

“It’s Really Hard Making Up for All of That Lost Time”: Providing Reentry Support After Wrongful Incarceration

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The scientific study of wrongful convictions has been ongoing for the past few decades. These studies have worked to quantify wrongful convictions, identify contributing factors, and understand the negative implications to society and the individuals who experience a wrongful incarceration. The majority of existing studies focus on what leads to a wrongful conviction, with fewer studies examining the community reentry processes of wrongfully convicted individuals. Those studies that do specifically focus on after-release experiences among wrongfully convicted individuals generally focus on the wide range of experiences that wrongfully convicted individuals have in terms of community reentry. The current study aims to contribute to these existing conversations on post-release experiences of wrongfully convicted individuals by focusing on a very specific aspect of community reentry, employment. Utilizing qualitative interviews with innocence organizational employees, individuals who work closely with wrongfully convicted individuals before their release and often maintain relationships after their release as well, this study examines how wrongful convictions impact employment. Findings show that obtaining innocence is often a long and complex process, resulting in numerous barriers that individuals must navigate in the job market. Organizational employees discuss the many barriers that their clients often encounter and the ways in which they, their organization, and wider society can assist wrongfully convicted individuals in the community reentry efforts more broadly. Policy implications are also discussed to aid wrongfully convicted individuals after their release.

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I Introduction and Literature Review

The study of wrongful convictions is not a new phenomenon and due to increased media coverage and public awareness, wrongful convictions are an increasingly salient topic within society. Most media outlets commonly focus on details leading up to a wrongful conviction trial and the day of release, leaving aspects of community reentry after wrongful conviction largely absent. Furthermore, the majority of academic research related to wrongful convictions focuses on attempting to quantify their occurrence, the main contributing factors, and the negative societal consequences. Extant research shows alarming rates of wrongful convictions (Acker, 2017; Baumgartner, Westervelt, & Cook, 2014) along with a variety of negative societal implications (Forst, 2013; Huff & Killias, 2013; Norris et al., 2020; Smith and Hattery 2011). Despite this incredible work about the incidence of wrongful convictions, few studies examine how individuals reintegrate into the community once they have been released from a wrongful conviction. Therefore, scholars should develop lines of inquiry to better understand the day-to-day experiences that wrongfully convicted individuals (WCI) have following their release.

Very little research focuses on the processes of reentering the community after serving time for a wrongful conviction (for an exception, see DeShay, 2016; Shlosberg et al., 2020; Westervelt & Cook 2012, 2008). Nonetheless, existing studies show that community reintegration after wrongful incarceration can be extremely difficult, as wrongfully convicted individuals are dealing with trauma and mental health issues produced by their wrongful incarceration (Alexander-Bloch et al., 2020; DeShay, 2016; Grounds, 2004; Scott, 2010), experience numerous barriers in their community reentry efforts (Shlosberg et al., 2020; Weigand, 2009), and often have access to fewer resources than individuals released on probation or parole (Westervelt & Cook, 2008). While these studies have been critically important to understanding how wrongfully convicted individuals experience community reentry, they often lack specificity due to a focus on the wide range of issues that wrongfully convicted individuals encounter. The current study aims to provide a more detailed understanding of community reentry by focusing on a very important facet of these dynamics, employment.

The current paper is part of a larger study that examined the various impacts of wrongful convictions on experiences related to employment and education, before and after wrongful incarceration. Employment has been shown to be a critical component of successful community reentry after incarceration (Berg & Huebner, 2011; Cherney & Fitzgerald, 2016; Opsal, 2012; Visher, Debus-Sherrill, & Yahner, 2011), with the majority of studies focusing on populations incarcerated for crimes they did commit. Because experiences of incarceration are unique for WCI (Campbell & Denov, 2004; Grounds, 2004; Wildeman, Costelloe, & Schehr, 2011), their experiences with community reentry and employment are potentially altered as well. Principles of community based participatory research (CBPR) were used to build relationships with innocence organizations, recruit participants, and disseminate project results. The study was initially designed to examine the following question: How does being wrongfully convicted impact employment? However, due to the qualitative nature of the project and the interconnectedness of the many components of community reentry, participants provided information beyond education and employment. The present study combines the sociological frameworks of life-course perspective and stigma to qualitatively examine the proposed question from the perspectives of innocence organization (IO) employees – a group that works closely with WCI before and after their release

from incarceration. Thus, the present study provides a more comprehensive understanding of the negative implications that wrongful convictions have on employment and the difficulties wrongfully convicted individuals experience in their community reentry efforts.

