The Cost of Criminal Records

Brendan Philo

Michigan Technological University

PSY3720: Social Psychology

Dr. Betsy Lehman

December 4, 2025

A criminal conviction immediately comes with a fine, community service, probation, jail time, conditional sentences, or some combination of these factors. However, the process only starts with the punishment, and most of these punishments are fraught with their own concerns—with the NAACP noting a correlation between prison time and PTSD, and academia noting that fines consistently translate to incarceration for the poor (*Mental Health Post Traumatic Prison Disorder*, 2019; Donnelly, 2021). Prisoners are released with clothes on their back and a varying amount of gate money. As one former inmate, Darris Young who is now a community organizer at the Ella Baker Center for Human Rights, recounts, "I was given $200. Keep in mind, I had to buy a bus ticket to get home. That was $70. While I was waiting at the bus station, obviously, I got hungry. I had to buy food. By the time I touched ground, that $200 was gone" (Diep, 2015).

Probation, and parole for those who were incarcerated, places offenders in some middle state between incarceration and freedom. Essentially, probationers have extremely conditional freedom that can be revoked the moment they commit another crime, or if they fail to pay their probation officer or fail to meet with their probation officer at an office that might only be open while the probationer works (Avery et al., 2015). Probationers can also be arrested for violating their parole if they step foot into a bar (*Probation and Parole*, n.d.). These stringent rules paint a landscape that seems to demand perfection. Perhaps this is why, in 2016, Pennsylvania had more people incarcerated for parole revocation than for new crimes (*Probation and Parole*, n.d.).

Collateral Consequences of a Record

When an offender luckily does not encounter or manages to make their way through these obstacles, they are still left with a criminal record. The FBI has a criminal record on about one in

three citizens (Federal Bureau of Investigation, 2017, as cited in Selbin et al., 2018). This record can show up on a criminal background check used by 92% of employers (Maurer, 2019). Background checks force ex-cons to be marked as ex-cons, and from there stigma can run its course. Ex-cons consistently struggle to find an employer that will hire them, with their unemployment rate being 27%---two percentage points *higher* than the Great Depression (Couloute & Kopf, 2018). When ex-cons do manage to find work, they are paid thousands less than their peers (Finlay 2022).

Ex-cons also face discrimination on a more personal level. In one study, around three of four participating ex-cons reported being treated unfairly due to their record, having their record used to hurt their feelings, and being avoided due to their record (McWilliams et al., 2022). Unfortunately, this discrimination can provide its own avenue for further collateral consequences. Researchers found that "criminal record discrimination was negatively associated with social support" and that greater social support likely meant more healthy days per month (McWilliams et al., 2022). Discrimination itself does not cause people to be sick, but it can serve to isolate them—possibly exacerbating any encountered illnesses.

All of these subtle influences would help lead Bilal Chatman, a former inmate who became a logistics supervisor, kept quiet about his record as best he could while he reintegrated. He later appeared in a variety of media ten years later to talk about reintegration, saying "people are judgemental—people that don't know, you know. I don't want anybody to look at me as the ex-con, I want them to look at me as the person I am now" (Avery et al., 2015). Despite the decade that had passed, he was still concerned about people reducing him to the stereotype of an ex-con.

Why Do People Commit Crimes?

"The punishment should fit the crime" can be heard throughout the media in the U.S., and many citizens readily tout that phrase. However, crimes are not one size fits all—our crimes that have mandatory minimums allow for longer sentences, and we separate out murders by degree of intention/planning. We *codified*, in our legal system, a basic understanding that crimes vary. Yet, politicians, particularly tough on crime politicians, describe the need for punitive measures to deter criminals as if criminals woke up one day, sat down, and decided "today I'll do a crime." Politicians, particularly tough on crime politicians, describe these Instead Reamer, a long-time social worker who served on more than a thousand parole boards, argues that "every crime and criminal produce a unique case study that requires in-depth analysis and subtle, complex interpretation" (2003, p. 7).

