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URBAN INSTITUTE REENTRY ROUNDTABLE

## **Employment Dimensions of Reentry:**

### **Understanding the Nexus between Prisoner Reentry and Work**

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## **Crime, Work, and Reentry**

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## CRIME AS WORK

Analysts commonly think of crime as an alternative to work, sometimes making the comparison casually and sometimes with a great deal of formality. The most obvious points of connection are that crime (sometimes) yields financial returns and that it takes effort and time to do. If crime is “work,” the two types of activities are substitutes, and improving legal sector employment opportunities through programs emphasizing job skills and job search will prevent crime. The pressure on prevention efforts, then, is to “make work pay” for participants, altering incentives somehow to make work relatively more attractive. Programs following this approach often subsidize work or aim to develop skills that will result in higher wages.

There clearly are limits to the usefulness of the analogy, as there are many types of illegal behavior that appear to have little resemblance to “work.” Some of these are more closely related to our notions of leisure than to work, such as driving under the influence or vandalism, and some are hard to categorize as “like” other activities, such as sex offenses or drug use. Yet even if crime is something very different from work, it may be possible that employment conditions influence criminal activity. The availability of a good job could reduce illegal behavior by affecting the benefits or costs of crime, by occupying a potential offender for many hours per day, by providing essential social structure, or through another mechanism. Under these circumstances, increases in employment may have beneficial impacts on crimes that do not yield a financial payoff to the perpetrator.

In this essay, I consider the extent to which work appears to be a relevant factor in whether individuals commit criminal acts and, as corollary, the extent to which work can be expected to contribute to crime prevention. I consider a range of reasons that programs emphasizing work may be useful interventions for criminally involved populations, particularly when delivered in prison to prepare inmates for reentry into civil society. In thinking about the mechanisms by which work can affect crime, I bear in mind the prospects for delivering services to various segments of the offender population in order to trigger these mechanisms.<sup>1</sup>

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<sup>1</sup> The paper includes only a cursory review of relevant research literature. For detailed discussions of the various aspects of the relationship between work and crime, I recommend reviews by Bushway and Reuter (2002), Fagan and Freeman (1999), Freeman (1999a), and Piehl (1998).



## WORK AND CRIME

It is well known, and well documented, that prisoners have employment prospects and employment outcomes that are much worse than those of the rest of the population. Inmates have low levels of educational attainment and literacy (LoBuglio 2001, Harlow 2003). For example, while 48 percent of the general population has some postsecondary education, just 13 percent of jail and prison inmates and 24 percent of probationers have any postsecondary school. Similarly, just 18 percent of the general population has less than a high school education, while 41 percent of those incarcerated and 31 percent of probationers fall into this category (Harlow 2003, p.1). Given the extremely strong link between education and positive employment outcomes, low educational attainment is an effective marker for poor employment prospects.

In directly considering the connection between crime and work, researchers often assess both activities by measuring participation (rather than extent of involvement). In these analyses, most of those who committed crime also worked (Freeman 1999a, Grogger 1998). This continues to be true: in the 1997 National Longitudinal Survey of Youth, 85–90 percent of young men and young women who received some earnings from crime were also employed, approximately the same percentage as among those who received no income from crime (author's calculations). This contributes to the evidence that crime and work are not exclusive, as was also found in Reuter, MacCoun and Murphy's (1990) in-depth study of drug dealers.

There is also some evidence that crime rates may be more responsive to wages than to employment (Grogger 1998, Gould et al. 2001).<sup>2</sup> In a sample of released inmates over an extended period of time, Needels (1996) found that criminal activity was negatively related to both employment and earnings. Williams and Sickles (2002), in contrast, find that wages are not significantly related to crime, but that educational attainment is. And Uggan (1999) found that job quality helped explain involvement in both economic and non-economic crimes in his reanalysis of the National Supported Work Demonstration Project (1975–1979).

