

Don't Give People Returning From Prison A Second Chance

The Second Chance movement promotes the practice of hiring individuals with a criminal record. The movement's name relies on a popular catchphrase in criminal justice reform, and the idea of Second Chance Hiring is increasingly being adopted by business and government leaders across the political spectrum. However well-intentioned, Second Chance is designed to fail – and worse. The language reinforces the perceptions and prejudice that drive mass incarceration. Giving people returning from incarceration a “second chance” does not serve their interests, and the Second Chance movement may only help derail a desperately needed justice reform movement currently picking up historic momentum.

Yet Second Chance hiring continues to gain attention and acceptance. [The U.S. Chamber of Commerce](#) has endorsed Second Chance Hiring, the job-search platform [Indeed](#) lists over 200 “Second Chance jobs” in the NYC area alone, and Chase Bank's Chairman and CEO Jamie Dimon has written [Op-Eds](#) heralding Chase's “Second Chance hiring program.” Dimon is co-chair of the [Second Chance Business Coalition](#), which boasts membership of many large corporations with household names like CVS, The Gap, General Motors, Microsoft and more.

On the national level, the Obama administration passed the [Second Chance Act](#) in 2007 which committed \$195M, followed by other [federal grant programs for Second Chance](#) totaling hundreds of millions more. On the state level, Governor Hochul signed [Second Chance legislation](#), and in 2015 NYC passed the [Fair Chance Act](#). Meanwhile, countless criminal justice organizations and advocacy groups continue to adopt the appellation “Second Chance” in their names, for their programs and in their literature.

Though these efforts may be sincere and well-meant, studies like the National Institute of Justice's [Lessons Learned from the Second Chance Act](#) show that Second Chance initiatives have not resulted in higher rates of employment, income, secure housing, or access to medical care for people returning home from prison, nor have they had any measurable impact on recidivism.

And it's no wonder.

While the phrase “Second Chance” certainly has powerful positive resonance for many Christians, the language of Second Chance is double-edged, and feeds into the larger problem of language around criminal justice, the people swept up in mass incarceration, and the disadvantaged communities that provide the bulk of our prison and jail population.

Language – both written and visual – is far from being arbitrary or neutral; rather, it forms the perceptions and attitudes that fuel our social policies and everyday practices. For a high-profile example, take another look at George H.W. Bush's infamous 1988 [campaign ad featuring Willie Horton](#), which quickly helped Bush overcome a significant Dukakis lead in the polls. Whatever political expediency it may have served for the Bush campaign, the words, imagery and

messaging of the ad further solidified in the American psyche the Black male as predator, and helped press the gas pedal on mass incarceration.

Criminal Justice advocates, starting with Eddie Ellis's 2000 ["An Open Letter to Our Friends on the Language of Criminal Justice"](#), have decried language in the American lexicon like "prisoner", "inmate", "ex-con", "offender", that imposes indelible negative identities that create barriers to employment, reintegration and being viewed with basic human dignity. As Ellis wrote:

In an effort to assist our transition from prison to our communities as responsible citizens and to create a more positive human image of ourselves, we are asking everyone to stop using these negative terms and to simply refer to us as PEOPLE. People currently or formerly incarcerated, PEOPLE on parole, PEOPLE recently released from prison, PEOPLE in prison, PEOPLE with criminal convictions, but PEOPLE. We habitually underestimate the power of language. The worst part of repeatedly hearing your negative definition of me, is that I begin to believe it myself.

More than 20 years later, despite countless efforts to reverse this language, it remains in common usage – as has a host of other language that reinforces negative stereotypes, perceptions and identities, from "homeless", "poor", "addict" to "rehabilitation" and "workforce development". But arguably the most insidious is "second chance."

The intention of the Second Chance movement is driven by a professed empathy for people impacted by our criminal justice system, a stated commitment to dispelling the very real stigmas of a criminal record, and a presumed invitation to upwardly mobile employment. Yet the term "second chance" works against these objectives by surreptitiously drawing on, threading through and binding the nomenclature of America's racial prejudice and historic exclusion of Black, Brown and economically low-status people.

Perhaps this accounts for much of its popularity.

My father was the first Safian ever to go to college, and from my earliest memories I knew I would go to college myself. That pathway was wide, and lined with easily accessible stations of support.

Which is to say, when I was growing up, I didn't get any chances. I got opportunity – and plenty of it.

The difference between "chance" and "opportunity" is monumental, and begs us to focus on a fundamental question about "Second Chance" that is going unasked and unexamined:

Why are formerly incarcerated people, mostly low-income and of color, *given* a “chance”, while people of privilege – mostly white – *have* abundant opportunity?

As Eddie Ellis professed, language that is seemingly neutral and innocuously descriptive is often charged with greater meaning, impact and purpose. The language our culture deploys around criminal and economic justice can be (and often is) weaponized to ensure power, status and prestige for one group over another. Unwittingly or not, the widespread embracing and uplifting of “Second Chance” by business, politicians, the media and even the criminal justice community, reinforces the linguistic bulwark of discrimination and exclusion in this country.

Just as we need a consensus on what we collectively mean by American Justice, and then hold people throughout our justice system accountable to that (see my Opinion piece [Here's what's really holding back criminal justice reform](#)), we need leadership across government, business, the media, academia and the reform movement to have honest and critical conversations around strategic and discriminatory language that has ingrained racism and injustice in the American mind and in our social, economic and political systems. Only then can we create new vocabulary and thoughtful policies that promote human dignity, equity and inclusion.

If we don't take that task on with urgency, we continue to risk even well-intentioned initiatives like Second Chance furthering entrenchment of the status quo, and wasting the unprecedented financial, human and leadership resources now pushing for systemic change.

If we fail in this endeavor, we will likely experience what happens so often in America: A disappointment with reform that leads to the pendulum swinging the other way, and mowing down everything in its path.

This is the second in an editorial series about American Justice. A planned editorial in this series will look at how and why the carceral system and post-incarceration programs fail to prepare people for employment, and instead promote turnstile recidivism that compounds the waste of financial and human capital. But next up: The Tulsa-fication of America