

**An exception to the rule: Belief in redeemability, desistance signals and the  
employer's decision to hire a job applicant with a criminal record**

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## **INTRODUCTION**

Although research is consistent in finding that securing employment provides a crucial turning point for desistance from crime for individuals with a history of offending (Laub & Sampson, 2003), evidence also shows that employers are generally unwilling to hire job applicants who have a criminal record (Albright & Denq, 1996; Lukies, Graffam & Shinkfield, 2011). Arguably then, the employer's decision to hire an ex-offender should be viewed as one of the key catalysts to facilitate desistance from crime. From this view, employers occupy a vital role in the process of reintegrating ex-offenders back into society because employment outcomes ultimately depend upon employer's hiring decisions (Pager & Western, 2009). Nonetheless, while there is support for the claim that most offenders eventually desist from crime (Brame, Bushway & Paternoster, 2003; Graffam, Shinkfield & Lavelle, 2014), at what point this occurs is not easily discernible by outside agents such as employers. Given the potential importance of employers' role in encouraging desistance from offending, and the lack of information about the process of their hiring decisions with respect to job applicants with a criminal record, more investigation is required.

Criminological research has tended to emphasise a standard package of variables as being associated with the willingness of employers to hire ex-offenders. These include the type and severity of the crime committed, number of previous convictions, and length of time spent in prison, since release or since their most recent offence (Albright & Denq, 1996; Atkin & Armstrong, 2013; Fahey, Roberts & Engel, 2006; Graffam, Shinkfield & Hardcastle, 2008; Kurlychek, Brame & Bushway, 2006). Employers also anticipate poor physical and/or mental health, as well as substance abuse issues may negatively impact work performance (Holzer, Raphael & Stoll, 2002). Furthermore, ex-offenders typically present with low levels of education, limited vocational skills and poor work histories, reducing their employment options to low-skilled, low-wage entry level jobs (Fahey et al., 2006; Western, 2002).

A number of socio-demographic characteristics associated with employers, and the organisational-context within which an ex-offender might be employed are also cited as influencing employers' willingness to hire ex-offender job applicants. Employers who are younger, have tertiary qualifications, work in larger companies and/or report a previous positive experience hiring an ex-offender are more likely to report favourable attitudes towards employing ex-offenders (Fahey, et al., 1996; Graffam, Shinkfield, Lavelle & Hardcastle, 2004; Haslewood-Pócsik, Brown & Spencer, 2008; Lukies, et al., 2011; Pager & Western, 2009). Concerns raised by employers relate to the organisational context within which the ex-offender might be employed. Employers consider whether the type of crime committed may relate to the type of position being applied for (Albright & Denq, 1996; Graffam et al., 2004), and whether the safety of themselves, their staff or customers is perceived to be at risk (Giguere & Dundas, 2002; Pager & Quillian, 2005).

Further studies examining particular socio-demographic attributes of the ex-offender report differential employment outcomes for male and female ex-offenders. Nevertheless, these mixed results are reported in connection with the ex-offender's race. For instance, black male non-offenders fare worse than white male offenders, suggesting a propensity for employers' hiring practices to be underpinned by racial stereotypes (Pager & Western, 2009). However no significant difference was found between white or African American females with or without a criminal record (Decker, 2014; Drury, 2013; Galgano, 2009; Giguere & Dundas, 2002). Beyond ex-offenders' criminal histories and socio-demographic characteristics, as well as the employer's socio-demographic characteristics and organisational-context factors, ex-offender's race is consistently cited as a feature that overrides other factors in its influence on employment outcomes (Pager, 2003, 2007; Pager & Western, 2009).

Even when ex-offender job applicants present favourably as potential employees, the criminal record remains the primary concern for employers and their unwillingness to hire

endures (Pager & Quillian, 2005; Varghese, Hardin, Bauer & Morgan, 2010). Compared to other job applicants, the single unique attribute that differentiates ex-offenders is a criminal record (Holzer, Raphael & Stoll., 2004; Snider & Reyson, 2014). Consequently, employers encounter an array of additional considerations in their hiring decisions, beyond the usual gamut regarding objective factors relating to skills, qualities, education, formal qualifications and work history (Sabol, 2007, Visher et al., 2011). These types of considerations are likely to apply regardless of whether a job applicant has a criminal record or not.

In addition to the broad range of objective factors relating to offending history, socio-demographic characteristics, and organisational-context variables, employers' subjective beliefs and perceptions about ex-offender applicants' desistance from crime are likely to also contribute to their hiring decisions. This notion is supported by social psychological literature that demonstrates what we believe about others governs the decisions we make about them (Postmus, McMahon, Warrener & Macri, 2011). Furthermore, social psychologists assert 'impression formation' is central to the process of making decisions about others. Impression formation transpires via the coalescence of subjective stereotypical beliefs, based on categorical characteristics such as identifiable race or a criminal record, as well as objective personal attributes unique to the individual. Applied to hiring decisions, employers may stereotypically believe that past offending is a good indicator of future offending (Gendreau, Little & Goggin, 1996). However, impressions about an ex-offender's employability will likely alter where counter-stereotypic personal attributes are evident, signifying the ex-offender job applicant as 'an exception to the rule'.

To investigate, this paper draws on Maruna and King's (2009) concept of 'belief in redeemability' and the more recently emerging body of literature around desistance signalling. Belief in redeemability refers to the extent to which an individual views criminality as fixed and unchangeable or whether offenders can change and desist from crime (Maruna & King,

2004). Desistance signals, on the other hand, are recognisable signs indicating an individual is no longer engaged in criminal activity (Bushway & Apel, 2012).

Utilising data from the Employer Subjectivity in Hiring Offenders survey (ESHO), the aim of this paper is to examine the relationship between employers' subjective beliefs *about* the capacity for those who have engaged in criminal behaviour to desist from crime (belief in redeemability) and their willingness to hire, and whether this relationship is mediated through objective factors (desistance signals) demonstrated *by* ex-offender job applicants that signal their desistance from crime. Also examined within the context of this relationship is whether the applicant's race predicts differential hiring outcomes. The theoretical propositions put forward by social psychologists regarding impression formation in the process of making decisions about others, are adopted and applied to examine and understand this relationship. More broadly, the aim of this paper is to contribute to the current body of knowledge relating to processes that are crucial for successful offender reintegration and desistance from crime, in which employment is integral for both (Laub & Sampson, 2003; Petersilia, 2003).