The ideas that crime is like work and that criminals may respond to financial incentives are strengthened if there is actually money to be made from crime. It is hard to imagine that very

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<sup>2</sup> While Gould et al. (2002) find in some periods that crime is better explained by wages than by unemployment, declining crime trends from 1993 to 1997 are better explained by unemployment.

many people would maximize lifetime income by committing crime when young, given the risks of injury, punishment, and their consequences. In an assessment of a range of data sources on this question, Freeman (1999a) concluded that research generally finds “that crime pays at least on an hourly basis for those who commit crime” (p.3553).<sup>3</sup>

Although there is some indication from non-experimental evidence that work is related to crime, there is little convincing evidence that programs to provide jobs and/or wage subsidies to non-criminal justice (but “high-risk”) populations are effective tools in crime prevention. There has been little activity in running and rigorously evaluating work-based crime prevention programs, and many work programs do not measure criminal justice outcomes, so their effectiveness cannot be judged. As noted in Bushway and Reuter (2002), recent evidence on Job Corps is promising, but evidence from less extensive (and more expensive) interventions is not. Another paper for this symposium (Bushway 2003) comments in particular on prison work programs, so I do not review that topic here. In general, the experimental evidence from prison programs does not provide overwhelming support for work-based programming as a broad scale solution for the multiple difficulties faced by inmates leaving prison. (But Bushway does conclude that there are some promising nuggets to be found in the evaluation literature.)

All together, there is reason to believe that work programs should reduce crime and increase legal earnings, but the relationship between work and crime does not resemble a choice between one type of career and another. The lack of strong program evaluation results is disappointing, as clear results would offer definitive advice for where to target resources. Yet, in spite of this research environment, many continue to hold out hope that work can be a meaningful way to help inmates with reentry, both to reduce recidivism and to make inmates more productive citizens. The rest of the paper considers this hopefulness and offers some guidance for refining what we should expect work to offer the larger goal of successful reentry.

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<sup>3</sup> Note that the research reviewed here was selected to cover crimes with reasonable expectation of financial return.



## WORK AND CRIMINALS

Work plays a variety of roles in the lives of (potential) criminal offenders. Clearly, work is a source of income. As such, more or better work would reduce the interest in seeking out illegitimate sources of income. In this literature, little attention has been paid to the exact structure of the work relationship. For those leaving prison, the need for cash is immediate (Nelson, Deess and Allen 1999). Without easy access to credit markets, offenders may not be in a position to make choices based on long-run consequences, instead focusing on short-run payoffs.<sup>4</sup>

Freeman (1999) describes a lifestyle in which there is not a stark distinction between legitimate and illegitimate sources of money: “In a world where short run legal and illegal earnings opportunities arrive more or less randomly, it is natural for individuals to move between them, commit crimes while working, or take a legitimate job when available without giving up less time-intensive criminal pursuits” (p.234). This description is certainly consistent with the evidence on the substantial overlap in participation in legal and illegal activities documented above.<sup>5</sup> As mentioned earlier, this view of the role of work in the life of offenders indicates that improvements in one’s legal work life would reduce income-generating illegitimate activity.

One can also view work as a form of incapacitation, hours spent working are hours not spent in other activities. (However, there is some evidence that work provides criminal opportunities.<sup>6</sup>) More substantially, structure, peers, and social ties in a work environment can be important factors in changing one’s behavior (Sampson and Laub 1993). Positive labor force attachments are predicted to lead to better outcomes in theories emphasizing social control and anomie. And given the characteristics of most criminal offenders (low education, poor work history, weak employment networks), they are unlikely to form these attachments to work without outside

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<sup>4</sup> The provision of income support (like unemployment insurance payments) to those released from prison to help them make better employment matches was behind the TARP experiments, evaluated in Needels (1994). The results of the experiment were disappointing: a long-term follow up revealed no large or statistically significant differences in earnings or recidivism for the treatment group relative to the controls.

<sup>5</sup> For additional descriptions of how individuals combine legal and illegal activity, see Fagan and Freeman (1999).

<sup>6</sup> For example, Uggen (1999) reports, “Somewhat surprisingly, both the job quality effect and the wage effect appear to be stronger for non-economic than for economic crime. This result is due in large part to a high prevalence of economic offenses among workers in high-quality sales and management jobs” (p.144).

intervention. And, as emphasized by Holzer, Raphael and Stoll (2003), criminal histories only increase the obstacles faced by ex-offenders.

Social control theories suggest that employment can play an important role in reducing criminal activity of all sorts, not just income-generating crime. Whether work has broad impacts on crime, then, depends on how much and what types of offending individuals are involved in. To the extent that offenders specialize in particular crimes for particular motivations (and these are observable), efforts to redirect their energies could be targeted. To the extent that offenders are embedded in a full lifestyle of a variety of anti-social behaviors (Hagan 1993), it is unlikely that making one aspect of life more pro-social (work) will be sufficient to overcome long-held behavioral patterns and pressures to persist. This may explain the success of comprehensive interventions such as Job Corps,<sup>7</sup> as the programs are long enough and attempt to influence a whole range of behaviors, one of which is work.