The following paper will first review the current literature broadly related to wrongful convictions before narrowing in scope to focus specifically on experiences of WCI in obtaining employment post-release. I then discuss the theoretical frameworks of life-course perspective and stigma which are used throughout the study. Next, I give an in-depth examination of the methodological procedures utilized in this study. Then, I provide the main findings of the study which indicate being released from a wrongful incarceration is a wonderful moment, but also often the first step to a long and difficult path to community reentry. The findings are presented in three main themes: the many needs and challenges after wrongful incarceration, barriers to achieving those needs which impact successful community reentry, and the ways in which IO employees provide support and resources to aid in the community reentry of wrongfully convicted individuals. Considering this analysis, I discuss policy suggestions to support wrongfully convicted individuals throughout their community reentry journey. Finally, I discuss limitations for the current study while also providing avenues for future scholarly research.

A. Wrongful Convictions

The exact number of wrongful convictions remains unknown. By their nature, only known occurrences can be quantified. Conservative estimates indicate that approximately 1% of felony convictions are the result of a wrongful conviction (Gross, 2013). These estimates suggest that of the 2 million people currently incarcerated in the United States (Kaeble & Cowhig, 2018), 10,000-20,000 of them were wrongfully convicted (Gross, 2013). While only conservative estimates exist for wrongful convictions, rates of exoneration are much more concrete. For example, according to the National Registry of Exonerations, which is the biggest and most up to date collection of information on all known exonerations within the United States (Norris, 2017), as of 2021, 2,849 individuals have been exonerated (National Registry of Exonerations, 2021). Additionally, the Death Penalty Information Center (2021), indicates that 185 individuals have been exonerated from death row since 1973.

Wrongful convictions create numerous problems for society. First, they waste valuable and limited resources (Huff & Killias, 2013) and create distrust within the criminal legal system (Forst, 2013). Wrongful convictions allow the person who actually committed the crime to remain free and commit additional crimes (Norris et al., 2020). Also, victims in wrongful conviction cases are traumatized over and over through the retelling of their story and reliving traumatic events when trying multiple offenders in wrongful conviction cases (Smith & Hattery, 2011). Finally, WCI are themselves negatively impacted in numerous ways. For example, wrongfully convicted individuals are removed from their families, friends, and communities; subjected to unjust trauma of being wrongfully incarcerated; and provided few (if any) services to try and get their lives back on track once released (Westervelt & Cook, 2012). After release, WCI have many needs and few resources for meeting them (Mandery et al., 2013; Shlosberg et al., 2020; Weigand, 2009; Westervelt & Cook, 2008). Ultimately, finding employment after release from wrongful incarceration is critical, but many barriers, including their time out of the labor market and the stigma of being incarcerated, make securing employment a constant struggle for WCI.

B. Obtaining Employment after Wrongful Incarceration

Upon release from incarceration, individuals have many needs. For successful community reentry, all such identified needs should be met (Lattimore, Steffey, & Visher, 2010; Wright et al., 2014), whether an individual was wrongfully incarcerated or not. One of the critical ways that a previously incarcerated individual achieves community reintegration is through employment (Berg & Huebner, 2011; Opsal, 2012). Employment provides many benefits in individuals' lives. For example, employment allows individuals to contribute to the financial well-being of their families, add structure and meaning to their lives, and establish an independent household of their own (Berg & Huebner, 2011; Cherney & Fitzgerald, 2016), all of which reduce the rates of recidivism (Opsal, 2012; Visher et al., 2011).

While finding employment is crucial when reentering society, many individuals who have experienced incarceration, wrongful or not, encounter barriers to accessing employment (Deshay, 2016; Westervelt & Cook, 2012, 2008). For example, previously incarcerated individuals lose time on the job market, job skills, and connection with friends and family, all of which act as obstacles in obtaining employment (Cherney & Fitzgerald, 2016; Wakefield & Uggen, 2010). Additionally, the lack of job training and educational programs provided within criminal legal institutions contribute to the challenges of securing employment once individuals have been released (Petersilia, 2003). Although innocent, being released from wrongful incarceration does not automatically erase or eliminate the experiences of previous incarceration and the barriers to gaining employment. The current study aims to contribute to existing conversations on wrongful convictions by highlighting the specific ways in which WCI experience and navigate barriers of the job market.