People often do not set out with the intent to commit criminal acts. As Reamer notes about women inmates he's met:

> in important respects they are cookie-cutter cases: victims of childhood sexual abuse by their step-fathers, biological fathers, or mother's boyfriends . . . which led to poor self-esteem and a series of relationships with abusive men . . . which led to substance abuse to numb the pain . . . which led to some sort of addiction and, often, prostitution and shoplifting to finance the addiction . . . which led to prison. (2003, p. 8)

The pain, and later addiction withdrawal, that these women feel traps them in what social psychologists call the 'experiential system.' Quick, familiar thinking characterizes the experiential system as opposed to the more explicitly intentional and deliberative 'cognitive system.' These women being trapped in the experiential system likely leads them toward abusive

men as these relationships are often what has been modeled for them or been their direct experience.

In his typologies of crime, Reamer denotes crimes of rage such as "stabbings and murders that arise from fierce domestic disputes, assaults that arise from 'road rage' conflicts, and spontaneous intergang warfare" (2003, p. 4). Anger similarly would trap someone in the experiential system as it provides motivation to remove the perceived obstacle—rather than weigh different options about what to do next. Moreover, the motivation to remove the perceived obstacle can be amplified by situational factors like the weapons effect, where someone sees a weapon and is more likely to use it/act violently. The weapons effect may operate off the same mental mechanics as putting gym shoes by the door to encourage yourself to go to the gym.

However, one of Reamer's typologies in particular serves to damn the current criminal justice system as completely and utterly uninformed. Reamer spoke of crimes of desperation, committed by:

> people who find themselves in desperate circumstances… examples of crimes of desperation include burglaries committed by parents living in dire poverty who need money to feed their children, fraud committed by people who are under intense pressure to pay their debt to organized crime figures, and embezzlement by white-collar offenders whose financial world has crumbled around them (2003, p.3).

Many parents say they would kill for their children, so stealing for them should come easily. Additionally, desperate circumstances, as Reamer characterizes them, would readily include someone who simply needs money to pay their bills. A former drug dealer may find themselves tempted to deal drugs again when they have been released from prison and are unemployed

without family or friends to support them as they navigate a system stacked against them. In fact, one former dealer explained to Vice, in a special news report, that he found himself dealing drugs to pay his parole officer (Vice Special Report: Fixing the System as cited in Avery et al., 2015).

Basically, these very common types of criminals commit crimes for everyday reasons. While the specifics may not be recognizable to the typical law-abiding circumstances, the patterns of thinking and behavior match. Moreover, criminals are often using the everyday that *they* know. Studies show a cycle of violence where victims of childhood maltreatment are more likely to mistreat the people around them (Pathways between Child Maltreatment and Adult Criminal Involvement, 2017). There could be a very simple—even fundamental—causal link between experiencing maltreatment and perpetuating maltreatment: modeling. People learn through seeing and experiencing, and people can only do what they know.

Policy Options

Removing people's criminal records, or restricting/banning background checks as in ban-the-box, would be a very simple first step in preventing institutional acts of discrimination against ex-convicts. A law firm that helps clear criminal records studied the impact on their clients, finding that employment rates grew by five to ten percentage points over three years and earnings grew by a third in the same period (Selbin et al., 2018). Quite simply, an ex-con can't be discriminated against if nobody knows they are on an ex-con.

Detractors are quick to adopt arguments rooted in people being able to make informed decisions. Doleac, an opponent of the ban-the-box movement and associate professor of economics, explains employers don't want to hire ex-cons because "on average, ex-offenders are more likely than non-offenders to have engaged in violent, dishonest or otherwise antisocial

behavior, and are more likely to engage in similar behavior in the future," going on to recite recidivism statistics about how two-thirds of ex-cons reoffend (Doleac, 2016). While Doleac does tell the truth that ex-cons are more likely to have engaged in characteristically criminal behavior, she perfectly exemplifies prejudice by misattributing this behavior as some fundamental attribution of ex-cons—implying that because someone was dishonest once they will be dishonest again. Moreover, the prisoner recidivism/reincarceration rate is, in part, a self-fulfilling prophecy: employers do not want to hire ex-cons believing they will reoffend, ex-cons as a whole have an unemployment rate higher than the Great Depression, and ex-cons commit crimes of desperation. In fact, "stable employment reduces the likelihood of reincarceration by approximately 14-25%" (MacArthur, 2025). The unemployment rate for ex-cons with a job drops *because it can eliminate the financial need to do crime*.

