

# HUMANIZING CRIMINAL RECORDS

## Toward a View of the Whole Human Person

Renze Nauta | November 2023

### Key Points

- Employment is a key factor in helping people with criminal records to turn their lives around. Yet the stigma of a criminal record makes it very difficult for these individuals to obtain employment.
- In order to break this vicious circle, some jurisdictions, especially in the US, have “banned the box” to prevent employers from asking job applicants about their criminal record early in the application process. The “box” refers to the checkbox on application forms asking the applicant to indicate whether they have a criminal record.
- The problem is that ban-the-box policies can have negative and unintended consequences: studies have shown that they can lead to lower employment rates for Black and Hispanic people, whether they have criminal records or not. Researchers hypothesize that when employers lack information about individuals’ criminal records, some default to assumptions about racial communities whose members are statistically more likely to have criminal records.
- The fundamental problem with criminal records is that they present only a partial picture of the person’s relationship with the criminal justice system. They list only arrests, convictions, and sentences, and they omit other information that would be useful to an employer making a hiring decision, such as the person’s behaviour while in prison or on parole, education and skills training obtained through the correctional system, and work placements and work releases.
- Governments should reform their criminal-record systems by giving people with criminal records the option of having this favourable information included directly in the results of their criminal record checks. This would not only provide a more accurate picture of the individual’s relationship with the criminal justice system, but also something closer to a view of the whole human person. By humanizing criminal records in this way, governments can offer employers a more complete picture of the person and help them to make a fairer assessment.

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