Particular services exist to assist formerly incarcerated individuals with gaining employment. However, WCI often do not qualify for the same services as other released individuals (Mandery et al., 2013; Weigand, 2009; Westervelt & Cook, 2008), including "no time in a halfway house; no access to drug rehabilitation; no help with job skills, housing, or employment; and no bus fare, not even pocket change to make a phone call from the prison lobby for a ride home" (Westervelt & Cook, 2008: p. 37). This indicates that WCI may encounter additional barriers and less support to finding employment in comparison to other individuals who have been released on probation or parole. For example, WCI may be released with no community reentry plan, no access to services, and little to no notice of their release, making it difficult for them to contact friends or family (Westervelt & Cook, 2012). Therefore, release from a wrongful conviction does not immediately remove barriers to securing employment and may make it even more difficult in obtaining a job. In turn, wrongful convictions adversely impact WCI's life-course and the stigma of being incarcerated creates perpetual difficulties in the employment process.

II Theoretical Framework

Theories specific to after-release experiences of WCI are at best underdeveloped and at worst virtually non-existent. Therefore, two theoretical frameworks were chosen strategically to better understand how wrongful convictions impact employment, life-course perspective, and stigma. First, both frameworks have been utilized to examine how incarceration impacts

employment. Second, stigma specifically has been used to understand the post-release experiences of WCI. Here, I discuss explicit details of each framework and how they apply to the current study.

A. Life-Course Perspective

According to the life-course perspective, there are life patterns, referred to as trajectories, that people follow throughout their lives. Trajectories are often marked by transitions, which are events or milestones embedded within a trajectory, such as completing one's education, obtaining employment, and getting married (Elder, Modell, & Parke, 1993). The criteria for achieving adulthood typically includes some variation of being independent in decision making and financial endeavors (Arnett & Tanner, 2006), and more specifically completing one's education, gaining full-time employment, getting married, and starting a family (Graber, Brooks-Gunn, & Petersen, 1996).

Incarceration can negatively impact the life-course in numerous ways. By disrupting the timing of transitions, incarceration has the potential to alter life trajectories and ultimately have negative implications for individuals successfully achieving adulthood. For example, individuals who have been wrongfully convicted spend on average anywhere from nine (National Registry of Exonerations, 2022) to fourteen years incarcerated before they are released, which results in over a decade of lost time, experience, labor, and social ties in employment settings, immensely altering that individuals' life-course. However, it is important to note, not only do some individuals experience shorter periods of wrongful incarceration, but some individuals also experience extremely longer periods of incarceration. The National Registry of Exonerations notes the longest wrongful incarceration was 47 years and two months (National Registry of Exonerations, 2022). Additionally, the age at which an individual is wrongfully incarcerated and released impacts their life-course transitions and post-release experiences with community reentry and employment.

B. Stigma

In its early origins Goffman (1963) noted three types of stigma, one of which referred to "blemishes of individual character" such as that experienced by those who have been previously incarcerated. Since its initial conception, stigma has been used to study a wide variety of groups in diverse contexts, with some studies specifically utilizing the concept to examine employment after incarceration (Pager, 2003). Contemporary scholars have begun to develop the concept of structural stigma. Structural stigma refers to processes "when stigmatic assumptions become embedded in social policies and practices. Through the language of risk, particular groups are identified as 'dangerous' which in turn legitimizes myriad forms of surveillance and intervention" (Hannem & Bruckert, 2012, p. 5).

Previously incarcerated individuals, again whether wrongfully incarcerated or not, are subjected to the same procedures as other released individuals when accessing employment such as completing job applications that inquire about previous criminal history with no space to provide an explanation for their unique experiences indicating that structural level policies and procedures negatively impact individuals post-exoneration. Therefore, examining the manifestation of structural stigma among WCI is imperative to better understand their day-to-day experiences in navigating the job market.

III Methods

The current study utilizes principles of CBPR, a research design framework that involves collaboration between researchers and community members at multiple stages of the research process (Mayan & Daum, 2016; Minkler & Wallerstein, 2008). CBPR facilitated recruitment of innocence organizations and allowed for community-based dissemination of the study results. Semi-structured interviews were conducted with organization employees, giving participants some control over the research and interview process (Corbin & Morse, 2003), a core principle of CBPR (Minkler & Wallerstein, 2008).

