member of the community could improve an ex-offender applicant's chances for obtaining employment. Several participants in this research identified that references from trusted organizational members, ecclesiastical leaders, or community corrections

and other professionals, could positively influence their hiring decisions. Ex-offenders would be wise to foster healthy social networks with members of their community during their incarceration. These social networks may include religious volunteers, mentors, and non-criminally involved family and friends. A person's social network may provide a door of opportunity to an organization or a hiring manager with favorable worldviews about hiring ex-offenders.

Conclusions for Hiring Managers and their Organizations

All of the participants in this dissertation research voiced favorable worldviews about hiring ex-offenders. Their voices are what ground Phase 1, and highlight its importance to the consideration process. Many of the participants had ex-offender employees currently working for them, and most all of them voiced that their organizations had employed ex-offenders in the past. At least for these participants, it did appear that they were *walking the talk*, so to speak (Pager & Quillian, 2005). In a few instances, the participants actually pointed out their ex-offender employees during my visit to their organization. I have no doubt that the research participants were all being sincere and authentic with me during their interviews.

It appeared that these worldviews were grounded in a service orientation and life experiences associated with exposure to aspects of the criminal justice system or to ex-offenders. This finding appears to support the idea that familiarity with ex-offenders can mitigate hiring bias, or the stigma attached to an ex-offender, to some degree (Pager, Western, & Sugie, 2009). However, many participants still voiced concerns related to theft, workplace violence, re-offending, dishonesty, untrustworthiness, and unreliability, of some ex-offender applicants. A difference in this dissertation's research findings appears to be that exposure may provide insights into the fact that these concerns are not limited to ex-offender applicants. Several of the

participants voiced perspectives that they faced similar challenges with non-criminal job applicants and employees. Exposure to ex-offenders did appear to provide participants with an awareness, or knowledge, about their own biases (Stewart, 2002). It also appeared to provide insight into the true risk of employing ex-offenders, which was that there are no guarantees that any employee will do what is right. The very act of hiring any new person can be a gamble for an organization, criminal history or no criminal history.

These participants' insights did not mean that they threw caution to the wind and simply hoped for the best outcome when evaluating an applicant with criminal convictions. Phase 2 still acted as a preliminary screening mechanism for them. If criminal convictions were discovered during this phase, then more scrutiny would be placed on these applicants. Having a favorable worldview concerning ex-offenders, it appears, did not completely eliminate the prejudicial effect that a criminal history can have during a selection process (Schwartz & Skolnick, 1962). One way to mitigate this prejudicial effect was to save questions related to criminal convictions for only those applicants that were seriously being considered for the job due to their qualifications; and then only asking those questions at the very end of an interview. In this manner, the applicant's answers to the conviction questions would significantly reduce the possible bias of the hiring manager's perceptions about the applicant's job qualifications. Hiring managers have a need to assess the risk that any new employee will bring into his or her organization. This makes asking the criminal conviction questions important, but some hiring managers may find it difficult to discuss an applicant's criminal convictions (Pager, Western, & Sugie, 2009). Placing this conversation at the end of the interviewing process may make it more amenable to hiring managers, since the question will only need to be asked of applicants that are seriously being considered for employment.

When asking the conviction question, and any follow-up questions, it may be a good idea to borrow from Motivational Interviewing literature and Participant 2's experience. That is, the hiring manager should use open ended questions in order to explore how the ex-offender applicant's criminal history may be applicable to the specific tasks and duties of the job he or she is interviewing to obtain (Miller & Rollnick, 2013). Good open ended questions can be formed using *tell me*, *what*, and *how* statements. For instance, a hiring manager may ask, "Tell me about your criminal conviction?" and then follow this with questions similar to "What led you to those decisions?", "What are you doing to ensure you make better choices in the future?", or "What have you learned from the experience that will make you a valuable employee?" Other follow-up questions may include "How did you get into that situation?", "How have you grown from the experience?", or "How will you apply what you learned from the experience to the workplace?" Each of these questions is designed to evoke detailed discussion with the ex-offender applicant that may help a hiring manager as he or she moves into Phase 3 of the hiring consideration process.

