

## Collateral consequences (continued from page 9)

various Smart Justice initiatives across the country and highlighted the progress Texas has made in reducing recidivism and lowering numbers of prisoners. In brief, *Smart Justice* or *Justice Reinvestment* refers to diverting public funds away from prison growth and maintenance and using them on programs designed to reduce the numbers entering prison for the first time and break the cycle of recidivism for those already incarcerated. Following implementation of these programs in Texas, in the two years between 2011 and 2013 the state housed 7,000 fewer prisoners, parole revocations dropped 40 percent, juvenile probations dropped 30 percent, and the arrest rate declined 10 percent. The state closed one prison during that period and has approved closing two more. These results stand in stark contrast to the 2007 prediction by the Texas Legislative Budget Board that within five years there would be 17,700 new prisoners in the state and that eight or nine new prisons would be required, at a public cost of \$250 million plus annual operating costs of \$40–50 million per prison.

Representative Madden recommended that Alaska legislators look at legislation recently passed in other states — among them, Ohio. Ohio has emerged as a national leader in its efforts to promote the successful reintegration of released individuals. In 2012, the Ohio legislature passed Senate Bill 337 which created a certificate for qualification for employment. The certificate does

two things — it relieves eligible individuals from automatic disqualification from some state-issued occupational licenses and it provides immunity for employers from negligent hiring liability related to hires of individuals holding a certificate. The 2012 reforms also included a mechanism by which eligible individuals with no more than one felony conviction, two different misdemeanor convictions, or one felony and one misdemeanor conviction may have their records sealed.

These and similar measures are slowly being adopted across the country as state leaders acknowledge that conviction-based constraints on employment and participation in other aspects of civic life make communities less safe and increase the public cost of policing and corrections. Such measures include “ban the box” legislation preventing employers from asking about an applicant’s criminal past at the initial stages of hiring or licensing, protection for employers from negligent hire suits based on employment of those with criminal convictions, provisions for the expungement and sealing of certain criminal records, statutes that would make state residents with criminal convictions eligible for federal food and housing benefits from which they might otherwise be barred, and repeal of laws preventing individuals with criminal convictions from voting. Senators Ellis and Coghill’s work to advance the cataloging of collateral consequences in Alaska and examine the impact of these laws on families and local communities falls squarely within this bipartisan reform movement.

## Conclusion

As Senator Coghill noted in a March 28, 2013 press release, “The whole point of rehabilitation is to keep people from going back down that road of crime. If we take away every opportunity they have to rebuild their lives after serving their time, we are basically paving their way back to prison.” And as Attorney General Holder observed, this is about far more than fairness to those released. Fundamentally, it is about the public good. The bipartisan working group’s initiative to reduce state-created obstacles to successful employment and full enjoyment of civic life for those with criminal convictions in their past has the potential to improve community safety and public health, reduce state expenses associated with recidivism, make available an underutilized human resource to Alaska’s businesses, and vastly improve the quality of life for the children of those convicted.

This work is not easy. It is, in fact, immensely difficult. It requires thoughtful, time-consuming analysis of hundreds of individual statutory and regulatory provisions and a careful, objective balancing of public interests. It is, nevertheless, work that is overdue and work that is a critical component of community health and safety.

*Deb Periman, J.D., is a member of the Justice Center faculty. Simona Gerdtz and Nessabeth Rooks contributed valuable research on this topic. For further reading on the collateral consequences of criminal conviction, see [http://justice.uaa.alaska.edu/a-z/c/collateral\\_consequences.html](http://justice.uaa.alaska.edu/a-z/c/collateral_consequences.html).*

## Employment Barriers and Domestic Violence

*Deborah Periman*

In 2003 the *American Journal of Public Health* published the results of an 11-city study looking at risk factors for femicide. In the article, “Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Control Study,” investigators looked at differences in demographic, background, and relationship variables between a group of femicide victims and a control group of abused women. Of the variables examined,

the strongest risk factor for intimate partner femicide was the perpetrator’s lack of employment.

The researchers also found that “[i]n fact, abuser’s [sic] lack of employment was the only demographic risk factor that significantly predicted femicide risks” after con-

trolling for other factors. Unemployment increased the risk of femicide four times over the risk associated with employed abusers. Moreover, unemployment appeared to underlie increased risks generally attributed to race and ethnicity.