Data for this study come from semi-structured interviews conducted with individuals who work for innocence organizations. Innocence organizations, defined by the Innocence Network are “organizations dedicated to combating wrongful convictions worldwide and reforming the criminal legal system. Most members of the Innocence Network provide legal representation to people who have been wrongfully convicted, though a few exclusively offer support to freed and exonerated people” (Innocence Network, 2022).

Recruitment began in mid-July of 2019. At that time, the innocence network included 53 innocence organizations located throughout the United States. Recruitment materials were sent to all organizations within the network inviting them to participate in the research project. Eligibility for participation included being at least 18 years of age and having been employed by an innocence organization for at least one year. Interested and eligible participants contacted me to learn more about the project and to schedule interviews. All research procedures were approved by the university institutional review board and the Innocence Organization Research Review Committee before any participant recruitment or data collection began.

Interviews were conducted with a total of 15 individuals who work for innocence organizations throughout the United States. Employment with the innocence organization ranged from just over one year to over 16 years. Job titles and accompanying responsibilities varied. Three individuals were employed as staff attorneys, five as social workers, and seven as executive directors or assistants within the innocence organization. To help preserve confidentiality, specific organizational names and locations are not provided. However, I will note that in 2019 the states with the highest number of exonerations included Illinois, Pennsylvania, Texas, New York, Michigan, California, Florida, and Maryland (Selby, 2020) and I was able to interview employees from five of these eight states. Each participant was given a pseudonym and any innocence organization identifying information was removed to ensure confidentiality. Participants characteristics are presented in Table 1. Due to geographical location, 14 interviews took place over the phone and one utilizing Skype. Interviews ranged from thirty minutes to seventy minutes with an average interview time of sixty minutes. Interviews were conducted in a private conference room, and were audio recorded. Interviews were transcribed verbatim and uploaded into NVivo 12 for analysis.

Table 1. Innocence Organizational Employees: Participant Characteristics

Name	Age	Race	Gender	Job Title	Time with Organization
Caitlyn	28	White	F	Director of Social Work	3 Years
Ann Marie	32	White	F	Client Services Specialist	1 Year
Amelia	44	Hispanic	F	Director of Outreach and Education	3 Years
Daniel	56	White	M	Director of Innocence Clinic/Staff Attorney	10 Years
Meredith	30	White	F	Staff Social Worker	1 Year
Stella	36	White	F	Operations Director	5 Years
Bethany	34	White	F	Director of Innocence Clinic/Staff Attorney	2 Years
Maretta	33	White	F	Clinic Fellow/Staff Attorney	1 Year
Brian	47	White	M	Executive Director	3 Years
Katie	57	White	F	Social Worker	13 Years
Samantha	43	Arab-American	F	Social Worker	1 Year
Charlene	63	White	F	Legal Administrator	2 Years
Amanda	50	White	F	Legal Director	1 Year
Jackie	54	White	F	Legal Director	16 Years
James	49	White	M	Executive Director	5 Years

I began with a broad coding frame that included codes from the previously mentioned theoretical frameworks of life-course perspective and stigma, while also including codes for the exoneration and compensation processes of innocence organizations and employment. I read and reread transcripts numerous times to add in additional codes to make sure each line of text was coded in an exhaustive manner. Throughout data analysis, I collapsed codes into more refined categories that more succinctly organized the data for analysis. Collapsed categories were revised into main themes. These coding procedures resulted in three main themes identified as *the many needs and challenges after wrongful incarceration, barriers to achieving successful community reentry, and providing support and resources to aid in community reentry of WCI*, all of which are discussed in more detail below.

In addition to including the previous principles of CBPR into the current study, project results were shared with all IO participants. More specifically, after interviews were completed, each IO participant was contacted and given the opportunity to provide feedback on the structure and content of the interview guide that was to be utilized in interviewing wrongfully convicted individuals. Upon completion of data collection and analysis, IO participants were provided with an outline detailing the main findings for each phase.