Another aspect of the hiring manager consideration process that was voiced when evaluating whether or not to hire an applicant with a criminal history was stakeholder concerns. Specifically, this involves the issues of insurance costs, maintaining professional certifications, and the employer's obligation to keep his or her employees, customers, and other members of the public safe from harm when using the organization's products or services (Dale, 1976; Lam & Harcourt, 2003). Bonding programs did not appear to fully mitigate this risk in some participant perspectives. Strong opinions were voiced that insurance costs continue to play a central role in the hiring decisions of some hiring managers. Furthermore, the small businesses that participated in this research had hiring managers that voiced concerns that background checks

were often not a good option for evaluating risks, due to their high costs. When costs are a factor, the use of background checks, except when protecting professional certifications, can seem unreasonable to some hiring managers (Levashina & Campion, 2009). This is a limitation of this study, because these concerns could not be fully explored using only a limited pool of research volunteers and organizations.

Phase 2 also shows a need for correctional professionals to engage in outreach programs to potential employers. Most of the participants in this research identified a desire to hire ex-offenders for a myriad of reasons, but only a few had formal connections with corrections professionals in order to assist with recruitment efforts. Other scholar-practitioners have concluded that a need exists for the criminal justice system to provide a mechanism for assisting ex-offenders to gain employment after their incarceration (Kethineni & Falcone, 2007; Rakis, 2005; Raphael, 2014). Lacking a formal mechanism for this outreach to occur in some jurisdictions, hiring managers with a need or desire for more qualified job applicants should reach out to their local community correctional organizations. Building a network with corrections professionals may assist an organization in recruiting ex-offender applicants. Some of the intangible benefits of hiring ex-offenders that were voiced by research participants included finding loyal, committed, and high-performing employees that are appreciative for the work opportunity.

Lastly, this phase identified that considering how an ex-offender applicant will integrate into the organization may influence a hiring manager's decision-making process. Participants voiced several properties that collectively make-up a practical set of guidelines that may increase workgroup buy-in, and new employee success, when hiring an ex-offender.

- Respect the new employee's autonomy, privacy, and confidentiality.

- Inform key managers about the new employee's criminal history so that they can:
 - design a work environment that fosters success;
 - build awareness of any post-prison or parole supervision conditions;
 - establish a probationary work agreement, if necessary (for new employees perceived as being high-risk); and
 - treat the new employee equally within these guidelines.
- If co-workers learn about the new employee's criminal history, and if this information disrupts the working environment, then managers should:
 - be a role model for behavioral expectations and organizational values related to a respectful working environment; and
 - provide positive messaging about offering second chances and the value of the new employee as a co-worker, as a member of the community, and as a person.

Phase 3 supports findings from several past research studies. For instance, many participants voiced that an ex-offender applicant's job qualifications were paramount to their consideration process, but they were also concerned about the type of crime committed and about how long the applicant was incarcerated (Finn & Fontaine, 1985; Swanson et al., 2012). Participants also perceived an ex-offender applicant with multiple convictions as a higher risk to employ, especially if a recent pattern of criminal behavior was observed (Graffam et al., 2008).

Similar to the research findings of Graffam et al. (2008), participants' perceptions about an ex-offender applicant's crime severity, criminal history, and desire for change appeared to influence their consideration processes. However, this research indicated that participants with more experience evaluating ex-offender applicants appeared to develop more refined

categorization systems designed around the dimensions of severity of crime, offense history, and job position concerns (see Figure 1). In addition, perceptions about the severity of an ex-offender applicant's crime included concepts such as the situational context of the crime and length of incarceration, not just whether the crime was a misdemeanor, felony, sex crime, violent crime, or other label denoting severity of crime. Offense history was perceived as a way to identify patterns of behavior, especially recent behavior, that may indicate the ex-offender is still a risk (e.g., that he or she is not truly committed to change and is likely to re-offend). These two dimensions appeared to be used to build a typology of ex-offender applicants, that when merged with job position concerns could be used by the hiring manager to mitigate hiring risks to the organization. The typologies did not appear to be formal policies or procedures, but existed as part of the mental framework that the hiring manager used when considering ex-offender applicants.

