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# Policy paper about barriers to entering the behavioral health and nursing professions for individuals with criminal convictions.

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Internship Summary At The Gamble Institute

Maryam Ebadi Trumpf

08/20/2014

Internship Fieldwork Report

University of San Francisco, San Francisco

**Abstract:**

For the summer of 2014, I was given the opportunity to intern with the Gamble Institute in Oakland, CA. As an intern at TGI, I worked most of my time developing a policy brief about barriers to entering the behavioral health (Social Work) and nursing professions for individuals with criminal convictions. At TGI, I conducted research, studied previous incarcerated case studies, policy development, and learned about public policy choices in the US concerning higher education and prison. In the following paper I will provide background information on the Gamble Institute and programs provided to the incarcerated population. The rest of the paper will be focusing on the main thesis of barriers to licensure in professional fields of Social Work and Nursing for the incarcerated population. Key findings and public health competencies that were learned in this internship project are included in this paper. The goal of this project was to create awareness on the barriers that the incarcerated face when applying for licensure. Hopefully once more of the population know about this concerning issue, they will use their awareness to eliminate these barriers for the incarcerated in regards to licensure.

**Background:**

Over 600,000 people are now being released from prisons each year. Many suffer from a variety of serious difficulties as they attempt to reenter society. Among the most challenging situations they face is that of choosing a career and applying to licensure. Low professional career rates seem closely related to the very high recidivism rates observed among those released from prison. Why are the professional career rates of ex-offenders so low? What barriers do they face in gaining- professional careers and in achieving licensure? Are there policies that are likely to reduce these barriers, and thereby improve professional career rate and licensure among ex-offenders? Many times the barriers to entering certain professions are blamed on the individual,

e.g. lack of motivation, rather than considering the structural barriers, such as institutionalized stigmatization of individuals with criminal and incarceration histories as being the primary reason for the difficulty in entering the profession. Certain criminal convictions may prevent licensure as a social worker and as a nurse in California. Criminal convictions may also prohibit employment in certain health care settings.

### **The Gamble Institute**

The Gamble Institute (TGI) is a community-based, university-affiliated research and resource institute for parolees and their families founded in October 2009. The Gamble institute's (TGI) mission is to work with community members to provide relevant services and implement research projects that create meaningful knowledge to improve conditions for formerly incarcerated adults and their families. All of TGI programs are designed with input of members of the parole community. Current and former parolees also direct and facilitate most our programs ensuring that paroled men and women are understood and supported throughout their reintegration experience.

Funding for many of the contracts for the Gamble Institute comes from the County of Alameda and grants. To date, 400 paroled men and women have participated in and helped develop TGI's programs. TGI has programs such as the "Street Scholars" which is a "Peer Mentoring" program. Street Scholars is a program created and led by formerly incarcerated adults and adults in recovery and its purpose is to support formerly incarcerated women and men's academic and vocational achievement, substance use recovery, and achievement of long-term stability in the community.

TGI research efforts focus on publications and commitment to knowledge creating and information sharing. These publications were developed by TGI's community-based

participatory research team and reflect the work in the classroom and in the community. Some of the following are the publications and their descriptions.

The first publication, “Nurses, Formerly Incarcerated Adults, and Gadamer: Phronesis and the Socratic Dialectic, published in *Nursing Philosophy* (2014)”, describes the first phase of an on-going education and research project guided by three main intentions: 1) to create opportunities for phronesis in the classroom; 2) to develop new understandings about phronesis as it relates to nursing care generally and to caring for specific groups, like formerly incarcerated adults; 3) to provide an opportunity for formerly incarcerated adults and graduate nursing students to participate in a dialectical conversation about ethical knowing. Gadamer’s writings on practical philosophy, phronesis, and the Socratic dialectic provide the philosophical foundation and framework for the project. The first phase in the project was a four-hour class within a graduate-level health promotion course during which 30 nursing students and 3 formerly incarcerated panelists engaged in a dialectic conversation about what it means to care for the formerly incarcerated adults in a meaningful way. After the class, expanded sense of phronesis, and ability to consider nursing practice within a larger ethical framework. This publication concluded that the use of the Socratic dialectic within nursing curricula reflects a current and critical trend in nursing education to bring non-epistemologic forms of knowledge into the classroom.