IV Findings

To provide the most comprehensive understanding of employment and community reentry, interviews were conducted with Innocence Organization employees, those that work closely with WCI and attempt to get their clients released from incarceration. IO employees often maintain relationships with their clients after release and aid in community reentry processes. Here, I present findings from interviews with IO employees. A manuscript detailing the experiences of wrongfully convicted individuals is forthcoming. The main themes for the first phase include: *the many needs and challenges after wrongful incarceration, barriers to achieving successful community reentry, and providing support and resources to aid in community reentry.*

Results indicated that upon their release, WCI have many needs that must be met for a successful community reentry experience. However, WCI also encounter numerous barriers to achieving successful community reentry. Finally, the last theme focuses on bringing attention and awareness to the unique experiences of WCI and notes the unique ways in which IO employees aid and support their clients in their community reentry efforts.

A. The Many Needs and Challenges after Wrongful Incarceration

The path to release for WCI is extremely complex and can take years to navigate, and while being released is critically important, there are many needs that wrongfully convicted individuals have to successfully reenter the community after their incarceration. Innocence organizational employees noted a number of needs their clients have and indicated that some needs are immediate, and others are long term. James, who is the executive director of an innocence organization that he created himself to specifically address community reentry for WCI, discussed the ways his organization helps to prepare WCI for release:

We should have their medical file already ordered from the department of corrections before they leave...We should make sure that they not only have the prescription in hand, but they should have a seven to hopefully 30-day supply of any meds that they're on when they leave so that they don't have to struggle right when they get out with that kind of problem. We should also for example if they have a social security card in their file which some of them do or a photo ID or birth certificate, we should know that, get it or we should be able to order it.

Here, James noted that the immediate needs that his organizations attempt to address relates to identification and medication. These are two things that WCI need on day one of their release, and without identification and/or medication other reentry needs cannot be achieved. James also highlighted that having identification and/or medication on the day of release is important due to the fact that gaining access to these things may be time consuming, which once again impedes successful, efficient, and timely community reentry.

IO employees work with WCI in numerous other ways to identify and address the needs of their clients. For example, Meredith, a staff social worker who has worked in her position with the innocence organization for just over a year, described many needs that their clients have once they are released and how she works to address them:

I have a form that I use, a needs assessment, that I assess what they need, what they have. Identification is a big one...Our clients have all identified home plans before they come out, they wouldn't be coming out if they didn't have a home plan. But I do identify or talk to them about financial resources, and employment and healthcare and social stability and hobbies and benefits, I try to do like a whole assessment of what they have, what they need, what they're interested in, what their timeline is, how we can help them, and just referring them to different organizations if that is what is helpful.

Meredith highlighted the many needs that WCI have and described the process of not only identifying those needs but addressing them as well. One main need Meredith noted, and other IO employees did as well, was housing. Here she stated that all their clients have identified housing, which is critical, because not all WCI have housing upon release.

While WCI must work to gain access to medication, identification, and housing, they also must learn to navigate society once again. Wrongfully convicted individuals face the hurdle of navigating day-to-day, taken for granted experiences and interactions within a society that is drastically different than when they were first incarcerated. Samantha, an IO social worker said:

I'll go to the store with them to get them toiletries and you just notice the things you take for granted. So, you go down the aisle and you're like "you want this?" "You want this?" And they're like "what are all [of] these choices?" "What is this place?" "Why are there so many people?" "I don't know, just give me soap." And you just start to notice these things that you have not had to deal with and just how much joy they have.

Incarcerated individuals, wrongly or not, have limited agentic capacity in the choices they make, whether that be regarding toiletries, food, general movement, and many other aspects of day-to-day life that are controlled within criminal legal institutions. Once released, individuals must relearn basic societal behaviors in order to successfully navigate each day and move forward with reentry. Additionally, wrongfully convicted individuals commonly must also navigate a society that is completely different than when they were first incarcerated. Ann Marie, a client services specialist who has been working with an innocence organization for just over a year, described those difficulties in this way:

You come out into a completely different world. So, in addition to just the general difficulties around actually adjusting, you know what does a job look like? What does a time clock look like now? How are interactions with coworkers different? How are you going to get there? Are there still buses that you're familiar with? Can you drive? Can you afford car insurance?

Ann Marie, described the difficulties of navigating a society that can be completely different for WCI, specifically focusing on employment but addressing broader social issues as well. Due to the average length of wrongful incarceration, the societal changes WCI must navigate

can be grave and drastic, and individuals must learn how to function in this new society if successful community reentry is to be achieved.