## **LITERATURE REVIEW**

### *OFFENDERS' RACE*

One of the most salient matters addressed in criminological literature is the association between race and crime. Race, as an intervening factor, has also been investigated in research on employment outcomes for ex-offenders. A consistent finding in American research is that black citizens, offenders and non-offenders alike, experience poorer employment outcomes than their white, and often Hispanic, counterparts (Pager, 2003, 2005, 2007; Pager & Karafin, 2009; Pager & Quillian, 2005; Pager & Western, 2009; Pager, Western & Sugie, 2009). In contrast, a small number of studies have also reported Hispanics and black Americans can in some cases experience more positive employment outcomes than whites (Decker, Spohn, Ortiz

& Hedburg, 2010; Varghese, et al., 2010). The scope of this research has, to date, not permitted a thorough examination of these mixed results, however researchers like Decker et al. (2010) speculate responses were influenced by social desirability bias or perhaps because their study took place in the food industry, in which Hispanics and blacks were perceived as better suited (Decker et al., 2010).

Nonetheless, the broader message in criminological research as a whole is that race matters. To extend this further, Pager (2003, 2007) argues that since black non-offenders experience poorer employment outcomes than white offenders, then racial discrimination in hiring practices cannot be solely attributed to having a criminal record. The Global Prison Trends report sheds some light on what is possibly underpinning this tendency (Penal Reform International, 2015). In this report, it is revealed that over fifty percent of the prison population in New Zealand, Western Europe and North America are represented by Indigenous and ethnic minority offenders. Under these disproportionate rates of imprisonment, is an increased likelihood that a job applicant of racial minority will have a criminal record. Consequently, in the absence of criminal history information, judgements about criminality are made on the basis of racial stereotypes (Solinas-Saunders, Stacer & Guy, 2015). Conversely, Holzer, Raphael and Stoll (2006) found the use of criminal background checks mediated the influence of racial stereotypes for black male job applicants without a criminal history, thus improving their employment outcomes. This propensity for stereotypes to strongly influence decisions about others has been clearly demonstrated among psychological studies (Bodenhausen, 1988; Trope & Thompson, 1997).

There is a long standing agreement among psychologists that stereotypical beliefs based on readily identifiable characteristics, such as race, occur automatically (Banaji, 2001; Bargh, 1999; Devine, 1989; Gaertner & McLaughlin, 1983). Until more recently, the commonly accepted assumption was that beliefs about others were inflexible (Dovidio & Fazio, 1992;

Fazio, Jackson, Dunton & Williams, 1995), however, newer research suggests that in the presence of counter-stereotypic information beliefs are susceptible to malleability (Blair, Ma & Lenton, 2001; Dasgupta & Greenwald, 2001). In particular, studies around impression formation show that when individuals exhibit characteristics that set them apart from others in their group, the generalised group beliefs are less likely to apply to that individual (Livingston & Brewer, 2002; Macrae, Mitchell & Pendry, 2002).

### *IMPRESSION FORMATION*

‘Stereotypes’ and ‘individuating information’ are two key features that are fundamental to the process of forming impressions of, and making decisions about others (Brewer, 1988; Fiske & Neuberg, 1990; Locksley, Hepburn & Ortiz, 1982). Stereotyping is a process by which others are socially categorised on the basis of objective indicators such as their perceived race or a criminal record (Bodenhausen, 2005). Stereotypes are then the expectations and beliefs held about members of those social categories (Sherman, Stroessner, Conrey & Azam, 2005). As it functions, we come to define and treat others in accordance with their assigned stereotype, and in the same or similar way as anybody else who might also fit into the same social category. The issue with this is that impressions about others and subsequent responses are based on generalised and broad perceptions informed by categorical information. In turn the unique attributes of the individual, or ‘individuating information’, that differentiates them from others in their shared social category, are largely ignored (Bodenhausen, 2005).

Individuating information, the second component of impression formation, refers to specific knowledge about an individual that goes beyond the generalised attributes by which they come to be stereotyped and considers the personal characteristics that render them unique (Kunda & Thagard, 1996). Such characteristics might include their personality, behaviour, appearance, competencies or even hobbies (Kunda & Sherman-Williams, 1993; Ziegler &

Burger, 2011). The upshot of individuating information is that individuals can be ascribed to multiple social categories simultaneously, thereby contributing to impressions about the individual person beyond broad and generalised stereotypes (Bodenhausen, 2005).

It is not being suggested here that individuating information outweighs stereotypes or vice versa and indeed, there appears to be contrasting views amongst social psychologists as to how the process of impression formation unfolds. However, the general consensus is that both stereotypes and individuating information contribute to one's impression of another (Asch, 1946; Brewer, 1988; Fiske & Neuberg, 1990; Holyoak & Spellman, 1993; Kunda & Thagard, 1993). Comparative to stereotypes, a belief in redeemability is first and foremost a generalised belief about whether offenders, as a socially categorised collective of individuals, can change and desist from crime (Maruna & King, 2009). However, the way in which this subjective belief might influence employers' hiring decisions from one offender to the next is likely to depend upon additional and specific objective information about the individual. For this reason, desistance signals as "individuating information", which comprises the second feature of impression formation, will be integral to employers in their hiring decisions and should not be ignored.

### *BELIEF IN REDEEMABILITY*

Belief in redeemability refers to the perceived malleability of human nature in relation to attitudes about others. As it relates to criminality, belief in redeemability refers to subjective beliefs one holds about the capacity for offenders to change and desist from crime despite the extent or severity of their offending history (Maruna & King, 2009). Maruna and King (2009) propose belief in redeemability to be an alternative perspective to the Cullen, Clark, Cullen and Mather's (1985) attribution-style explanations of crime, suggesting offenders make the rational



choice to offend and are therefore inherently criminogenic (classical explanations) or offending occurs due to external social pressures (positivist explanations).