So the role of work is complicated. It likely takes a “good” job to help someone feel sufficiently attached to a legitimate social institution to make dramatic changes in one’s lifestyle. But good jobs are not easy to come by for people with low skills, inconsistent work histories, and criminal records. Furthermore, jobs with good long-term prospects do not always look attractive in the short-run. On-the-job training can take months or more; investing in the necessary schooling can take longer. Also, good jobs do not generally provide the really short-term features most needed by those released from prison: immediate start dates and frequent pay periods. What are seemingly normal conditions to someone with a lot of stability in life can be insurmountable obstacles to a person trying to construct all aspects of his or her life simultaneously. And it is quite possible that work in itself is not sufficient to overturn the full set of behaviors necessary to live a more or less pro-social life, which is necessary for maintaining employment among other things. Finally, it is not obvious that work should be preferred to schooling for many potential offenders. The school-to-work literature, based on studies of the general population focusing on high school dropouts, cautions that work can get in the way of longer term investments in human capital (Hotz et al. 2002).

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<sup>7</sup> There are many other entities offering comprehensive approaches to reentry and/or substance abuse. Prominent examples include Delancey Street and Pioneer Human Services.

## WORK AND PRISON REENTRY: POLICY AND PRACTICE

The above discussion suggests that work can be a useful tool in crime prevention but that we are far from a detailed understanding of the role of work in the lives of criminal offenders. Turning to whether work can be utilized successfully to aid the reentry of prisoners to community life, there are an additional set of practical considerations that intervene. In this section, I discuss a number of factors that should influence deliberations about policies and programs that hope to use work to help inmates with that transition. These observations, in large part, result from my involvement over the past several years with the Suffolk County Sheriff's Department. Over that period, I have observed, advised, and evaluated their reentry efforts.<sup>8</sup>

### OTHER ROLES OF WORK

In addition to the roles of work in offenders' lives discussed above, employment is often tightly related to one's criminal justice status. Work is often a requirement of parole; it is often required of inmates placed in halfway houses in the community. In my experience, inmates in community corrections have generally been able to secure work sufficient to comply with requirements necessary to maintain residence in the community, but it is generally understood that inmates will quit these jobs upon release. If my observations are accurate, this supports the notion that it will take a "good" job to make a difference, raising the bar for programs hoping that aiding employment will reduce recidivism.

I am not aware of evaluations of parole conditions regarding employment. Are they generally enforced and, if so, how? It is often noted that other parole conditions (such as drug testing and reporting requirements) can interfere with employment. Perhaps a program of post-release supervision focused entirely on supporting and coercing employment over a sufficiently long period of time could be effective.<sup>9</sup>

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<sup>8</sup> For more details on the work of the Suffolk County Sheriff's Department and some of these observations, see Piehl, LoBuglio and Freeman (2003). I thank Stefan LoBuglio for many helpful discussions about correctional practice in general and how it relates to the provision of services.

<sup>9</sup> The Day Reporting Center model comes close to this idea.

Finally, it is important to recognize the positive symbolic value of work to offenders. Maintaining a legitimate job is probably the best option an inmate has for restoring legitimacy to his life more generally and compensating for the stigma of a criminal record. For reentry programming, including a work element is useful for attracting and motivating inmates. Other attributes of such programming generally do not come across as terribly appealing to many inmates.

### **IS SELF-EMPLOYMENT REALISTIC?**

Many inmates have strong expectations for self-employment following release from prison. This inhibits efforts to plan for traditional employment for hourly wages.<sup>10</sup> The entrepreneurial spirit is consistent with a foraging-type behavior. It is a challenge for reentry programming to figure out how to harness the enthusiasm many inmates have for being independent and entrepreneurial and direct it toward achievable goals. A first step toward responding to this challenge would be assessments of the depth of these preferences and prospects for achieving these goals. Regardless of whether these aspirations are likely to be reached, however, it should be acknowledged that planning money-making ventures is one pro-social social activity among inmates.

### **COMPLEXITY OF NEEDS—IS THERE A HIERARCHY?**

Inmates have many deficits, as has been well-documented in the recent literature on reentry (Petersilia 1993; Lawrence et al. 2002). And while there is a growing consensus about which program elements are best suited to fill these deficits, there is not a consensus on which deficits should take priority. Different programs emphasize substance abuse treatment, personal change, securing employment, education or job skills, or life skills, among other possibilities. There is not a clear sense of which of these elements might have priority, or which combination of

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<sup>10</sup> The same type of expectations is prevalent among many urban public high school students.





elements is most effective for which type of inmate (Piehl et al. 2003). Assessment of program elements is complicated by the fact that program names do not always accurately reflect the scope and extent of activities.