The link between perpetrator unemployment and domestic violence is so significant that experts conclude any effective domestic violence prevention strategy must address unemployment and male poverty. Professor Deborah Weissman of the University

## Sources

- Campbell, Jacquelyn C., et al. (2003). “Risk Factors for Femicide in Abusive Relationships: Results from a Multisite Case Control Study.” *American Journal of Public Health* 93(7): 1089–1097 (Jul 2003). (<http://dx.doi.org/10.2105/AJPH.93.7.1089>).
- Nou, Jennifer; & Timmins, Christopher. (2005). “How Do Changes in Welfare Law Affect Domestic Violence? An Analysis of Connecticut Towns, 1990–2000.” *Journal of Legal Studies* 34(2): 445–470 (Jun 2005). (<http://dx.doi.org/10.1086/429847>).
- Raphael, Jody. (2004). “Rethinking Criminal Justice Responses to Intimate Partner Violence.” *Violence Against Women* 10(11): 1354–1366 (Nov 2004). (<http://dx.doi.org/10.1177/1077801204269350>).
- Weissman, Deborah M. (2007). “The Personal Is Political — and Economic: Rethinking Domestic Violence.” *Brigham Young University Law Review* 2007(2): 387–450. (<http://digitalcommons.law.byu.edu/lawreview/vol2007/iss2/3/>).

of North Carolina School of Law, who has written extensively on this issue, points to the work of researcher and law professor Jody Raphael which indicates that “the elimination of male poverty is a critical part of domestic violence prevention strategy.” In her article, “The Personal Is Political — and Economic: Rethinking Domestic Violence,” Professor Weissman also notes that the effect of economic instability on mental health is tremendous: “Poverty creates stress, households have diminished resources available to cope with stress, and stress is a source of violence.” A 1994 study by the U.S. Department of Justice cited by researchers Jennifer Nou and Christopher Timmins demonstrated that as household income decreases, family violence increases. At the time of the study, women in households where the annual income was below

\$10,000 disclosed suffering from domestic abuse at a rate five times higher than women from higher income households. Based on this evidence, Professor Weissman and others conclude that to reduce rates of domestic violence officials must focus on offender joblessness at sentencing, in probation, and in reentry services. Batterers who have jobs and concomitant ties to the community are less likely to reoffend.

Reducing the risk that a former offender will engage in family violence has important consequences for the growth and development of Alaska’s children. National data shows that over 35 percent of violence between partners occurs while at least one child is in the home. Children living in homes where one adult partner is abused are much more likely to be physically or psychologically abused than children living

in homes without such violence. These children are also at increased risk of becoming batterers themselves, attempting suicide, and suffering from depression, obesity, substance abuse, and overall poor physical health in later life.

*Deb Periman, J.D., is a member of the Justice Center faculty.*

## New Staff

Khristy Parker, Justice ‘08 and MPA (Criminal Justice emphasis) ‘13, has joined the staff of the Alaska Justice Statistical Analysis Center (AJSAC) as a research professional. Ms. Parker has worked for the Justice Center as a research assistant and for the UAA Institute for Social and Economic Research (ISER) as a research associate.

The AJSAC, established in 1986 and housed within the Justice Center, assists Alaska criminal justice and law enforcement agencies through the collection, analysis, and reporting of crime and justice statistics.

## Early Online Version of *Forum*

If you would like to receive an early online version of the *Alaska Justice Forum*, please email [editor@uaa.alaska.edu](mailto:editor@uaa.alaska.edu) and put “Forum online” in the subject line.