Previous studies examining public punitive attitudes towards offenders in connection with attribution-style explanations of crime found those who attribute classical, compared to positivist explanations to crime were more punitive. Yet Brickman (1982) proposes public attitudes may rely more on prospective change than causal explanations of behaviour. Similarly, Maruna and King (2009) adopt Garland's (2001) suggestion that the reasons behind why crime occurs are somewhat irrelevant if ultimately the offending occurs. What is more important is where one sits on the continuum of beliefs about offending behaviour. This continuum represents beliefs about criminality as ranging from being unchangeable (i.e., "largely set in stone") to entirely changeable (i.e., "even the worst offender can change his or her ways") (Maruna & King, 2009:12). This is what characterises a belief in redeemability.

Utilising data from the Cambridge University Public Opinion Project [CUPOP] Maruna and King (2009) demonstrated belief in redeemability was a better predictor of public punitive attitudes than attribution-style explanations of crime. Controlling for respondents' socio-demographic characteristics, as well as measures relating to victimisation, fear of crime and crime salience, they found belief in redeemability to account for an additional fourteen percent of the variation in individual differences in punitiveness. Furthermore, over and above dispositional attributions of crime significantly predicting punitive attitudes, belief in redeemability had a strong negative association with punitiveness.

Similarly, the question is open as to whether variations detected amongst employers in their willingness to hire offenders will have less to do with the offender's criminal history and more to do with whether they believe offenders can change and desist from crime. Belief in redeemability provides one possible way in which this supposition can be tested. Given the manner in which stereotypes function as pre-established beliefs about members of specific

social categories (Devine, 1989), it is possible that belief in redeemability operates in a similar way. Generalised beliefs about whether or not offenders can change and desist from crime are most likely to be pre-conceived and not reliant upon the employer's interaction with an individual offender. For this reason, it is crucial to first examine the direct relationship between belief in redeemability and employers' willingness to hire.

However, these subjective beliefs are only one of two possible components identified in previous literature concerning impression formation. As a key feature in making decisions about others (Brewer, 1988), impression formation also involves a second component, which relates to individual objective factors. It is one of the preliminary aims of this paper to explore whether employers' subjective beliefs about offenders are associated with a general willingness to hire a job applicant with a criminal record. More specifically though, a further aim is to examine whether a willingness to hire will fluctuate from one offender to the next, mediated by the demonstrable way in which ex-offenders objectively signal their desistance from crime.

### *DESISTANCE SIGNALLING*

Desistance signalling originates from a labour economic theory about the extent to which employers can rely on a prospective employee's observable characteristics and attributes to indicate intangible qualities that are valued by the employer, such as their productivity (Spence, 1973). From this perspective, signals are observable aspects that communicate information that is latent, or otherwise unobservable. Applied to desistance from offending behaviour, Bushway and Apel (2012) have argued that ex-offenders may rely on observable features or characteristics not typically associated with offending behaviour to 'signal' their desistance from crime. However, Bushway and Apel (2012) also argue that unless outside agents, such as employers, are attuned to discern such signals as signifying desistance, the employability of desisting offenders may be overshadowed by their offending history.

Ex-offenders signal their desistance from crime to employers via a range of hard and soft skills. Hard skills are characterised by formal or technical competencies, such as specific job skills (Moss & Tilly, 1996), they are tangible and are relatively easy to demonstrate. On the other hand soft skills are less concrete but are highly valued in the labour market. Examples of soft skills are extent of knowledge, personality traits, motivation and interpersonal skills (Crosbie, 2005; Heckman & Kautz, 2012). Soft skills are not independent of hard skills as they often rely on the tangible evidence of an individual's hard skills to also imply the soft skills they possess (Heckman & Kautz, 2012). Often soft and hard skills are also intertwined, as hard, technical skills require gained knowledge (soft skills) in order to perform the technical task (Crosbie, 2005).

For employment, the acquisition of hard skills typically occurs by way of completing employment training (Mooney & Daffern, 2011; Visher, Debus-Sherrill & Yahner, 2008). Ex-offenders substantiate attaining such skills with references or recommendations from employment programs facilitators (Davidson, 2011; Holzer et al., 2002), job placement agencies (Fahey et al., 2006) and previous employers (Fletcher, 2001). More formal processes such as obtaining documented evidence of rehabilitation from a governing professional body also provide demonstrable hard skill evidence for ex-offenders to signal their desistance (Love, 2003; Lucken & Ponte, 2008; Maruna, 2011).

In terms of soft skills and in the context of employment, ex-offenders anticipate that by openly disclosing their criminal past to employers, their motivation to change is demonstrated (Cherney & Fitzgerald, 2014) and reinforced by their expressed desire to work (Maruna, 2012). Also valued by employers is being well presented, demonstrating a positive attitude, interacting well with others and fitting in the workplace (Decker et al., 2010; Fletcher, 2001; Redcross, Millenky, Rudd & Levshin, 2012). Employers cite hard skills such as formal qualifications and

prior work experience as valuable because these rely first and foremost on soft skills such as the individual's motivation and commitment to attain (Fletcher, 2001).

It is proposed that out of this range of hard and soft skills it is the less tangible soft skills that employers value most. These soft skills are regarded highly by employers as being characteristic of a good worker such as being reliable, motivated, willing to learn and punctual, for example (Bloom, 2012; Holzer, et al., 2002; Visher et al., 2008). The argument is that soft skills are the key indicators that distinguish whether a potential employee is a productive worker or not (Nealy, 2005). Overall though, possession of hard and soft skills is typically associated with productive citizenship and therefore criminal desistance (Schriro, 2012). For this reason providing tangible evidence of hard and soft skills enables ex-offenders to signal to employers their desistance from crime. To date there is limited empirical scholarship that considers which desistance signals are most effective in the context of employment outcomes for ex-offenders. To advance this, Bushway and Apel (2012) recommend an empirical examination to establish whether desistance signals do in fact hold value to the stakeholders for whom they are intended (in this case, employers).