The value of this understanding is that less experienced hiring managers may benefit from the knowledge imparted from more experienced hiring managers; specifically, by understanding how their more refined categorization systems help them to mitigate the risks of employing ex-offenders within an organization. Constructing similar logistical models that are unique to a hiring manager's own organization may help to limit risks to the employer when trying to fill available positions with ex-offender applicants; and may even assist other scholar-practitioners in their understanding of ex-offender employment challenges. As Participant 3 indicated in his feedback (see Chapter 4, Participant Checking: Validating the Theory), such a model would be a useful tool for employers when considering an ex-offender applicant for employment.

Conclusions for Scholar-practitioners

The conclusions previously discussed may likely be of interest to scholar-practitioners researching ex-offender employment challenges, but so should the issue of hiring manager gender. Past research has looked at the effect of the ex-offender applicant's gender on hiring decisions, but I could not find literature that was related to the hiring manager's gender and its effect on hiring decisions (Finn & Fontaine, 1985). This is an area worthy of further exploration, and is a limitation of the current research. The sample only included two female participants, and any gender differences observed should be viewed cautiously because they may not reflect a larger pattern.

Another topic of interest to scholar-practitioners may be the issue of redemption (when is an ex-offender no longer likely to commit a new crime), and how does this influence hiring manager consideration of ex-offender applicants? Offense history appears to be an important part of the participants' consideration process, but how much time must pass between an ex-offender applicant's crime before hiring managers believe he or she is redeemed? Participants in this research identified time in general terms, but a limitation of the research methodology used is that it is not designed for collecting specific measurements. Past research has shown that most ex-offenders are redeemed after about 7 to 10 years of non-offending, and after this time they are statistically indistinguishable from people that have never been convicted of a crime (Blumstein & Nakamura, 2009; Bushway et al., 2011). This research provided some insight into how hiring managers perceive time since the applicant's last criminal offense, but more detailed measurements may provide for more accurate typologies of ex-offender applicants that could be used for mitigating risk.

Pager, Western, and Sugie (2009) were able to identify that sympathetic responses from employers may improve an ex-offender applicant's chances for receiving a call-back. The concepts of sympathy and empathy were observed in this research as well. Empathy appears to play a part in the hiring manager consideration process during face-to-face interactions with ex-offender applicants. It likely plays a role in initial rapport building, and may be primed by how the ex-offender applicant interacts with the hiring manager (Coan, 1984; Rogers, 1995). Good interviewing skills, such as making eye contact, being attentive, and showing confidence, may all help to build rapport and move the ex-offender applicant past the preliminary consideration phase.

However, this research appears to show that feelings of empathy make the biggest difference in how inferences are made about the nature of the applicant's criminal behavior by hiring managers. The feelings of empathy may be cued by the hiring manager's beliefs or perceptions of similarity with the ex-offender applicant's story, and these feelings may influence the hiring manager's decision making process (Pizarro, 2000). Participants in this dissertation research indicated that ex-offender applicants that were perceived as being open and honest about their criminal history, and whose story connected with, or primed, their worldviews concerning ex-offenders received more favorable inferences. If the situational context of the applicant's criminal story invoked feelings of sympathy or empathy from the hiring manager, then the hiring manager appeared to be more likely to infer the applicant's criminal nature was due to a past mistake or a poor decision versus being an innate part of the applicant's character or personality. These positive feelings may signal the hiring manager to help someone he or she now perceives as having good character, but who made a mistake or a poor decision in the past (Uhlmann, Brescoll, & Paluck, 2006). Mistake makers and poor decision makers (including

recovering addicts) appeared to be more preferable hires than other types of ex-offender applicants (see Figure 1).

Another potential explanation for the observations may be that the feelings of sympathy or empathy helped the hiring manager to put him- or herself into the shoes of the ex-offender applicant. Empathy felt through the process of perspective-taking may reduce prejudicial attitudes, aggression, and improve relations with others (Aronson, 1999). The feelings of empathy may act as a form of self-persuasion for hiring managers that increases their favorable impressions of the ex-offender applicant.