By far, the biggest issue according to interviewees that wrongfully convicted individuals must deal with is managing the trauma of being wrongfully convicted and incarcerated. This manifests in every aspect of their community reentry. Organizational employees noted various aspects of trauma that their clients experience such as post-traumatic stress disorder (PTSD), anxiety, and depression. What exactly that trauma entails for each WCI varies, but organizational employees noted that acknowledging and addressing that trauma is critical. Maretta, a staff attorney with an innocence organization for just over a year, described:

It's a traumatic experience to be wrongfully convicted and have to fight for your freedom in that way and to be in such a high-pressure environment and to survive prison. Like that is not easy. And so often-times even just that reentry process I think requires a need for therapy and a need to slow yourself back into things, and time to really process what just happened to you and where you are now.

Later in her interview, Maretta elaborated on this point by linking trauma with day-to-day experiences in general, and employment more specifically:

When you're wrongfully convicted I think you've experienced a massive injustice that is traumatic and going to affect your state of mind, your well-being, it's going to affect your trust in the system, it's going to affect your ability to trust everyone around you. I think it creates missed opportunities for training and education and networking and all those other things that are so important in building a career. And I think that it also creates all this trauma to you and your family and your community...and then I think that it's just impossible for that to not have affected your ability to find a job, your ability to work, it's just all of these things are so interlinked.

Maretta noted the unique trauma that WCI can experience and the distinct ways in which it can manifest in terms of employment. The grave injustice that WCI experience may impact their ability to trust individuals and institutions, both within and outside of the criminal legal system, which can make it difficult not only to obtain but maintain employment as well. Twelve of the fifteen organizational employee noted trauma among their clients and discussed how addressing and managing it is key for successful community reentry.

B. Barriers to Achieving Successful Community Reentry

While wrongfully convicted individuals have many needs that should be addressed once they are released, they often experience barriers to meeting those needs when trying to access services to help them in the community reentry process. Due to their unique circumstances, WCI may have a more difficult time accessing reentry services compared to other individuals released on probation or parole. This is a distinct challenge that both organizational employees and WCI discussed when referencing not only community reentry, but also access to programs while incarcerated and preparation for release. Caitlyn, an organizational social worker employed with

the innocence organization for three years, described accessing services for community reentry among her clients:

The availability of resources for exonerees is significantly lower than for people who actually did what they did and for people who are being paroled or released on probation. There are hundreds of employment programs across the country for people with records, for people who have gone through the system, for people who are coming out...But if you're exonerated, you are there one day and out the next and none of those things, none of those programs support you, because you are not on probation or parole. You are not an ex-felon because you might have your record expunged and then you're ineligible for any of those programs. So, in that way, you lose the support opportunities, and you lose the jobs that come with those things.

Caitlyn described the many services that are available to help individuals who are on probation or parole reenter the community; however, those same services may not be available for individuals who are officially exonerated. WCI are often released quickly with little or no time to put together a reentry plan. Once released, they may not have access to certain services to aid them in meeting the many needs they have. This indicates that WCI may have less community support and a more complicated experience with community reintegration in comparison to other individuals released on probation or parole, making their overall community reentry experience significantly more challenging.

At times, wrongfully convicted individuals need to obtain employment to comply with the terms of their release, or they risk being in violation of those terms and could experience reincarceration. However, like other aspects of community reentry, they experience many barriers in trying to gain employment. These barriers include dealing with mental and physical health issues and being ready and able to work, checking the 'box' that inquires about one's criminal history, discussing their experience of being wrongfully convicted, explaining large gaps in their work history all while trying to use technology that may be foreign to them and navigate a society that looks completely different than before they were incarcerated. Maretta, staff attorney, summed up barriers to employment here:

I have an exoneree from last April who has really kind of struggled to find a job and I can tell he's really trying. But when you've been wrongfully convicted for nine years, and those nine years are during your 20's, you're taken out of your freshmen year courses, and wrongfully convicted of a crime and spent 9-10 years fighting for your freedom. He doesn't have the educational background that he would have otherwise. And so, it's been really hard for him to find work and to make up for all of that lost time. I mean, its job training, its resources, its references, its networking, those are all things you build over time and they [WCI] haven't had that time.