## **METHODOLOGY**

### *RESEARCH SITE AND SAMPLE*

The participants for this study were 367 employers from Toowoomba, aged 18 and over who self-identified as either business owners (58%) or employees with hiring responsibilities (42%), herein referred to as 'employers'. Toowoomba is the largest inland city in Queensland and the central commercial district of the Darling Downs region (Queensland Government, 2013). Toowoomba also has a significant offender population (Department of Justice and Attorney-General, 2014), therefore employment opportunities for those with a criminal record are crucial. The sampling frame ( $N=1,505$ ) was compiled from businesses listed in the

Toowoomba Yellow Pages (Merrilees, Bentley & Cameron, 1999) and included a range of industries with low-skilled, entry level type positions, suitable for employment of ex-offenders (ABS, 2015; Western, 2002).

#### *EMPLOYER SUBJECTIVITY IN HIRING OFFENDERS SURVEY*

The Employer Subjectivity in Hiring Offenders Survey (ESHO) was designed specifically to achieve the stated objectives of this research. The survey was web-based, hosted by *Survey Monkey* and disseminated to participants via email. The measurement items in the survey instrument were selected on the basis of their distinct ability to support the theoretical aims of this research relating to employers' willingness to hire an ex-offender job applicant (Snider & Reyson, 2014), ex-offenders' socio-demographic attributes (Pager & Western, 2009), employers' socio-demographic attributes and organisational-context characteristics (Lukies et al., 2011); belief in redeemability (Maruna & King, 2009); and signals of desistance (Fahey, et al., 2006).

Survey participants were recruited via a three-step recruitment strategy comprising an introductory telephone call inviting participation, followed immediately by an email sent to those agreeing to participate, which provided a link to the ESHO survey, then a follow up reminder email two weeks after the initial contact (Dillman, Smyth & Christian, 2009; Sauermann & Roach, 2013). The rationale behind this recruitment procedure was to minimise low response rates and address limitations associated with web-based research methods, such as perceptions of email invitations being junk mail and the impersonal approach to research (Evans & Mathur, 2005; Scholl, Mulders & Drent, 2002).

From February to June 2015, a full census ( $N=1,505$ ) was conducted of the sampling frame of Toowoomba employers. Of the total 1,505 employers contacted, 834 agreed to participate. A total of 367 complete surveys were returned, representing a response rate of

24.39% and a co-operation rate of 44% (American Association of Public Opinion Research [AAPOR], 2015). This response rate is considerably high when compared to similar studies with employers, typically reporting lower response rates (see for example Haslewood-Pócsik, et al., 2008 [8% response rate]; Lukies, et al., 2011 [17% response rate], Teshima, 2014 [16.5% response rate]).

### *STUDY DESIGN*

This study was designed as a factorial vignette survey, which combines the benefits of both traditional surveys and experimental designs (Hox, Kreft & Hermkens, 1991). Contrary to traditional vignettes where respondents rate responses on all vignette descriptions, when factorial surveys are distributed to respondents, vignette attributes (*levels* e.g., male/female) relating to variables (*dimensions* e.g., gender) are randomly assigned (Rossi, 1979). This is advantageous for analysis because the combination of individual vignettes produces a sample of all possible combinations. Also, by randomly selecting dimension levels the independent effects of each variable on the outcome can be examined (Rossi & Anderson, 1982).

The vignette in this study described a hypothetical job applicant with a criminal history. To test the independent effects of race on employers' hiring decisions, two levels (Caucasian Australian or Indigenous Australian, from one dimension - race) were randomly assigned to the vignette, with all other vignette characteristics held constant. Survey respondents were randomly assigned either the vignette including the White Australian level, or the Indigenous Australian level on the race dimension. The survey was approximately equally distributed with 50.95% of respondents receiving the White Australian ex-offender job applicant vignette and 49.05% receiving the Indigenous Australian ex-offender job applicant vignette. The vignette description, an adaptation of Snider and Reyson's (2014) and Savage's (2003), read as follows:

You recently advertised a position available with your company/business for a job that does not require any formal qualifications or particular set of skills. The duties

of this position require the employee to carry out general duties as needed and any particular training relevant to your workplace will be given on the job. Today you are interviewing John Watson (Wurundjeri), one of the job applicants.

John is a 26 year old Caucasian (Indigenous) Australian male who has applied for employment within your business/company. John arrives at your office on time for his interview and you notice that he appears to be reasonably presented. During the interview, John tells you that he has no formal qualifications and his previous work experience has been in jobs requiring a minimal level of skill. John appears to be motivated to work.

While going over John's application you notice he has a criminal record. The following information about John's criminal history is made available to you – type of crime committed: violent; number of convictions: single; type of sentence received: community service; time lapse since discharge from sentence: less than two years.

After reading the vignette, survey participants then provided their responses to a range of scales measuring their willingness to hire (dependent variable) and desistance signals (independent variables). Data relating to the employer respondents' socio-demographic and organisational-context characteristics was also obtained (Lukies et al., 2011). Separate from the vignette questions, a measure of belief in redeemability was also obtained.

## *MEASURES*

### *Dependent variable*

*Willingness to hire.* The key dependent variable in this study measured the extent to which employers were willing to hire a job applicant with a criminal record. After reading the vignette description, respondents were asked to rate their agreement with the statement "I would hire John for this job". Response categories were 1 "strongly disagree", 2, 3, 4 "neither agree or disagree", 5, 6, 7 "strongly agree" (Snider & Reyson, 2014).

### *Control variables*

Replicating previous studies, this study controlled for a number of socio-demographic attributes relevant to the employer and their organisational-context in association with their

willingness to hire. These included the employer's age, gender, highest level of education, the type of industry in which they worked (stratified as 'construction and trade' or 'retail and services'), their work role and the size of the business they owned or in which they were employed. Employers were also asked to report how many applicants with a criminal record they had hired in the past (to their knowledge) and for those who had, how they would rate the quality of that experience on a 5-point Likert scale from very negative to very positive.