Lastly, this research helped to fill a gap in understanding about how face-to-face interactions, and other subjective ex-offender applicant characteristics, are weighted by hiring managers during their consideration processes (Kuhn, 2013). The primary considerations that appear to influence a favorable hiring decision include evaluations of good fit and the nature of the applicant's criminal behavior. If these two items passed the participants' evaluation process, then the participants may evaluate whether the ex-offender applicant could be placed into an available job based upon logistical concerns related to the duties and responsibilities of the position. If no serious concerns were noted, then a favorable hiring decision was more likely. Surprisingly, formal background checks appeared to have little impact on the hiring decisions of the small businesses included in this research. However, a limitation of this research is that it was not designed to measure the effects of race, ethnicity, nationality, etc. on the hiring manager consideration process for ex-offender applicants (see Chapter 2 and the next section). As the literature review demonstrated, these types of subjective characteristics may likely play a role in a hiring manager's selection and hiring decisions.

Limitations

As discussed in Chapter 1, this dissertation research was based on ontological, epistemological, axiological, methodological, theoretical, and study specific assumptions. As such, an assumption is made in any scientific endeavor that perfection of the results is highly improbable, and this includes results obtained using grounded theory methodology (Corbin & Strauss, 2015). Care was taken throughout the study to ensure that the results would be credible, dependable, and transferable, but limitations do exist. These limitations do not mean that the research lacks merit; they simply mean that care should be taken when applying the findings of this dissertation to the real world. These results must be viewed as a single piece in an overall understanding of ex-offender employment challenges; and this piece must be applied in context to the broader puzzle, which has a rich history in the scientific literature.

Grounded theory research is not designed to test theory, and this can be a limitation. Instead, it is designed to create a new concept, model, and/or theory after an extensive analysis of raw data. A limitation of the theory proposed is that it must undergo further analysis, to include longitudinal research, before any determinations about its accuracy to a larger population can be made (Corbin & Strauss, 2015). The results of this research should be understood and interpreted in context with the lived experiences of the participants involved.

Another limitation of grounded theory research is its data collection instruments and methods. The primary data collection method was digitally audio-recorded participant interviews. There was no instrument used to test the truthfulness of the research participants except for researcher observations and intuition (Corbin & Strauss, 2015). It appeared to this researcher that all participants were being authentic and truthful. It also appeared to this researcher that the participants had no reason to mislead or misrepresent their experiences.

However, human memory is fallible and it is possible that participants' recollections of events may reflect only their subjective truths.

Other limitations specific to this dissertation research also exist. These include sample size, sample diversity (both participants and organizations), making specific measurements, and researcher experience. A sample size of eight participants is nowhere near large enough to allow for generalization of the findings to all hiring managers everywhere (Corbin & Strauss, 2015). However, the sample size was certainly adequate for collecting enough rich data so that detailed concepts, and a detailed model, and theory could be developed that may explain how these participants experienced the phenomenon under investigation (Mason, 2010). The value of this theory will be its usefulness in explaining the process these participants used when considering ex-offender applicants for employment. The process flow of these participants' experiences may also assist others in understanding their own experiences related to ex-offender employment challenges.

The sample was also not representative of a diverse population or of a wide range of organizations. The sample was predominately Caucasian and male. Only one participant identified himself as a minority (Hawaiian/Pacific Islander), and only two participants were female. It is likely that the experiences of the sample may not reflect the experiences of a more diverse population. Additionally, all of the participants represented hiring managers from five small businesses residing in the state of Oregon. The small businesses ranged in size from five up to 225 members. It is likely that the experiences of hiring managers from larger organizations, or from organizations outside of the for-profit sector, would be different than the participants involved in this research. The results of this research help to illuminate the experiences of the participants, and are not meant to be generalized to a larger population

(Patton, 2002). As stated earlier, further research will be needed to ascertain the accuracy of the proposed theory to other populations.

Sample diversity is a concern for researcher interpretations related to gender differences in this research. Whereas male perspectives could be verified in later interviews with other male participants, this was not possible to do with the female perspectives. The data that was related to female gender difference was rich and detailed, but may be an experience inclusive to a single participant.