In the end, it is likely that work will be a key element of most effective reentry programs, but the precise role it should play is not yet clear. Within the category of “work,” of course, one could emphasize job search, basic education, vocational education, work experience, or career planning. Some programs emphasize credentialing of some kind (GED, high school degree, vocational credentials) to provide a counterweight to their histories.

### **CAN INSTITUTIONS AND PROGRAMS ESTABLISHED FOR OTHER LOW-SKILLED POPULATIONS BE ADAPTED TO AID REENTRY?**

Lessons from other populations, such as “welfare to work” efforts may usefully be extrapolated to parts of the inmate population. But this must be with care as the populations are not fully comparable, especially in terms of how employers will view them as potential employees. However, the distinctions drawn in that literature between those who need transitional assistance and those who need longer term supports could be quite useful in this area as well (Ellwood 1988).

Over the past half dozen years, one-stop career centers have come to play a pivotal role in regional workforce investment strategies and these federally and state funded programs claim to provide universal access to all categories of individuals who need employment assistance. Unfortunately, the design of the one-stop system is poorly suited for individuals with criminal histories. The one-stop centers assume that users of their services can conduct self-directed job searches, and the centers are geared towards incumbent and dislocated workers who have much greater understanding and experience in regional labor markets. Correctional systems that have established relationships with one-stops often report that their offenders get lost at the centers. The Suffolk County experience shows that reentry program staff can successfully work with these agencies to develop expertise in what fields and individual companies are open to hiring offenders, and which, by reason of statute, administrative regulation, insurance requirement, or bias, exclude individuals with criminal histories (Piehl et al. 2003). This experience suggests that, with effort, existing infrastructure can be adapted to aid reentry.



## Offender Heterogeneity, Targeting, Cream Skimming, Selection and Signaling

Offenders differ substantially in type and extent of offending, the degree to which they are “embedded” in deviant lifestyle, and their relationships with people and institutions that would support rather than retard personal change. Therefore, targeting makes sense. Furthermore, targeting of certain program elements is necessary given that, depending on inmates’ status with various criminal justice entities, some are restricted from participating in activities that may be very advantageous to others. For example, one might want separate programs for inmates who may and may not leave a secure facility so that the former group can visit employment centers, job sites, conduct mock or real interviews, etc.

In Suffolk County, two programs with largely independent origins target different parts of the release population. The Offender Reentry Program (ORP) targets those with lower security status, no major recent disciplinary infractions, and (supposedly) a 4th grade reading level or better. The Boston Reentry Initiative (BRI), in contrast, targets those offenders selected by the Boston Police Department as most embedded in criminal lifestyle with serious consequences for the community. In the end, there are many program elements in common, as both offer some mentoring, casework, employment assistance, etc. However, the BRI emphasizes law enforcement consequences of continued offending and the ORP leads with the possibilities offered by education.

It is possible that either or both of these two programs are wrong-headed, but let us assume for the moment that they developed in response to something real. One view of the difference in approaches is that they are appropriately targeted to different types of offenders, meeting each group with a set of incentives and information that is most likely to alter behavior in a positive direction.

Another view is that the ORP is cream skimming, as is often the case in correctional programming.<sup>11</sup> Under this view, one would especially want to congratulate the BRI for taking on the most difficult cases. Cream skimming is in itself not problematic, though programs with

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<sup>11</sup> Although not relevant to the broader discussion in the text, it is worth noting that there is some negative selection involved in the criteria for the ORP as well. Inmates must have sentences of sufficient length to allow the program and must not have a substantial work history. In addition, the parole board frequently granted discretionary release to inmates during their participation in the program. Presumably the board was cream skimming out of the participant population.

this character do provide some difficulties for interpretation of results. For a program evaluation it is always essential to have a strong understanding of the selection of participants so that positive outcomes are not errantly attributed to the program, causing replication of programs with no causal impact. (Random assignment of participants ensures this won't happen, but other techniques can be used as well.) Cream skimming is also problematic when results from one effort are generalized to other populations. If a program is designed for the positively selected part of the inmate distribution and has positive effects, it should not necessarily be extended to other types of inmates. This point is particularly relevant to the role that work can be expected to play in reentry: employment-based initiatives are likely to be most effective for the top part of the inmate distribution. Many released inmates have very serious mental health, intelligence, and/or substance abuse issues that work is unlikely to overcome. At the other end of the distribution, there are few inmates that are likely to have extremely positive outcomes without intervention. It simply makes sense to target work initiatives to the part of the population where they are likely to have the greatest return.