### *Independent variables*

*Race.* This study tested for the independent effect of race on employers' hiring decisions by randomly allocating survey respondents with a vignette describing either a White Australian job applicant or an Indigenous Australian job applicant, as outlined earlier. This is important to distinguish since employment rates for Indigenous Australians are reported to be at twenty percent less than their non-Indigenous counterparts (ABS, 2014). In addition, Indigenous offenders are over-represented within the Australian criminal justice system with imprisonment rates for Indigenous Australians at twelve times greater than non-Indigenous Australians (AIC, 2015). Solinas-Saunders, Stacer and Guy (2015) report a similar situation in the United States and consequently argue this leads to the stigmatisation of black Americans based on the perceived likelihood they have a history of offending and their productivity as an employee is subsequently judged on this merit.

*Belief in redeemability.* The belief in redeemability scale was adopted directly from Maruna and King's (2009) study. The scale consists of four items to which respondents rated their response for each on a 6-point Likert scale where 1 = strongly disagree, 2 = moderately disagree, 3 = mildly disagree, 4 = mildly agree, 5 = moderately agree, and 6 = strongly agree.

The scale items were as follows:

1. Most offenders can go on to lead productive lives with help and hard work
2. Even the worst young offender can grow out of criminal behaviour



3. Most offenders really have little hope of changing for the better
4. Some offenders are so damaged that they can never lead productive lives

Items three and four were reverse coded, then, all four items summed to provide an individual score for each respondent. Low scores are indicative of a low belief in redeemability, with increases in scores indicating increased belief in redeemability. The belief in redeemability scale coefficient for this study was  $\alpha = .63$ , comparable to Maruna & King's (2009) study reporting an alpha coefficient of  $\alpha = .64$ .

*Desistance signals.* A thorough review of the literature revealed a number of hard and soft skills identified as being indicative of desistance and contributing to employers' willingness to hire offenders. The utility of these hard and soft skills for employment outcomes were measured using two scales with items adopted and adapted from previous research (Fahey et al., 2006). The first of these scales includes items predominantly measuring soft skills and cited by employers' as being valuable as well as indicating desistance from crime. Respondents were asked to rate their agreement on a 7-point Likert scale (1=Strongly disagree; 4=Unsure; 7=Strongly agree) with the following:

My decision to hire John would depend less on his criminal record and more on...

- the way he presents himself (e.g., his clothes, cleanliness and grooming)
- his ability to interact with others (e.g., good communication skills, friendly, he is likeable)
- his attitude. E.g. motivated, eager to learn, willing to work, enthusiastic
- his formal qualifications (e.g. prior training, trade certificate, tertiary degree, technical skills)
- his prior work history (e.g. types of jobs he has held, length of time in prior jobs)
- whether I think he would fit in with my business/company

The second scale encompassed a range of mostly hard skills, also associated with signalling desistance from crime. Respondents were asked to rate, on a 7-point Likert scale, the likelihood their willingness would alter on the basis of these hard skills where 1=Less likely to hire; 4=Unchanged; and 7=More likely to hire. The items in this scale were:

- He openly disclosed details about his criminal record to you
- He had received specific job skill training appropriate to your industry

- He was employed prior to his conviction
- He completed an employment program after his conviction
- He had built a positive employment record after this most recent offence
- An intermediary agency (e.g., employment agency that screens potential job candidates) referred John for employment with your establishment
- He received a certificate from the court where he was first convicted to state he was rehabilitated.

To investigate the factorability of the items in these two scales, a factor analysis was carried out. For the six-item scale measuring soft skills, all items loaded onto one factor. This one factor explained 80% of the variance with an alpha coefficient of  $\alpha=0.9487$ . The seven-item scale measuring hard skills also loaded onto one factor, explaining 71% of the variation with an alpha coefficient of  $\alpha=0.9298$ . Subsequently, two new composite variables – *Soft Skill Signals* and *Hard Skill Signals* – were generated for analysis.

#### *ANALYTICAL APPROACH*

To examine what best predicts employers' willingness to hire an offender job applicant, an Ordinary Least Squares [OLS] multivariate regression technique was employed (Applegate, Turner, Sanborn Jr., Latessa & Moon, 2000). To investigate the unique effects of the vignette dimension of race, control variables and independent variables, the regression analysis proceeded in four steps (Applegate et al., 2000). Adopting this approach enabled analysis of whether each set of variables contributed to the overall variance in the outcome of employers' willingness to hire (Maruna & King, 2009).

First, employers' willingness to hire was regressed on race, which constituted the only vignette dimension. The second step included all control variables relating to employers' socio-demographic and organisational-context characteristics, as well as their previous experience hiring an offender. The third step introduced belief in redeemability to the model, followed by soft skill signals and hard skill signals in the final model. In the interest of parsimony, a number of control variables that were not found to significantly contribute to the model at any step were

removed. These were respondents' age and gender, industry strata, number of employees and respondents' work role.

To then investigate whether soft skill signals and hard skills signals independently and together mediated the relationship between belief in redeemability ( $X$ ) and willingness to hire ( $Y$ ), a serial multiple mediation analysis was conducted using the PROCESS macro for SPSS with 10,000 bootstrapped samples (Hayes, 2013). Serial multiple mediation models allow for more than one mediator to be included in the model to examine the indirect effect of  $X$  on  $Y$  through each individual mediator, as well as sequentially through multiple mediators (Hayes, 2013). When testing for the indirect effect of mediating variables, bootstrapping the sampling distribution is not reliant upon assumptions about sampling distribution normality, thereby avoiding problems typically associated with non-normal distributions. Bootstrapping procedures estimate the 95% confidence interval (CI), where the absence of zero within the interval indicates the indirect effect is statistically significant from zero at  $p < .05$  (Preacher & Hayes, 2004).<sup>1</sup>

## **RESULTS**

The four-model regression results are shown in Table 1. In model one, the bivariate relationship between employers' willingness to hire and Indigenous Australian, as one level of the race dimension, is negative. This indicates that having the option to hire an Indigenous ex-offender compared to a White Australian ex-offender reduced employers' willingness to hire, however this finding did not reach statistical significance ( $\beta = -0.247$ ,  $p < 0.1$ ). Although this relationship is not statistically significant, it is reported here on the basis that ex-offenders' race,

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<sup>1</sup> Interaction terms were created and tests for moderation were also carried out, but none were found to be significant.

being a key variable of interest in this study, is consistently shown to adversely affect employment outcomes (Decker, 2014; Pager, 2009; Pager & Western, 2009).