Organizational diversity was a concern for researcher interpretations related to background checks. The interpretations related to background checking in this research are based on the experiences of hiring managers from a limited pool of small businesses in the state of Oregon. One participant was a self-identified expert in background checks, with a long history of managing a background checking firm, but his experiences may not represent views of hiring managers from larger organizations or from organizations outside of the for-profit sector.

A purposeful limitation of this study was that it did not measure the effects of race, ethnicity, nationality, or other distinctions related to ex-offender employment discrimination on the hiring manager consideration process for ex-offender applicants. Based on past research findings (see Chapter 2), it is likely that minority ex-offender applicants may face additional scrutiny in the hiring manager consideration process. Specific measurements such as these may best be taken using quantitative or mixed-methods field experiments used to test the proposed theory (Pager, 2007).

A final limitation that will be discussed is researcher experience. This dissertation represents my first foray into an extensive psychological research study. Although my life experiences, academic studies, and formal training have prepared me to undertake this research

endeavor, it is possible that my inexperience introduced unintended and unknown errors (Corbin & Strauss, 2015). To help prevent these kinds of errors, my inexperience was offset by supervision from my dissertation mentor and dissertation committee. The dissertation underwent extensive member checking in order to ensure that the results met with Capella University's high standards for doctoral research and qualitative inquiry research methods.

Researcher experience also limited exploration into some areas where participants expressed strong opinions. My training, education, and experience have provided me with competencies related to industrial-organizational psychology and adult corrections. Unfortunately, I do not have competencies in the areas of business insurance, actuarial duties, or how insurance costs are calculated. These items appeared to play a role in some hiring-decisions of research participants when considering ex-offender applicants. One participant voiced concerns that insurance costs were still a primary driver of ex-offender discriminatory practices, and this view has been supported in past research (Dale, 1976). As a result, these items were discussed in general terms for this research, but exploring the specifics of these concerns fell outside the scope of this dissertation. This is an area worthy of further exploration for researchers within the field of actuarial science and/or risk management.

Recommendations for Further Research

In the process of answering the research question, this dissertation has generated many questions that would be interesting to investigate in future studies. Several areas of interest related to the topic of ex-offender employment challenges were raised, such as gender differences in hiring manager cognitive processes, effects of organizational culture on ex-offender employment opportunities, development of formal ex-offender risk categorization or typology systems to improve job placement, measuring the effects of job applicant racial

differences in hiring manager consideration processes, measuring the impact of background checks in the decision-making process of hiring managers, investigating the effects of employing ex-offenders on the cost of business insurance, replicating the current dissertation research, and studies to test this dissertation's proposed theory. These topics of interest will be briefly discussed below.

The gender differences observed between male and female hiring managers in this research were interesting, but underdeveloped due to sample size. The concept that ex-offender hiring decisions may have a gender filter should be investigated to see if a measurable difference truly does exist. How much of a role does the gender of the hiring manager play in ex-offender hiring decisions? Do other female business owners or hiring managers perceive their business as their child? If this perception is common among female business owners or hiring managers, then what are the implications for ex-offender job applicants? What is the importance of the business-as-family concept to both male and female hiring managers? What role do perceptions of comfort and workplace enjoyment play in male hiring manager ex-offender hiring decisions? The wealth of potential research questions related to gender differences could keep many scholar-practitioners busy for the foreseeable future.

An area where the expertise of industrial-organizational psychology (I-O Psy) scholar-practitioners would be useful is in measuring the effects of organizational culture on ex-offender employment opportunities. The effects of organizational culture on the hiring manager consideration process for ex-offender applicants needs further development. Does organizational culture effect ex-offender employment opportunities? Do certain types of organizational cultures hire ex-offender applicants more frequently? What organizational cultures are more accepting of ex-offender employees? Do ex-offender applicants fit into power cultures? The potential

research questions that could be explored related to organizational culture and the topic of ex-offender employment discrimination appear useful for increasing stakeholder understanding of the phenomenon.

Additional areas of interest to I-O Psy scholar-practitioners may be to study organizations that actively seek to employ ex-offenders in more detail. What are these organizational cultures like? How do they network to locate ex-offender employees? What do they do differently to meet the needs of their ex-offender employees? What are the benefits and advantages to these organizations that hire ex-offender employees? How competitive are these organizations when compared with less ex-offender friendly organizations? Is this an area that is growing in response to certain internal or external business needs? Exploring these questions may provide insights and/or new thinking about how to mitigate ex-offender employment discrimination.