Another publication that has been really successful by TGI is “Peer Mentoring for Male Parolees: A CBPR Pilot Study, accepted for publication in *Progress in Community Health Partnerships: Research, Education, and Action* (in press) Background”. This paper describes the development of a peer mentoring program for formerly incarcerated adults and the pilot study designed to evaluate it. The research team, which included formerly incarcerated adults and

academic researchers, developed the peer-mentoring program to support formerly incarcerated adults' transition to the community after prison. The objective of the pilot evaluation study was to: 1) assess the feasibility of implementing a peer-based intervention for recently-released men developed using a Community-Based Participatory Research (CBPR) approach; 2) establish preliminary data on the program's impact on coping, self-esteem, abstinence self-efficacy, social support, and participation in 12 step meetings; and 3) establish a CBPR team of formerly incarcerated adults and academic researchers to develop, implement, and test interventions for this population. The method of the pilot evaluation study employed a mixed-methods approach with a single group pre/post test design with 20 men on parole released from prison within the last 30 days. The quantitative findings showed significant improvement on two Abstinence Self-Efficacy subscales, Negative Affect and Habitual Craving. The conclusion for this study demonstrated the feasibility and import of involving formerly incarcerated adults in the design, implementation, and testing of interventions intended to support their reintegration efforts.

Another publication intervention that has been successful at TGI is, "But , now, you're trying to have a life: Family Members' Experience of Reentry and Reintegration", was accepted for publication in *And Justice for All: Families and the Criminal Justice System* is a qualitative study to understand the experience of reentry and reintegration after a prison term from the perspective of formerly incarcerated adults' family members, identify the practices and processes that occur within the family when an adult returns home from prison, and articulate the impact of the family on an individual's reintegration efforts. Findings revealed that family members often took up the role of coach providing their loved ones with valuable life skills, critical analyses of detrimental attitudes, actions, and behaviors; in addition, salient guidance in negotiation obstacles that might have derailed reentry and reintegration efforts. This study demonstrated the

vital role family members played in promoting the successful reentry and reintegration of formerly incarcerated adults. The above publication and studies at TGI have been a huge success for the incarcerated community.

My passion for working with the incarcerated population started from one of my role model- my Community Based Participatory Research (CBPR) Professor Dr. Marlow, who is the executive director at the Gamble Institute. Observing her service to the incarcerated population and her enthusiasm while doing it made me want to be part of her organization's journey.

**Implementation of the Project/methods used:**

My job as an intern at TGI was to develop a policy brief about barriers to entering the behavioral health (Social Work) and nursing professions for individuals with criminal convictions to Merritt College Administration. I was to read extensive articles/scholarly journals on laws and regulations, current and past case precedent, licensure case studies, and reentry programs in regards to the incarcerated population. Conducting research tested and strengthened my research skills as well as organizational skills. Through the guidance of my preceptor, I confidently became acquainted with the incarcerated community and all the entities that went along with it. From there, I began to take the role of a policy advocate on this issue. I started to use the skills that I had learned at my public health classes such as policy development, community based participatory research, and leadership.

My job as an intern completely reflected the mission statement of TGI, I was there to make sure to work with community members such as Merritt College to provide relevant services and implement research projects that create meaningful knowledge to improve conditions for parolees and their families.

It was on my first day, when I talked with my preceptor, DR Marlow, about some of the jobs I could possibly do. We spoke one-on-one for two hours or so about some of the issues in regards to the incarcerated that mattered most to me. I asserted my opinion about education barriers and societal barrier facing the incarcerated today. She utterly agreed with my concern; however, she also felt that if I wanted to do something for change, in which I was desperate to find, I should be looking at the issues that still need attention. For that matter, she turned my attention to one of the issues facing the incarcerated population in surrounding communities-that being barriers to licensure in Social Work and Nursing and all other factors that were included in it. That conversation was extremely pivotal because, now, I was creating a new policy to assist with barriers that face the incarcerated population in my surrounding area. With the guidance of Dr Marlow and some of her resources, which included other organizations, and civil rights lawyer Meridith, I looked at Board of Behavioral Science and Board of Nursing licensure barriers and data for the incarcerated.