Education and previous experience hiring an offender was added to model two. In this model, having a previous positive experience hiring an offender was shown to be the strongest predictor of employers' willingness to hire ( $\beta = 0.8521, p < 0.001$ ). This means that having had a positive experience hiring an offender in the past, predicts an increased willingness to do the same again. Overall, the variance in employers' willingness to hire in model two increased by over 5% and accounted for 6.1% of the overall variance ( $F(3,363) = 7.86, p < .001$ ).

Model three introduces belief in redeemability. Belief in redeemability emerges as significant in this model ( $\beta = 0.5646, p < 0.001$ ), and is positively associated with employers' willingness to hire. In this regard, an increased belief in redeemability effects a greater likelihood an employer will hire a job applicant with a criminal record. The inclusion of belief in redeemability in model three accounts for an additional 11.33% of the overall variance in employers' willingness to hire an offender job applicant, explaining a total of 16.66% ( $F(4,362) = 19.29, p < .001$ ).

The final model shows the addition of both desistance signalling measures – soft skill signals and hard skill signals. Both are significantly and positively associated with employers' willingness to hire. Soft skill signals are stronger and more significant ( $\beta = 0.3032, p < 0.001$ ) than hard skill signals ( $\beta = 0.1682, p < 0.01$ ). After controlling for both soft skill and hard skill signals, education emerges as significant ( $\beta = -0.4158, p < 0.05$ ). This association is negative, which suggests employers with a higher education level, compared to not having completed secondary school, are less likely to hire an ex-offender job applicant. Also, having had a previous positive experience hiring an ex-offender, loses significance, which suggests that once specific information about the individual is made available, generalised experience with the collective no longer matters. The regression coefficient for belief in redeemability reduces by

nearly half in model four compared to model three, but retains its significance level ( $\beta = 0.3044$ ,  $p < 0.001$ ). Model four accounts for 27.68% of the overall variance in employers' willingness to hire ( $F(6,360) = 24.35$ ,  $p < .001$ ). Model four shows that together, belief in redeemability, soft skill signals and hard skill signals account for 22.35% of the overall variance over and above race, employers' socio-demographics and organisational-context demographics.

As shown in Table 1 the effects of both soft skill signals and hard skill signals are significant, and reduce the effects of belief in redeemability. To explore this further, the mediating effect of both soft skill and hard skill signals on the relationship between belief in redeemability and willingness to hire was assessed using a serial multiple mediation model. This model is depicted in Figure 1 with the corresponding results shown in Table 2 (Hayes, 2013; Krieger & Sarge, 2013).

The total effect (c) of belief in redeemability on employers' willingness to hire was significant ( $\beta = 0.326$ ,  $p < .001$ ). The total direct effect (c') was also significant but decreased in strength and significance ( $\beta = 0.281$ ; 95% CI = .175, .392,  $p < .05$ ) from the total effect. This demonstrates soft skill signals and hard skill signals partially explain the relationship between belief in redeemability and employers' willingness to hire, since the coefficient in path c' did not reduce to zero. The mediated relationship through hard skill signals (a1b1) was not significant ( $\beta = 0.281$ ; 95% CI = -.008, .161), however the mediated relationship through soft skill signals (a2b2) was significant ( $\beta = 0.109$ ; 95% CI = .043, .197).

The serial multiple mediation tested whether the relationship between belief in redeemability and employers' willingness is mediated through hard skill signals and soft skills, sequentially. The rationale for examining the indirect effects of both mediators in this order is theoretically guided by prior research. Employers cite soft skills as more valuable than hard skills because soft skills are indicative of qualities that make a good worker (Bloom, 2012; Holzer et al., 2002; Visher et al., 2008), however, hard skills are instrumental in this assessment

in that they provide the tangible means by which soft skills can be identified (Fletcher, 2001). Indeed, the serial multiple mediation test ( $a_1a_3b_2$ ) was significant in this instance ( $\beta = 0.097$ ; 95% CI = .055, .159), thus providing empirical support for the manner in which hard skills and soft skills operate together to mediate employers' willingness to hire job applicants with a criminal record.

These findings demonstrate that even though individual attributes of hard and soft skills are instrumental in signalling desistance from crime and influence the appeal of employing an ex-offender job applicant, they do not negate the preliminary beliefs employers hold about the capacity for those who have engaged in offending behaviour to change. Also demonstrated is that even though belief in redeemability is strongly and significantly associated with employers' hiring decisions in general, at the individual level these decisions also rely strongly on the ex-offender applicant's individual hard and soft skill attributes to signal their desistance from crime. The theoretical proposition put forward by social psychologists that impression formation constitutes the coalescence of both generalised beliefs as well as individuating information, is supported by these findings.

## **DISCUSSION**

Prior research demonstrates a range of objective factors associated with employment outcomes for offenders. These factors relate to various characteristics relevant to the ex-offender and their criminal history, as well as the employer and the organisational-context within which they work (Albright & Denq, 1996; Atkin & Armstrong, 2013; Graffam et al., 2008; Lukies, et al., 2011). Contributing further to the current body of literature, this paper aimed to apply the theoretical tenets of impression formation to examine the association between employers' willingness to hire job applicants with a criminal record and belief in redeemability, and whether individuating signals of desistance mediated this association. These

associations were further examined within the context of ex-offender job applicant's race. Four key findings emerge from this study.

First, belief in redeemability is a significant and positive predictor of employers' willingness to hire offenders. Second, soft skill and hard skill signals – representing desistance signals – were also significantly and positively associated with employers' willingness to hire offenders. Third, the relationship between belief in redeemability and employers' willingness to hire is partially mediated by soft skill and hard skill signals. Finally, no significant association was found between race and employers' willingness to hire.