## Recent Faculty Publications

- Barton, William H.; Jarjoura, G. Roger; & Rosay, André B. (2012). “Applying a Developmental Lens to Juvenile Reentry and Reintegration.” *Journal of Juvenile Justice* 1(2): 95–107 (Spring 2012). (<http://www.journalofjuvjustice.org/jojj0102/article07.htm>; [http://justice.uaa.alaska.edu/research/2000/0411.targeted\\_reentry/0411.06.applying\\_lens.html](http://justice.uaa.alaska.edu/research/2000/0411.targeted_reentry/0411.06.applying_lens.html)).
- Barton, William H.; Jarjoura, G. Roger; & Rosay, André B. (2014). “Evaluating a Juvenile Reentry Program: An Elusive Target.” Chap. 13. In Matthew S. Crow & John Ortiz Smykla (eds.), *Offender Reentry: Rethinking Criminology and Criminal Justice*, pp. 307–329. Burlington, MA: Jones & Bartlett Learning. ([http://justice.uaa.alaska.edu/research/2000/0411.targeted\\_reentry/0411.07.evaluating\\_tr.html](http://justice.uaa.alaska.edu/research/2000/0411.targeted_reentry/0411.07.evaluating_tr.html)).
- Knudsen Latta, Kristin S. (2013). *Alaska Boards and Commissions: Results of the Alaska Citizen Members Survey*. Summary report prepared for the Office of the Governor, Boards and Commissions. Anchorage, AK: Justice Center, University of Alaska Anchorage. (JC 1403.01). ([http://justice.uaa.alaska.edu/research/2010/1403.boards\\_commissions/1403.01.akboards.html](http://justice.uaa.alaska.edu/research/2010/1403.boards_commissions/1403.01.akboards.html)).
- Myrstol, Brad A. (2012). “The Alcohol-Related Workload of Patrol Officers.” *Policing: An International Journal of Police Strategies & Management* 35(1): 55–75 (2012). (<http://dx.doi.org/10.1108/13639511211215450>).
- Myrstol, Brad A.; & Brandeis, Jason. (2012). *The Predictive Validity of Marijuana Odor Detection: An Examination of Alaska State Trooper Case Reports 2006–2010*. Report prepared for the Alaska State Troopers. Anchorage, AK: Justice Center, University of Alaska Anchorage. (JC 1110.02). ([http://justice.uaa.alaska.edu/research/2010/1110.02.ast\\_marijuana/1110.02.marijuana.html](http://justice.uaa.alaska.edu/research/2010/1110.02.ast_marijuana/1110.02.marijuana.html)).
- Payne, Troy C. (2013). “Hot Spots.” In Kenneth J. Peak (ed.), *Encyclopedia of Community Policing and Problem Solving*, pp. 194–198. Los Angeles: SAGE Publications. ([http://justice.uaa.alaska.edu/publications/authors/payne/1060.03.hot\\_spots.html](http://justice.uaa.alaska.edu/publications/authors/payne/1060.03.hot_spots.html)).
- Payne, Troy C. (2013). *Officer-Involved Shootings in Anchorage 1993–2013*. Report prepared for Anchorage Police Department. Anchorage, AK: Justice Center, University of Alaska Anchorage. (JC 1402.01). ([http://justice.uaa.alaska.edu/research/2010/1402.apd\\_ois/1402.01.officer\\_involved\\_shootings.html](http://justice.uaa.alaska.edu/research/2010/1402.apd_ois/1402.01.officer_involved_shootings.html)).
- Payne, Troy C.; & Arneson, Michelle. (2012). *Green Bay Chronic Nuisance Notification Evaluation, 2006–2010*. Report prepared for the Green Bay Police Department, Green Bay, Wisconsin. Anchorage, AK: Justice Center, University of Alaska Anchorage. (JC 1301.01). ([http://justice.uaa.alaska.edu/research/2010/1301.greenbay/1301.01.green\\_bay\\_eval.html](http://justice.uaa.alaska.edu/research/2010/1301.greenbay/1301.01.green_bay_eval.html)).
- Payne, Troy C.; Gallagher, Kathleen; Eck, John E.; & Frank, James. (2013). “Problem Framing in Problem Solving: A Case Study.” *Policing: An International Journal of Police Strategies & Management* 36(4): 670–682. (<http://dx.doi.org/10.1108/PIJPSM-01-2012-0081>).
- Rivera, Marny; Parker, Khristy; & McMullen, Jennifer. (2012). *2010 Anchorage Underage Drinking Survey: A Look at Adult Attitudes, Perceptions, and Norms*. Report prepared for Communities Mobilizing for Change on Alcohol, Volunteers of America Alaska. Anchorage, AK: Justice Center, University of Alaska Anchorage. (JC 1010.03). ([http://justice.uaa.alaska.edu/research/2010/1010.voa/1010.03.auds\\_2010\\_report.html](http://justice.uaa.alaska.edu/research/2010/1010.voa/1010.03.auds_2010_report.html)).
- Snodgrass, G. Matthew; Rosay, André B.; & Gover, Angela R. (2013). “Modeling the Referral Decision in Sexual Assault Cases: An Application of Random Forests.” *American Journal of Criminal Justice* (May 2013). (<http://dx.doi.org/10.1007/s12103-013-9210-x>).