

Job-Seeking Tips for Those With a Criminal Record

By Mary Ellen Slayter
Washington Post Staff Writer
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What's longer: Your résumé or your rap sheet?

A criminal record can make finding a job more difficult, but it doesn't have to mean the end of your career, depending on how you handle it.

Many workers hide it. This sometimes involves flat-out lying, but more often people with records just avoid jobs for which they know a background check will be done.

"I've managed to work my way into the likes of two Fortune 100 companies as well as several prominent nonprofit associations without revealing my past," said a Washington area information technology worker in his thirties who has been working with a "background" since 1993.

He said he has told only one prospective employer about his past, and the company still wanted to interview him. He also said he has turned down interviews after discovering that the firm does background checks.

If you want to work for a big company, he advises, try to get hired by one of its contractors, because "a lot of contracting companies still don't do background checks."

Get your foot in the door and demonstrate some "superb work habits and abilities." If your criminal background has to be revealed, it will be "softened by the good work habits and ethics," he said.

Despite his own success with concealing his record, he now advises a more upfront approach. "Dazzle the interviewers, go through the offer stage, then bring up the criminal past. . . . It's better to get the criminal background out in the open if possible. Nothing worse than wondering, 'What if someone found out?'"

Another man, a 26-year-old who was convicted on a felony charge of hit-and-run driving, said that, on the advice of his lawyer, he never mentions the conviction on his job applications.

"If you put it down, you will get flat-out rejected. If you do not, you have at least a chance," he said. He said he thought that because he had a pardon the conviction would not show up.

However, the chance you get could turn out to be worthless if the employers find out later. Some businesses have very strict rules about employing people with criminal records.

The man with the hit-and-run conviction recently lost a temp job as an administrative assistant at a financial firm in New York. His conviction didn't come up until the company wanted to hire him full time, and it did a background check. "After they found out it was a felony, they told me that I could no longer work for them . . . that Wall Street would not let anyone with a felony conviction work at a financial firm within 12 years of the conviction," he said.

"They wanted me to stay. . . . It was kind of sad, because I liked my job," he said.

Another man, a video producer with a drug possession conviction, said he often lied about his record. "I wanted my prospective employer to see me for what I was, an educated, capable and enthusiastic person who was willing to give it all to get the job done."

It worked, until he applied for a county job that required fingerprints. He got the job, but he was fired a month and a half later -- because he had lied on his application.

It's tempting to think, "Well, that's what they get for lying." Except it's hard to get past the feeling of shame people feel about their police records. "You never get over the stigmatization and guilt that you feel every time you go to fill [out] an application for employment," the video producer said.

A 33-year-old Leesburg man who has a misdemeanor conviction for theft of government property said he has always been honest about his record.

"I've never had an employer tell me that they would have hired me if I didn't have a record. However, since prospective employers don't have to tell you why they chose not to hire you, it's possible that my record took me out of the running for a job.

"If the job application asks about your criminal record, be honest. If asked about it in an interview, be honest and candid. Try to present it in the best possible light." However, if they don't ask, "don't bring it up," he said.

Trudy L. McCrea, an executive coach at Achieve-It LLP, a coaching services company with offices in the District and Reston, suggests that job applicants not dwell on the details of their criminal records and instead try "turning it into a positive."

"Employers are looking for people who can learn from mistakes, are focused on personal growth, have courage and can handle adversity. If the potential employee can get comfortable with their past and explain the experience as a painful but insightful experience, they may have an edge over the typical candidate," she said.

"If a candidate can talk me through a serious situation like a DUI and maintain their confidence and control of the interview, I'd be impressed."

She said she would avoid a person who blames others for their problems or cannot discuss the situation with confidence.

Robin R. Runge, coordinator of the Program on Women's Employment Rights at the D.C. Employment Justice Center, also encourages the honest approach. She tells people to focus on the present, not the past. She advises attaching a brief letter of explanation to job applications. "Not a letter of woe," she said, just a brief description of what you did and what you've learned from your mistakes.

The D.C. Employment Justice Center recently published a handbook, "Criminal Records & Employment: What You Need to Know About Your Rap Sheet, and Your Right to a Job," which contains excellent information about handling your criminal record with employers. A copy is available on its Web site, www.dcejc.org, or by calling the center at 202-828-9675.

Certainly companies could sometimes be more sympathetic to people's efforts to put their lives back together after a criminal conviction. But there often are valid reasons a company would not want to hire someone with a felony record, especially if the offense was violent.

"If an employee has a sexual assault conviction, for example, and later assaults a co-worker, the company would be held liable to the victim if it knew or should have known that the employee was a risk to co-workers," said Eric Welter, a management-side employment attorney at Welter Law Firm in Herndon.

He advises companies to consider a number of factors to see whether they are comfortable that the employee's contributions and service outweigh future legal risks.

"I have had clients decide to retain an employee with a prior conviction because, on balance, the employee had earned the right to have the benefit of the doubt as to future risk. With respect to convictions for crimes of violence, however, I generally counsel employers that the risk of retaining the employee, particularly one who has also been dishonest about the conviction, outweigh any possible benefit. . . . The more serious the crime, the more likely the employee will be terminated for having misrepresented his or her criminal history on the job application."

So, just be honest. Of course, some people will still judge you for your past, but it is less likely to hurt you if you are upfront about your "background" than if you try to cover it up.

And what if you are on the other side of the interview? Employers should keep in mind that in many cases a person with a police record isn't any more of a "criminal" than the "good" people they're considering. They just got caught.

Join Mary Ellen Slayter on Thursday at 11 a.m. for Career Track Live at Washingtonpost.com. Her e-mail address is slayterme@washpost.com.

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