



# Does Banning the Box Work?

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By: *Patrick Tuohey*

[WDAF TV in Kansas City](#) recently reported that City Councilmember Jermaine Reed is seeking to expand the city's ban-the-box initiative that currently prevents the city from including a box on job applications asking if the applicant has had a felony conviction. Approval of Reed's proposal would mean that private companies and landlords would be subject to the same restriction in their applications. However, despite good intentions, research tells us that ban-the-box policies hurt minorities.

The WDAF story goes on to point out:

*The city has "banned the box" since 2013 and said it's been a big success. Employers can still do background checks, which could prevent someone from getting hired. But getting rid of the check box can help eliminate the stigma [that would] prevent qualified candidates from getting hired just because of their criminal history.*

That is certainly a noble goal. But research from respected universities and public policy organizations casts doubt on the effort's effectiveness. According to [The Atlantic](#) magazine,

*... banning the box may actually be hurting some of the exact groups of people it was*

designed to help, according to a few new studies. In a recent paper from the National Bureau of Economic Research, Jennifer L. Doleac of the University of Virginia's Frank Batten School of Leadership and Public Policy and Benjamin Hansen of the University of Oregon looked at how the implementation of ban-the-box policies affected the probability of employment for young, low-skilled, black and Hispanic men. They found that ban-the-box policies decreased the probability of being employed by 5.1 percent for young, low-skilled black men, and 2.9 percent for young, low-skilled Hispanic men.

The left-leaning [Brookings Institution](#) found the same, detailing what happens when the felony conviction disclosure is removed:

*Employers are forced to use other information that is even less perfect to guess who has a criminal record. The likelihood of having a criminal record varies substantially with demographic characteristics like race and gender. Specifically, black and Hispanic men are more likely than others to have been convicted of a crime: the most recent data suggest that a black man born in 2001 has a 32% chance of serving time in prison at some point during his lifetime, compared with 17% for Hispanic men and just 6% for white men. Employers will guess that black and Hispanic men are more likely to have been in prison, and therefore less likely to be job-ready.*

In short, ban-the-box policies are likely hurting minorities. Hiring discrimination is a thorny problem, but not all such problems have easy or obvious solutions. If your proposed solution is hurting the people it is intended to help, it's probably time to think about a new approach.

## About the Author



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[3] <http://fox4kc.com/2018/01/18/ban-the-box-proposed-kc-ordinance-would-prevent-employers-landlords-from-asking-about-felony-charges/>

[4] <https://www.theatlantic.com/business/archive/2016/08/consequences-of-ban-the-box/494435/>

[5] <https://www.brookings.edu/opinions/ban-the-box-does-more-harm-than-good/>

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