In this paper, it is argued that belief in redeemability is similar to the concept of stereotyping, in that both are generalised, preconceived beliefs (Devine, 1989). Therefore, it stands to reason that employers' belief in redeemability will influence their predetermined willingness to hire ex-offenders, in much the same way that stereotypes automatically govern decisions about others in the absence of any other information. In this sense, a belief in redeemability can serve as a starting point in shaping employers' willingness to hire. From there, any variation will depend upon the extent to which the ex-offender's individuating desistance signals identify them as desisters, and therefore as, 'good bets' distinct from non-desisting offenders who are 'bad bets'. This brings to light the importance of soft skill and hard skill signals for offenders to signal their desistance from crime.

Indeed the results of this study show the individuating information of soft and hard skill signals are important for ex-offender job applicants' employment outcomes. Perhaps it would therefore be of some advantage for the desisting offender to clearly demonstrate his or her soft and hard skill signals before their offending history is revealed, assuming this is within the scope of their own control. Mitchell, Nosek and Banaji (2003) demonstrated in their study the value of such an approach, that by magnifying counter-stereotypic information, stereotypes are minimised or altered (see also Blair, 2002).

In this way, ex-offenders would retain some advantage compared with other stereotyped groups. Stereotypes are usually applied automatically and on the basis of readily identifiable characteristics such as race, gender or age (Banaji, 2001; Greenwald & Banaji, 1995). However a criminal record is not as readily identifiable as physical features and relies on the ex-offender or other third party to reveal such information. Without or before such information is disclosed, ex-offenders have the opportunity to capitalise on hard and soft skill signals in order to maximise the potential affect of this counter-stereotypic evidence. Even after the offence history is revealed, if desistance has been effectively signalled, any stereotypes about criminality the employer may hold is more likely to be neglected (Kunda & Sherman-Williams, 1993).

Of particular interest to this study is the finding that soft skill signals alone and together with hard skill signals, being proxies for desistance signalling, partially mediate the association between belief in redeemability, and the willingness of employers to hire job applicants with a criminal record. This finding provides support for the theoretical supposition of impression formation, highlighting the combined influence of subjective beliefs (i.e., stereotypes) and objective attributes (i.e., individuating information) in the process of making decisions about others. Precisely how this might transpire in the context of employment outcomes for ex-offenders, requires more consideration.

If impressions about an individual transcend a generalised belief about the collective to a specific belief about the individual, then arguably, the onus is on the individual subject to provide sufficient individuating information for favourable impressions to be formed. As demonstrated herein employers' assessment of the ex-offender job applicant's employability ultimately depends upon specific individuating desistance signals, beyond a general belief about whether or not offenders are able to change. In this instance, the provision of substantial



evidence rests with the desisting offender job applicant, in much the same way a judge or jury once upon a time relied on the burden of proof to convict them in the first place.

To illustrate, the job interview process plays out in much the same way as court proceedings for the ex-offender job applicant (Flemming Jr., 1961). In this regard, the employer occupies the position of judge or jury and the burden of proof rests with the job applicant to present convincing individuating information as evidence of his or her desistance from crime (McCauliff, 1982). The extent to which the employer is persuaded of the ex-offender job applicant's change and desistance from crime, will depend upon the evidence available that signals his or her desistance. (Bushway & Apel, 2012; Bloom, 2012; Maruna, 2012; Spence, 1973). To extend this further, Blair (2002) contends that for individuating information to be effective in impression formation, interpersonal interaction is necessary and not mere observation from a distance. This resonates with earlier research reporting employers are more willing to hire job applicants with a criminal record after engaging in a face-to-face interview (Gill, 1997; Pager & Western, 2009; Pager, et al., 2009).

Finally, the non-significant association between race and employers' hiring decisions was unexpected. Two possible reasons for this are proposed. First, Forrest and Dunn (2006) examined public attitudes towards cultural diversity across New South Wales and Queensland. Their study revealed the geographical distribution of intolerance and aversion to racial minority groups differed within the Australian context. In Toowoomba, the research site for this study, higher levels of acceptance towards racial minorities was reported, which may also translate to a greater willingness to hire from racial minority groups.

Second, this study has demonstrated the utility of soft skill signals and hard skill signals in mediating the generalised belief about offenders' capacity for change and their likelihood for gaining employment. Studies show that physical attributes signifying race also trigger automatic stereotypical beliefs (Dasgupta, McGhee, Greenwald & Banaji, 2000; Plant, Peruche

& Butz, 2005). However, if individuating soft skill and hard skill signals are instrumental in mediating generalised beliefs about ex-offenders, then it is possible these same individuating soft skill and hard skill signals mediate the effect of race on employers' hiring decisions as well. The scope of this study does not allow this possibility to be explored further, however is certainly an implication for future research since Pager (2005) unquestionably demonstrated incongruence between what employers say and what they do.

A further implication emerging from this study is the requirement for qualitative research to explore in greater depth which desistance signals are particularly valuable to employers as it relates to their hiring decisions about offenders and how they might identify these signals. If desistance signals are so important in this process then it is crucial to know which signals matter and how they should be communicated. Establishing this knowledge base has implications for future policy and services aimed at improving strategies to increase employment outcomes for offenders.

In closing, the aim of this paper was to examine whether employers' subjective beliefs are associated with employment outcomes for ex-offenders, beyond objective factors already known to influence their hiring decisions. By employing the belief in redeemability theoretical framework the results of this study reveal that employers' beliefs about the capacity for offenders to change and desist from crime does in fact predict their willingness to hire. This relationship is partially mediated by soft skill signals and hard skill signals by which offenders signal their desistance from crime to employers. Drawing on social psychology's impression formation, the general context of these findings suggests that people will always reserve their underlying generalised beliefs about others, but individuating information highlights those who are an exception to the rule, consequently leading to differential decisions made about them.