The finding of this research that hiring managers may develop categorization systems as part of a mental model in evaluating the risk of hiring an ex-offender applicant needs further exploration and development. Can a formal ex-offender risk categorization or typology system be developed that could improve ex-offender job placement, while also mitigating the risks to employers? How do hiring managers perceive and categorize criminal offenses along a range of crime severity? What effect does sympathy and/or empathy have on the hiring outcomes for different types or categorizations of ex-offenders? What is the measure of time that must pass before an applicant with a certain type of criminal offense is perceived as an acceptable risk for employment? What job position duties, tasks, and responsibilities best align with an ex-offender applicant typology? What are the measurable risks to employers for hiring certain ex-offender types? Development of these ideas could assist both ex-offenders and organizations in their employment goals.

The effects of racial differences on the hiring manager consideration process for ex-offender applicants was purposefully not explored with this grounded theory research. However, the proposed theory should be tested using appropriate field studies to measure whether the race, ethnicity, nationality, or other differences influence the hiring manager consideration process for ex-offender applicants. It is likely that such studies may refine the proposed theory.

Observing the effect of background checks on the hiring manager consideration process for ex-offender applicants needs further study. The participants in this study were all members of small business organizations. These members indicated that the cost of obtaining formal background checks made using them prohibitive for their organizations, except in rare cases related to maintaining professional licensure. What is the true impact of background checks on the decision-making process of hiring managers? How do different sized organizations use background checks when making ex-offender applicant hiring decisions? Do formal background checks influence hiring manager perceptions of ex-offender applicant risk? How do different sized organizations weigh formal background checks in their ex-offender applicant consideration process? There are many potential research studies that could add to the scientific literature related to background checking practices within organizations.

An area of research that could benefit from scholar-practitioners in the field of actuarial science or risk management is the impact of insurance costs on ex-offender applicant employment decisions. What are the factors used to predict the risks of employing ex-offenders? Have the factors related to predicting the risk of employing ex-offenders been validated? How does the cost of insuring a business impact how many ex-offender employees that organization can hire? Building an up-to-date understanding of these practices could be important to

legislative and advocacy efforts designed to mitigate the collateral consequences of ex-offender employment discrimination.

Attempts to replicate this dissertation should be taken to see if a new theory proposed contains similar concepts and processes to the one proposed in this research. It is likely that a grounded theory replication study would produce different interpretations of the data, but it is also likely that commonalities would exist between the two research studies. These similarities and differences could add to scholar-practitioners' understanding of the phenomenon.

Lastly, this dissertation's proposed theory should be tested and measured for accuracy, refinement, and improvements. The more that scholar-practitioners understand about how hiring managers make their decisions related to employing ex-offender applicants, then the more common ground can be found in order to mitigate the challenges associated with employment discrimination.

Conclusion

This dissertation research set out to answer the following research question: "How do hiring managers describe the process of considering ex-offender job applicants?" A grounded theory methodology was used to explore this research question. The result of that exploration was an answer in the form of a proposed theory that adds to scholar-practitioner understanding.

The proposed theory explains the concepts and processes that the hiring managers involved in this research used when evaluating an ex-offender applicant for employment. A theoretical code was developed that contains three phases. These phases include a hiring manager's worldview concerning ex-offenders; a hiring manager's cognitive and psychological processes related to recruitment, selection, and integration of ex-offenders into his or her organization; and the primary phase where the hiring decision undergoes additional scrutiny

when the applicant is an ex-offender. Movement through these phases appeared to assist a hiring manager in arriving at a decision to hire or not hire an ex-offender applicant.