Through application process for Social Work and Nursing licensure I found out many barriers and obstacles that are preventing the incarcerated to obtain licensure such as criminal convictions can affect an individual during the licensure or certification application for Social Worker, and the process and may affect an individual's employment options after licensure or certification by the Board. According to Section 480 of the Business and Professions Code of California, the Board of Behavioral Sciences may refuse to admit a candidate to any examination, or refuse to issue a license or certificate, to any applicant with certain criminal convictions. Criminal convictions for ANY felony can cause an applicant to be denied behavioral sciences licensure.

The following information will be requested from an applicant with a criminal conviction:

- a complete explanation of the underlying circumstances in a detailed written explanation of the actions which led to arrest and/or conviction
- copies of police reports
- certified copies of the court documents
- sufficient evidence of rehabilitation which can include proof of compliance with voluntary or court ordered programs and letters of recommendation from employers and/or instructors

Criminal convictions for any felony can cause an applicant to be denied nursing licensure or nurse aide certification. "Conviction" includes a plea of no contest and any conviction that has been set aside or deferred pursuant to Sections 1000 or 1203.4 of the Penal Code, including infractions, misdemeanor, and felonies. A penal code is a document which compiles all, or a significant amount of, a particular jurisdiction's criminal law. Typically a criminal code will contain offences which are recognized in the jurisdiction, penalties which might be imposed for these offences and some general provisions such as definitions and prohibitions on retroactive prosecution.

The following information will be requested from an applicant with a criminal conviction:

- A certified copy of all conviction orders (obtained from the courthouse of record);
- Evidence that all court ordered requirements were met (i.e., letter from the probation officer if on supervised probation, paid fines and restitution, etc.);
- A letter from the applicant explaining the factual circumstances leading to the criminal offense(s); and
- Letters from employers concerning work performance (specifically from nursing related employers, if possible).

These findings that I found not only surprised me, but depressed me at the same time. I noticed how discouraging these application requirements were for the incarcerated population.

After conducting my research, I looked to seek case studies of formerly incarcerated Social Workers and Nurses. I discovered that there was so limited case studies on this overlooked population. Upton this discovery, I conversed with my preceptor about the lack of scholarly journals and research on the incarcerated population. Dr Marlow introduced and forwarded more resources to me. I studied formerly incarcerated cases and individual stories that faced barriers to licensure. I will share one of my case studies of a formerly incarcerated individual.

Alfreda's story is one of many that show how a criminal conviction can serve as an unfair and unjustified obstacle to gaining a higher education. Alfreda began college after being convicted of a felony. She started at a two-year community college, was a Dean's list student, and graduated with honors. She wanted to pursue a Bachelor's Degree but feared that she would be rejected if her criminal conviction was revealed. She was convinced that one school did not admit her because of her record.

Alfreda completed the application, disclosing her criminal record. The college admissions office then requested additional information describing the offense and the legal charge. Although the request made her feel "shamed, dirty and less-than-deserving", Alfreda quickly provided the required information. Almost immediately she received a letter of rejection: "We regret to inform you... I have that memorized." After that she limited her applications to schools that did not ask about criminal history records. Alfreda did not have the financial resources to pay application fees to schools she believed would automatically reject her. Although she wants to further her education Alfreda was discouraged because she had been repeatedly told that she will never get a nurse's license or be able to work in the health field: "The major thing holding me back from a higher college degree in the fields that I am interested in is licensing – can't get licensed with a felony-- in nursing, or any medical.

**Application of results/public health significance:**

With the above findings I noticed the disparity that exists within the right to education for the incarcerated and the disappearance of postsecondary education. It is widely agreed that the relationship between poverty and education operates in two directions. Poor people are often unable to obtain access to an adequate education, and without an adequate education people are often constrained to a life of poverty and poor health. Many economists have attributed these correlations to the effects of education, arguing that more educated people are better able to understand and use health information, and are better placed to benefit from the healthcare system. Economists also have emphasized the negative correlation between socioeconomic status and various risky behaviors, such as smoking, binge drinking, obesity, and lack of exercise. They have also pointed to mechanisms that run from health to earnings, education, and labor force participation, and to the role of potential third factors, such as discount rates, that affect both education and health.

The education system plays a big role in the perpetuation of class inequality in the United States. The concept of the American dream is mostly centered on education. In the United States social and economic status is mostly correlated with an individual's educational level. It has always been said that the American dream can be achieved through meritocracy. The concept of meritocracy means that an individual can go as far as their merit takes them. But as we know now that meritocracy is only a myth and that in reality individuals such as Alfreda are not able to pursue higher education due to the hidden barriers embedded in our education system.