More ambitiously, incarceration needs to be set aside for a more holistic, restorative system. Ex-cons need to be enabled to do better: they may need to be shown better, they may need to be taught vocational skills, and they need meaningful assistance in reintegration.

Conclusion

This paper is, at best, a primer on the issue. There was no discussion of the War on Drugs or War on Crimes, political moments in which the legal system became more punitive, or the socioeconomic background of our politicians and lawyers. There was also no discussion of flaws in forensic evidence, police interrogation, over-policing of minority neighborhoods, the low eligibility requirements to become a police officer, overbooking of arrested individuals to facilitate plea deals, over-extended public defenders and the stringent appeal process that all cast doubt about convictions. Furthermore, there was no discussion on felony disenfranchisement,

stringent appeal process, underfunded schools and lack of economic opportunity in higher-crime areas, connection between mental health and criminal records, affordability of mental health treatment, and so many other related issues.

As discussed, a criminal conviction immediately comes with some sort of penalty: fines, imprisonment, probation, or community service. As very briefly noted, fines can readily lead to imprisonment for the poor, and probation—as well as parole—is fraught with ways for people to fail. Prisoners, after being exposed to traumatic circumstances, are released with a pair of clothes and some small amount of "gate money." These options are just the *initial* consequences as ex-cons face discrimination in hiring, depressed wages, and social discrimination.

However, ex-cons are not some alien population. They often commit crimes because it is what they know, what has been shown to them. They act based on the options they can see before them as we all do. Consistently, criminal behavior is tied to earlier maltreatment—whether it be in shoplifting to pay for drugs meant to bury the pain of abuse or in passing the abuse along to the next person in the cycle. As Reamer puts it, "these inmates are the product of all that is wrong with our world, and their fractured lives offer messages about what we need to do to repair it" (2003, p. 7).

References

Avery, K., Carvell, T., & Gondelman, J. (Writers) & Hoskinson, J (Director). (2015, November 8). Prisoner Re-Entry (Season 2, Episode 33) [TV Series Episode]. In T. Carvell, J. Oliver, J. Taylor, & J. Thoday (Executive Producers), *Last Week Tonight*. HBO; Avalon Television; Sixteen String Jack Productions.

Couloute, L & Kopf, D. (2018, July). Out of prison & out of work. *Prison Policy Initiative*. https://www.prisonpolicy.org/reports/outofwork.html

Diep, K. (2015, October 27). An interview with a former inmate. *Pacific Standard*. https://psmag.com/news/interview-with-darris-young/

Donnely, K. (2021, January 31). Criminal Fines are Taxes on the Poor. *Michigan Journal of Public Affairs.* https://mjpa.umich.edu/2021/01/31/criminal-fines-are-a-tax-on-the-poor/

Doleac, J. (2016, May 31). "Ban the box" does more harm than good. *The Brookings Institution*.

Finlay, K. (2022, February 15). Dim job outlook for people released from prison during great recession. *United States Census Bureau*.

MacArthur, H. (2025, August 18). Breaking through barriers: A modern day guide to hiring. *Forbes*.

Maurer, R. (2019, April 8). Employers slow to pick up trend of continuous screening. *Society for Human Resources Management*.

McWilliams, E, et al. (2022). Discrimination, social support, and health-related quality of life among individuals with criminal records. *Journal of Community Psychology*, *50* (7). DOI: 10.1002/jcop.22835

Mental Health Post Traumatic Prison Disorder. (2019). National Association for the Advancement of Colored People. Retrieved Dec 3, 2025. https://naacp.org/resources/mental-health-post-traumatic-prison-disorder

Pathways Between Child Maltreatment and Adult Criminal Involvement. (2017, October 11). *National Institute of Justice*. https://nij.ojp.gov/topics/articles/pathways-between-child-maltreatment-and-adult-criminal-involvement

Probation and Parole. (n.d.). American Civil Liberties Union Pennsylvania. Retrieved Dec 3, 2025. https://www.aclupa.org/issues/criminal-legal-reform/probation-and-parole/

Reamer, F. G. (2003). *Criminal lessons: Case studies and commentary on crime and justice.* Columbia University Press.

Selbin, Jeffrey, et. al. (2018). Unmarked? Criminal record clearing and employment outcomes. In *The Journal of Criminal Law & Criminology*, vol 108, no 1, 1-72.