**Table 1.**

**Regression results for association between vignette characteristics, control variables, independent variables, and employers' willingness to hire an ex-offender.**

	Model 1		Model 2		Model 3		Model 4	
	$\beta$	SE	$\beta$	SE	$\beta$	SE	$\beta$	SE
<b>Vignette Dimension – Race</b>								
(ref=Caucasian Australian)								
Indigenous Australian	-0.247†	0.146	-0.249†	0.142	-0.261†	0.133	-0.240†	0.124
<b>Control Variables</b>								
Education								
(ref = not completed sec. school)								
Completed all higher education			-0.367	0.222	-0.391	0.208	-0.416*	0.195
Experience hiring offenders								
(ref = no/neutral/negative previous experience)								
Previous positive experience			0.852***	0.220	0.563**	0.210	0.381	0.197
<b>Independent Variables</b>								
Belief in redeemability					0.565***	0.080	0.304***	0.082
Hard skills							0.168**	0.071
Soft skills							0.303***	0.059
Prob>F	0.090		0.000		0.000		0.000	
R-squared	0.008		0.061		0.176		0.289	
Adj R-squared	0.005		0.053		0.167		0.277	
VIF			1.02		1.04		1.26	

† $p < 0.1$  \* $p < 0.05$  \*\* $p < 0.01$  \*\*\* $p < 0.001$

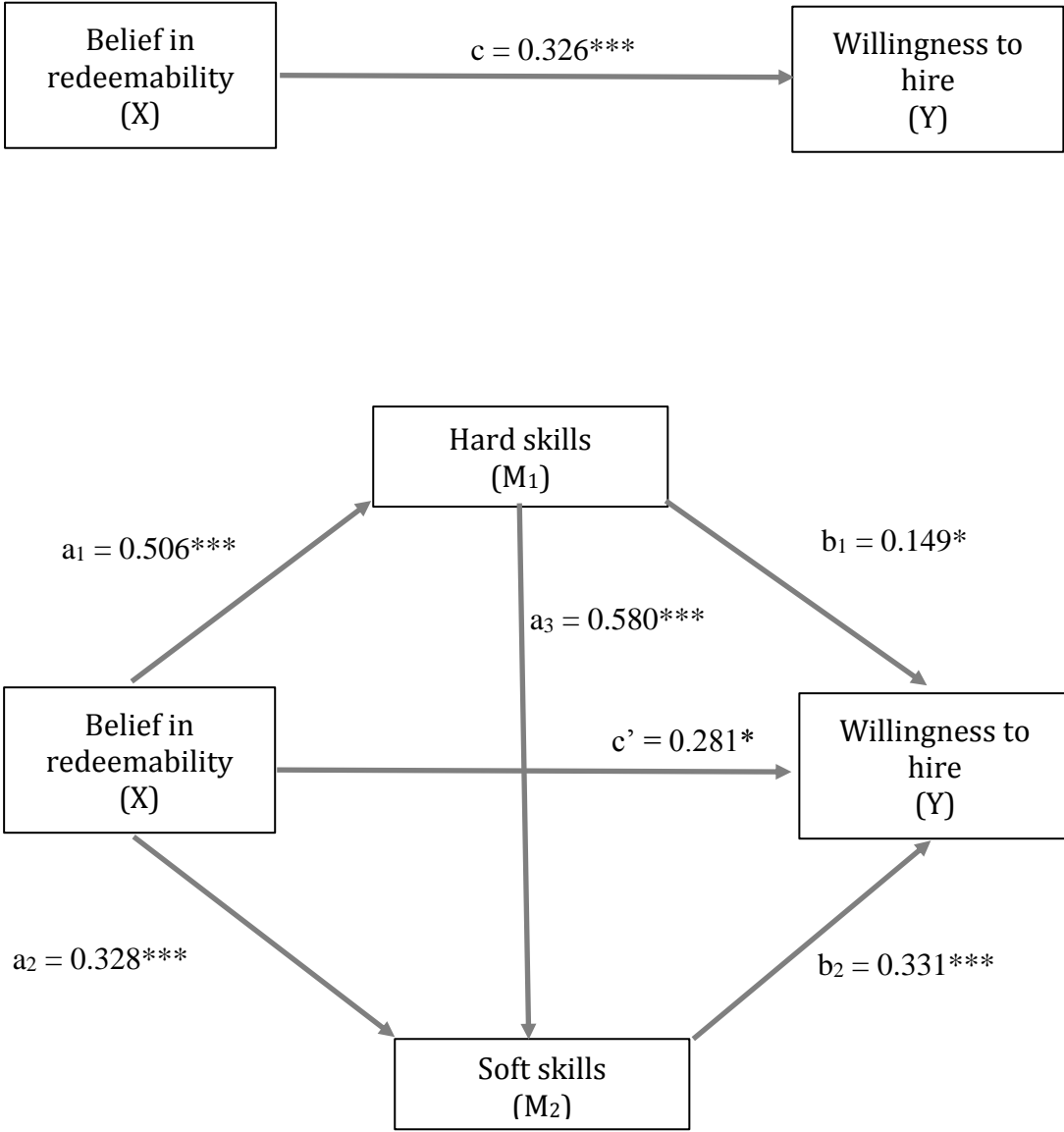
**Table 2.**

**Path coefficients and indirect effects for serial multiple mediation model (standard errors in parentheses)**

FROM	TO	Path Coefficients			Indirect Effects	
		Willingness to hire (Y)	Hard Skill Signals (M1)	Soft Skill Signals (M2)	Estimate	Bootstrap 95% CI
Belief in Redeemability (X)		.326 (.083) ***	.506(.062) ***	.328 (.071) ***		
Soft Skill Signals (M1)		.331 (.059)***				
Hard Skill Signals (M2)		.149 (.072)*		.580 (.056)***		
Total					.281 (.056)	.175, .392*
Specific: X- M1-Y					.075 (.043)	-.008, .161
Specific: X- M1 - M2-Y					.097 (.026)	.055, .159*
Specific: X- M2-Y					.109 (.039)	.043, .197*

† $p < 0.1$  \* $p < 0.05$  \*\* $p < 0.01$  \*\*\* $p < 0.001$

**Figure 1. Unmediated and mediated models of the relationship between belief in redeemability and employers' willingness to hire an ex-offender.**



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