I believe that in order for the formerly incarcerated to obtain licensure for Social Work and Nursing in the future, we need to eliminate and bring awareness to the barriers that are embedded in our education and licensure procedure. Obtaining licensure in professional fields

such as social work and nursing opens doors of opportunity, and leads to better and more stable employment for the incarcerated population. Studies of recidivism rates of people who attend college while in prison, as well as those with criminal records who attend college following release, show that a college education dramatically reduces recidivism. A research brief prepared by the Open Society Institute (1997) reported on a Texas study in which participation in higher education lowered recidivism to 15 percent, 13 percent and under 1 percent for people who earned an associate's, bachelors, and master's degree, respectively. In contrast, the general recidivism rate hovers around 63 percent nationally. Rather than creating licensure barriers for people with criminal records, colleges and universities can fulfill their commitment to equal opportunity, a foundation of American principles, by using higher education as a catalyst to reduce recidivism and improve society.

**Competencies Addressed:**

The USF Program competencies that were addressed during the implementation of this project/field work experience was Health policy and management, diversity and culture, and leadership.

Health policy and management is a multidisciplinary field of inquiry and practice concerned with the delivery, quality and costs of health care for individuals and populations. Health Policy and management assumes both a managerial and a policy concern with the structure, process and outcomes of health services including the costs, financing, organization, outcomes and accessibility of care. As an intern at TGI, I learned that advocating for health equity requires understanding the powerful role that politics and policy play in shaping a community's access to the resources for healthy living. Writing the policy brief give me the

opportunity to see the importance of policy advocacy. Policy advocacy is an important tool to reduce health inequities, and with an increased understanding of how the political system operates - how policies are formulated, developed, adopted and implemented - comes an increased ability to participate in and influence the political process. Engaging communities in policy assessment and policy advocacy can have a tremendous impact in promoting health equity and social justice.

Diversity and culture is the ability to interact with both diverse individuals and communities to produce or impact an intended public health outcome. Throughout my internship, I engaged with diverse groups and community members, I learned to be open minded and challenge my assumptions. I learned to listen carefully and engage in conversation and issues that will bring positive change in our community. I understood the importance of developing and maintaining mutually respectful and dynamic partnerships based on trust. Through my internship I strengthened my commitment to the guiding principle of cultural diversity as I move forward in my work towards health equity and social justice. The need for cultural diversity in the education system is compounded by the disparities that exist among the incarcerated population

Leadership is central to engaging communities in successful public health initiatives. In positions of leadership, public health professionals can be instrumental in empowering communities toward reduced health disparities, guiding relevant and meaningful change with vision, energy and compassion.

Throughout my internship, I achieved leadership skills along with learning about the incarcerated population. As an intern I put strong emphasis on teamwork to produce

collaborative work throughout the experience, I learned the value and balancing act of shared leadership. I used the most important elements of being a good leader from my leadership class such as well-organized and have clear, attainable goals for the group, stay on top of all details throughout the process, involve everyone in the group and help them feel ownership of the goals, strive to be positive, courteous, and encouraging. I feel proud of both my enthusiastic contributions in team settings and as an individual.

**Conclusion:**

Let me reflect back to day one. The task of writing a policy brief on a population that was unknown to me was challenging enough that I really couldn't comprehend it in one day. It took me literally three weeks to feel comfortable with understanding my target population, let alone, start realizing that I was there working at TGI for a purpose. Without this internship, I would still be unsure of my ambitions to become a policy advocate for public health issues. Now, I feel my reasoning for becoming a policy advocate for public health issues has been empowered through this hands-on policy writing experience in the Gamble Institute.

When I glance back on my internship, I realize that this was an empowering experience because I learned so much within a limited times. Although much of my internship benefited my education and requirements to obtain my degree, this internship has definitely given me a taste of serving the overlooked groups of our community, just by being present within the incarcerated population. I feel that I learned more than I expected about overlooked population and its importance to our community success

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## Gamble Institute

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**DATE:** 11 August, 2014  
**TO:** Merritt College (Lasana Hotep)  
**FROM:** Maryam Ebadi Trumpf  
**SUBJECT:** Use of Criminal Conviction in licensure to Social Work and Nursing

Dear Director of Student Activities and Campus Life Lasana Hotep,

I am writing to you in regards to criminal convictions and licensure barriers in professional fields such as Social Work and Nursing. I am particularly interested in finding ways to decrease and eliminate these unfair barriers to getting professional licensure when it comes to the incarcerated. Low professional career rates seem closely related to the very high recidivism rates observed among those released from prison.