This dissertation research helped to fill a gap in the scientific literature related to the topic of ex-offender employment discrimination. The proposed theory builds on scholar-practitioner understanding about how hiring managers determine whether an ex-offender job applicant passes or fails a selection and hiring process. The proposed theory has also provided insights into the importance of face-to-face interactions with hiring managers, and how these interactions influence hiring manager subjective evaluations of an ex-offender applicant's characteristics. The proposed theory contains 32 concepts and considerations for hiring decisions model. The model explains how offense history, severity of crime, and job position concerns are weighed when a hiring manager is evaluating whether or not to fill an available position with an ex-offender applicant. A hiring manager's experience in evaluating ex-offender applicants appeared to be central in how refined his or her considerations for hiring decisions become. It appeared that hiring managers with more experience evaluating ex-offender applicants were able to develop more complex mental models that informed their hiring decisions. The model acts as an important part of the overall theory in explaining the consideration process that the participants used when making a hiring decision involving an ex-offender applicant.

Similar to the novel *The Scarlet Letter* written by Nathaniel Hawthorne (1850/2012), the challenges ex-offenders face in securing employment may include shame, ridicule, and alienation from certain aspects of society. However, resilience in the face of these challenges may lead to new learning and growth. A person's source of shame may become his or her source of strength. Finding lawful employment is one step towards helping justice involved adults to become examples of redemption for their communities, instead of examples of criminality. As I

close this dissertation, I refer back to a small, but important, piece of dialogue from a research participant's transcript.

Researcher: It sounds almost like a cautionary tale. As I get a read from that story, what things that come to my mind is that it could happen to any of us.

Participant 4: Yes, that's my point. The line between what is and is not legal, and especially at that felony level, is very fine.

I am reminded that most ex-offenders are not the embodiment of evil. Most of them are simply people that made poor choices or mistakes in life. If the roles were reversed, would we not want an opportunity for a second chance? The participants involved in this dissertation research would appear to answer that question with a resounding yes, but not just due to feelings of sympathy or empathy for the ex-offender. Their consideration processes used rationale and logical systems to weigh numerous concepts related to their business needs. Some participants realized unique advantages to hiring ex-offenders that made their businesses more competitive. Other participants viewed giving an ex-offender applicant a fair opportunity to engage in honest employment as being a service to their community. By providing that opportunity, they were not only giving an ex-offender an opportunity for a second chance at life, they were also helping to lower recidivism and crime within their own communities. Most importantly, these outcomes were perceived as worthwhile endeavors that made good business sense.

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STATEMENT OF ORIGINAL WORK

Academic Honesty Policy

Capella University's Academic Honesty Policy ([3.01.01](#)) holds learners accountable for the integrity of work they submit, which includes but is not limited to discussion postings, assignments, comprehensive exams, and the dissertation or capstone project.

Established in the Policy are the expectations for original work, rationale for the policy, definition of terms that pertain to academic honesty and original work, and disciplinary consequences of academic dishonesty. Also stated in the Policy is the expectation that learners will follow APA rules for citing another person's ideas or works.

The following standards for original work and definition of *plagiarism* are discussed in the Policy:

Learners are expected to be the sole authors of their work and to acknowledge the authorship of others' work through proper citation and reference. Use of another person's ideas, including another learner's, without proper reference or citation constitutes plagiarism and academic dishonesty and is prohibited conduct. (p. 1)

Plagiarism is one example of academic dishonesty. Plagiarism is presenting someone else's ideas or work as your own. Plagiarism also includes copying verbatim or rephrasing ideas without properly acknowledging the source by author, date, and publication medium. (p. 2)

Capella University's Research Misconduct Policy ([3.03.06](#)) holds learners accountable for research integrity. What constitutes research misconduct is discussed in the Policy:

Research misconduct includes but is not limited to falsification, fabrication, plagiarism, misappropriation, or other practices that seriously deviate from those that are commonly accepted within the academic community for proposing, conducting, or reviewing research, or in reporting research results. (p. 1)

Learners failing to abide by these policies are subject to consequences, including but not limited to dismissal or revocation of the degree.

Statement of Original Work and Signature

I have read, understood, and abided by Capella University's Academic Honesty Policy ([3.01.01](#)) and Research Misconduct Policy ([3.03.06](#)), including Policy Statements, Rationale, and Definitions.

I attest that this dissertation or capstone project is my own work. Where I have used the ideas or words of others, I have paraphrased, summarized, or used direct quotes following the guidelines set forth in the APA *Publication Manual*.

Learner name and date Leonard K. Dunn 10-22-2016