The final view I'd like to offer about different program elements is the most speculative. Perhaps program specifics do not matter so much. Rather, well-run programs offer inmates an opportunity to make connections to well-meaning, well-functioning adults. They also offer inmates the opportunity to reveal their intent and capability to revise their behavior following release. Signals can be as important as skills (Spence 1973), and in the job market that may be even more true for people with criminal histories than for the general population. If one thinks of programs as a way that inmates can acquire signals, it changes perspective on program design. In order to convey information, the acquisition of a signal must be costly and the cost of signaling must be negatively correlated with productive capability. Some programs may convey signals through credentialing, but it is likely more common that these signals get conveyed by personal recommendations of staff (that is, "vouching" for a particular offender). This could be a major route through which casework has an impact.

### **Going to Scale**

Features of the criminal justice system itself often conspire against efforts to improve prisoner reentry. This is particularly true for inmates under the jurisdiction of a correctional institution. A wide range of forces constrain the programming options for an institution: laws



restrict placement options for offenders with particular histories; institutional demands on movement rule out times and locations for programming; unsystematic management of inmates can make it difficult to identify appropriate participants; competing goals across law enforcement agencies make continuity difficult at best; etc. As noted in Piehl et al. (2003), “If these realities are not addressed, all of the political capital, taxpayer and foundation resources, and hard work of practitioners will be spent at cross-purposes.” Recent discussion about prisoner reentry has emphasized the need for ideas and for resources, but if implementation concerns are not addressed, the results of these efforts will never reach a large proportion of the inmates leaving prison (not to mention jail) each year.

In Suffolk County, these various forces together meant that a new reentry effort, though fully funded and staffed, had empty program slots even though it was serving only a small fraction of the inmates released each month (on the order of five percent). Analysis of the reasons for the inability to fill program slots identified reasons such as unpredictable release dates, legislative and departmental classification policies regarding inmate security status that made them ineligible for placement, and simple failure to place eligible inmates into available options (Watson 2002). The foregone opportunities are tragic, especially in light of the promising early outcomes in terms of recidivism for those who participated in this modest initiative. Difficulty in serving a large cross-section of a reentry cohort is not unique to this setting. An ambitious Texas reentry initiative, the InnerChange Freedom program, also struggled to fill program slots. Over a two-year period, fewer than 200 participants entered the program, again though it was well funded (Eisenberg and Trusty 2002). The Maryland Re-Entry Partnership Initiative served three percent of those inmates returning to Baltimore in 2001, about one quarter of its goal, though the precise reasons for the gap were not specified (La Vigne et al. 2003).

The difficulty in filling program slots is noteworthy for three reasons. Obviously, there is a lost opportunity to serve inmates that cannot be recaptured. Second, it points out the importance of implementation issues in addressing inmate reentry. And finally, it provides a challenge for evaluation that is so needed in this arena. Practitioners willing to conduct randomized studies are generally unwilling to set aside a control group if it means that program slots go unfilled. Therefore, research quality suffers, too.



It is more realistic to think about increasing the extent to which programs help prepare inmates for reentry than to consider sufficiently reaching all exiting offenders. In this case, what is the tradeoff between breadth and depth? This question of resource allocation is particularly difficult given the findings above that suggest more comprehensive programs are more promising than modest interventions. This means that for some time to come we may very well continue to have small programs as the centerpiece of reentry programming.

## CONCLUSION

The challenges for designing and implementing reentry efforts are to carefully target programs appropriately to the offenders who will most benefit. There are many good ideas and research about what inmates' deficits are and how to fill them. The key is to find a way to harness the enthusiasm (of inmates, practitioners, and policy makers) and financial resources to deliver the right elements to the right people in a manner that respects the constraints and pressures of individuals and institutions. Then, we must find a way to do this job so that substantial numbers of inmates are reached.

We have to be realistic about the role that work will play in such efforts. The income, structure, and relationships offered by work can certainly be helpful in reentry and reintegration. Work may be necessary, but for most inmates it will not be sufficient. Given the obstacles to finding full-time, long-term employment, it is also likely that many ex-inmates who work will continue to engage in a mix of legal and illegal activities. Therefore, even those for whom work "works," we should at best hope for a modest reduction in criminal activity.



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