Currently there are many barriers with a criminal conviction that can serve as an unfair and unjustified obstacle to gaining a higher education. While it is easy to assume that exclusions based on criminal records only affect a small population in fact there are over 600,000 people with criminal records in the U.S. that are being released each year.

Thank you for your time and consideration in reading this letter. In the envelope I have enclosed a policy brief that will inform you about the barriers with a criminal conviction in regards to licensure for Social Work and Nursing in the State of California and my recommendations. If you have any questions feel free to contact me at (925)395-3794.

Sincerely,

Maryam Ebadi Trumpf

## **Background**

Over 600,000 people are now being released from prisons each year. Many suffer from a variety of serious difficulties as they attempt to reenter society. Among the most challenging situations they face is that of choosing a career and applying to licensure. Low professional career rates seem closely related to the very high recidivism rates observed among those released from prison. Why are the professional career rates of ex-offenders so low? What barriers do they face in gaining- professional careers and in achieving licensure? Are there policies that are likely to reduce these barriers, and thereby improve professional career rate and licensure among ex-offenders?

We review these issues in this paper. We begin by reviewing some evidence on the licensure to Social Work and Nursing in state of California. We then consider the barriers that appear to limit their licensure opportunities in Social Work and Nursing. Many times the barriers to entering certain professions are blamed on the individual, e.g. lack of motivation, rather than considering the structural barriers, such as institutionalized stigmatization of individuals with criminal and incarceration histories as being the primary reason for the difficulty in entering the profession. Certain criminal convictions may prevent licensure as a social worker and as a nurse in California. Criminal convictions may also prohibit employment in certain health care settings.

### **Licensure Barriers in Board of Behavioral Sciences and Board of Nursing:**

Criminal convictions can affect an individual during the licensure or certification application process and may affect an individual's employment options after licensure or certification by the Board. According to Section 480 of the Business and Professions Code of California, the Board of Behavioral Sciences may refuse to admit a candidate to any examination, or refuse to issue a license or certificate, to any applicant with certain criminal convictions. Criminal convictions for ANY felony can cause an applicant to be denied behavioral sciences licensure.

The following information will be requested from an applicant with a criminal conviction:

- a complete explanation of the underlying circumstances in a detailed written explanation of the actions which led to arrest and/or conviction
- copies of police reports
- certified copies of the court documents

- sufficient evidence of rehabilitation which can include proof of compliance with voluntary or court ordered programs and letters of recommendation from employers and/or instructors
- See application instructions for additional details

Criminal convictions for any felony can cause an applicant to be denied nursing licensure or nurse aide certification. "Conviction" includes a plea of no contest and any conviction that has been set aside or deferred pursuant to Sections 1000 or 1203.4 of the Penal Code, including infractions, misdemeanor, and felonies. A penal code is a document which compiles all, or a significant amount of, a particular jurisdiction's criminal law. Typically a criminal code will contain offences which are recognized in the jurisdiction, penalties which might be imposed for these offences and some general provisions such as definitions and prohibitions on retroactive prosecution.

It is not necessary to report a conviction for an infraction with a fine of less than \$1,000 unless the infraction involved alcohol or controlled substances. However, any convictions in which a plea of no contest was entered and any convictions that were subsequently set aside pursuant or deferred pursuant to Sections 1000 or 1203.4 of the Penal Code must be disclosed. "License" includes permits, registrations, and certificates. "Discipline" includes, but is not limited to, suspension, revocation, voluntary surrender, probation, or any other restriction. Misdemeanor convictions involving moral turpitude may also prevent licensure or certification. Moral turpitude means convictions related to lying, cheating or stealing. Examples include, but are not limited to: reporting false information to the police, shoplifting or concealment of merchandise, petit larceny, welfare fraud, embezzlement, and writing worthless checks. While information must be gathered regarding all convictions, misdemeanor convictions other than those involving moral turpitude will not prevent an applicant from becoming a licensed nurse or C.N.A. However, if the misdemeanor conviction information also suggests a possible impairment issue, such as DUI and illegal drug possession convictions, then there still may be a basis for denial during the licensure or certification application process.

The following information will be requested from an applicant with a criminal conviction:

- A certified copy of all conviction orders (obtained from the courthouse of record);
- Evidence that all court ordered requirements were met (i.e., letter from the probation officer if on supervised probation, paid fines and restitution, etc.);
- A letter from the applicant explaining the factual circumstances leading to the criminal offense(s); and

- Letters from employers concerning work performance (specifically from nursing related employers, if possible).

These additional documents for applicants with convictions will speed up the board's ability to evaluate the incident/arrest/conviction.)

Certified Arrest/Incident Reports: (including vehicle code violations over \$1,000.00, i.e.

Red Light, Speeding, etc.) Contact the arresting agency for this report. The arresting agency is the agency that conducted the arrest and/or issued the citation (ex. Highway Patrol, Police Department, Sheriff's Office). If the arrest documents are purged or unavailable, please provide a letter or proof from the arresting agency which confirms that information.

If the arrest is for DUI be sure to request that the Blood/Breath Alcohol Content (BAC) is included with the report.

Evidence of Rehabilitation:

Can include completion certificates of court ordered/voluntary rehabilitation.

Reference Letters for Alcohol or Drug Related Convictions:

Recent letters from professionals in the community; for example, AA/NA Sponsor, counselor, probation officer, employer, instructor, etc. who can address an awareness of your past misconduct and current rehabilitation; for example, use/non-use of alcohol/drugs. The letters must be signed by the author and dated within the last year.

Reference Letters for all other Convictions:

Recent letters from professionals in the community; for example, counselor, probation officer, employer, instructor, etc. who can address an awareness of your past misconduct and current rehabilitation; honesty/integrity, management of anger/stress. The letters must be signed by the author and be dated within the last year. (These letters can be faxed or e-mailed, please submit a hard copy for the file.)

Work Performance:

Submit a copy of your most recent work evaluation or review. For Exam applicants, the evaluation does not have to be from a health related agency.

In recent months there has been a growing awareness of the effect of a criminal conviction on licensure and right to practice professional careers. We have come to understand that denying licensure to people who are striving to rehabilitate themselves means locking them out of higher education and better life.

Juan is a classic example of an individual who is striving to rehabilitate himself by pursuing education however the obstacles to his journey of higher education is concerning.

Juan graduated from a four-year university in May 2010. He began his higher education at a community college that did not ask about his criminal record, but questions about criminal convictions were included on the application to the four-year institution to which he transferred.

Juan's criminal record made it difficult for him to enroll and attend the school of his choice. He was admitted after undergoing reviews of his record (which pre-dated college) but the university placed him on disciplinary probation. He remained on disciplinary probation for the next two years in spite of the fact that he had no further criminal involvement or on-campus problems of any kind. Each semester a hold was put on his admission and he would have to go through a special review before being permitted to return. Disciplinary probation status restricted Juan's ability to fully participate in campus activities. He was selected for the Beta Alpha Psi Honor Society, but his disciplinary probation status prevented him from serving as an officer or representing the university in any way.

Juan graduated with honors and applied and was accepted into a graduate MBA program at the same university. Despite the fact that he has an excellent undergraduate record, the university required that he continue on disciplinary probation while in graduate school. Juan has appealed this decision. At the time this study was completed, Juan was notified that his appeal was successful and he will no longer be subject to disciplinary probation. While he is pleased with the results, Juan stated that he was bothered by having to go through such a lengthy process. Juan was disappointed that he could not be an officer for Beta Alpha Psi and could not represent the university. He found the university's attitude towards him to be very discouraging and could understand how someone with less commitment and fortitude would be deterred from pursuing their higher education goals.

Another example is Alfreda's case. Alfreda's story is one of many that show how a criminal conviction can serve as an unfair and unjustified obstacle to gaining a higher education. Alfreda began college after being convicted of a felony. She started at a two-year community college, was a Dean's list student, and graduated with honors. She wanted to pursue a Bachelor's Degree but feared that she would be rejected if her criminal conviction was revealed. She was convinced that one school did not admit her because of her record.

Alfreda completed the application, disclosing her criminal record. The college admissions office then requested additional information describing the offense and the legal charge. Although the request made her feel "shamed, dirty and less-than-deserving", Alfreda quickly provided the required information. Almost immediately she received a letter of rejection: "We regret to inform you... I have that memorized." After that she limited her applications to schools that did not ask about criminal history records. Alfreda did not have the financial resources to pay application fees to schools she believed would automatically reject her. Although she wants to further her education Alfreda was discouraged because she had been repeatedly told that she will never get a nurse's license or be able to work in the health field: "The major thing holding

me back from a higher college degree in the fields that I am interested in is licensing – can't get licensed with a felony-- in nursing, or any medical.

Here is an additional case that is directly related to licensing issues is Latesh's. Latesha's choice of what kind of college to go to and what course of study to pursue was greatly influenced by her past criminal history. She wanted to be a nurse but believed that nursing schools would not admit her and that, even if she was able to graduate, she would not be able to get her nurse's license. "I did not apply [to nursing schools and even certain colleges] because I knew my felony would hold me back ... I would not be able to get in." Instead, Latesha chose to pursue a degree in social work, although she was aware that it might be difficult to find work in that field because of a past criminal record.

At the time of her application, Latesha had pending charges in another state. She was charged with a violent felony offense. She disclosed this on her application and was asked to provide additional information including a statement of the circumstances of the crime and official records. She said that having to provide this additional information was discouraging and she expected to be rejected. But she was admitted, graduated with a Bachelor's Degree in Social Work and is completing her Master's Degree. Because her case was pending, Latesha faced competing demands of court and school requirements. During her first year of college, Latesha had to make monthly court appearances. She says: "Although a first time offender, dealing with court and school and being judged in my school life and personal life was difficult." Latesha credits support from her advisor, the Dean of the School, and some professors for helping her through this difficult time: "I was blessed... [my advisor] gave me much emotional guidance. The few professors who knew my circumstances allowed me to hand in my work online while away at court. I was able to make up assignments when I was absent for court as well." With a Bachelor's degree in hand, and an MSW underway, Latesha has been able to obtain satisfying work. She says of her college opportunity: "Having a college degree has always been a goal of mine and was instilled in me. It makes me feel blessed and thankful that I do have a degree. My degree has helped my life because although I do have a conviction, my degree, work history and character have blessed me with strong employment opportunities. I currently work in the social service field; my degree and life experience have helped me to be able to relate to my clients."

Another barrier to licensure in professional fields such as social work and nursing is challenges in interpreting criminal records and identifying inaccurate information. Errors in criminal history records are a major problem in the U.S. Common errors include the failure to report a final disposition in a case, the inclusion of information that should have been sealed, the failure to note Youthful Offender status when applicable, and the misreporting of arrests and convictions. Carla was a victim to the errors in criminal history records that impacted her life in a negative way.

Carla's conviction dates back to 1993 and for many years she has worked to help formerly incarcerated people reintegrate into the community. She recently decided to get a college degree and applied to a local university. Her experience shows the inaccuracy of criminal

records: “My application to a University here in ...Texas has been breaking my heart. My last offense was in 1993 and they will not move forward on my application until I prove that I completed my sentence. I received my background check ... and nowhere does it say ‘sentence completed.’ I have been waiting over a month now just trying to clear this up and prove that I have served my time. I have been on an emotional roller coaster because it seems that my past will not die, stay dead and remain buried. I will go to District Court tomorrow and try to get something that shows I paid my debt to society.”

In summary, the above examples show that people with criminal convictions are subjected to face obstacle and harsher admissions screening procedures. Harsh admission criteria for the incarcerated can negatively impact pursuing higher education.

### **Conclusion:**

Obtaining licensure in professional fields such as social work and nursing opens doors of opportunity, and leads to better and more stable employment for the incarcerated population. Studies of recidivism rates of people who attend college while in prison, as well as those with criminal records who attend college following release, show that a college education dramatically reduces recidivism. A research brief prepared by the Open Society Institute (1997) reported on a Texas study in which participation in higher education lowered recidivism to 15 percent, 13 percent and under 1 percent for people who earned an associate’s, bachelors, and master’s degree, respectively. In contrast, the general recidivism rate hovers around 63 percent nationally. Rather than creating licensure barriers for people with criminal records, colleges and universities can fulfill their commitment to equal opportunity, a foundation of American principles, by using higher education as a catalyst to reduce recidivism and improve society.