Maretta provided a detailed example of how being wrongfully incarcerated negatively impacts WCI life course, and specifically their employment trajectory. They lose educational opportunities, job training and work experience, networking opportunities in what are considered significant time periods for employment, which ultimately heavily impacts their transitions to

adulthood. Spending time incarcerated does not give WCI the same employment opportunities as those who never experience incarceration and has grave long term impacts. Furthermore, being wrongfully convicted and incarcerated completely derails the employment routes of some individuals, a route that is not put back on track after release. Experiencing wrongful incarceration, impacts lifetime earnings, wage growth, and wealth accumulation, and it can completely disrupt employment paths. For example, Caitlyn, a director of social work, employed with an innocence organization for just over three years, discussed how being wrongfully convicted and incarcerated can seriously impact the work opportunities for some WCI:

When it comes to exonerees who have had higher education and were working in higher level jobs, they have a very hard time getting back into the same fields. Especially business administration. We've had a couple who were chefs or homecare workers beforehand, they are *totally* disqualified from those jobs. They're not finding any work in those fields. So, it's been a lot of them coming back and saying "ok, that's what I did before, what am I willing to do now?" And "what kind of places will take me?" and by and large, it's tricky.

Employment opportunities may be completely different after release from a wrongful conviction. WCI must figure out not only what types of jobs they are qualified for, but also what types of jobs they are allowed to perform and obtain. This has the potential to be a source of frustration if they had spent time and money training and educating for one job that they enjoyed performing but are no longer allowed to do that job anymore.

Beyond navigating the challenges of finding employment with disruptions to their life course in terms of education and training, wrongfully convicted individuals must also deal with stigma that is often attached to incarceration. Although WCI were incarcerated for crimes they did not commit, they still spent time in an institution that society has largely constructed as a negative environment. For example, James, who runs a non-profit particularly focused on providing community reentry services, described it in this way:

The fact that they were in prison at all makes it extremely difficult. So, what happened when they were in prison, they weren't out having a work history that would be helpful to them in finding a job, and much more detrimental than that, they were in a place which many members of our society rightly understand to have been a not good place for most of them and for most people, even if you can get over the question of why they were there, generally you still have the issue of that they were in a bad environment. So, there is a taint of prison for sure that implies to people that this is a risky person to employ...and what you find and I hear this from folks all the time, is just the fact that I was in prison was enough.

The stigma of incarceration attached to wrongfully convicted individuals can essentially follow them throughout their lives and immensely alter their opportunities for obtaining employment. This is especially true when considering the status of one's criminal record. Organizational employees indicated that the policy for addressing the status of WCI criminal records can vary from state to state, but overall, their criminal record can be a barrier when searching for employment. Being released does not automatically clear an individual's criminal

record, and their wrongful conviction charge can remain on their criminal record for years, making the employment process arduous. Stella, who has been the operations director for an innocence organization for over five years discussed the barriers with client's criminal record in this way:

Here in [name of state] we don't have an expungement and so, even if you are exonerated and you have the paperwork for it, if anyone does a background check it still pops up. In [name of state] that's a major issue, even our exonerees where their conviction was overturned, when people do background checks that still comes back.

A background check that still shows a criminal record despite exoneration has important and negative implications for WCI when trying to access employment, because many employers run some sort of background check on potential employees. Furthermore, advances in technology make a quick internet search very easy for employers to conduct, and if an individual's case has received any media attention, which most have, the employer will be able to uncover the information of their wrongful conviction.

In addition to the challenges that WCI face when trying to obtain employment, once again, the trauma of being wrongfully convicted and incarcerated can manifest in workplace environments and impact their overall employment experiences. Meredith, staff social worker, made this claim:

These are people [WCI] with usually PTSD symptoms. So, dealing with other people is really hard, and dealing with authority can be hard, and you know [situations] getting escalated quickly, having flashbacks, having panic attacks, having aggressive outbursts based on PTSD can definitely be a barrier for people.

This example indicates that even if WCI are able to navigate the previously mentioned challenges to obtaining employment, the trauma of being wrongfully convicted and incarcerated can penetrate their workplace environment and behavior, which has the potential to make it difficult for them to maintain a job long term.

Contributing to the trauma of wrongful conviction, even if individuals are freed, receive criminal record expungement, and exonerated, they are continuously questioned about their actual innocence throughout their community reentry experience. Charlene, a legal administrator who has worked with an innocence organization for two years, describes this experience regarding her clients:

[Society needs] to understand that there are people that are incarcerated that are innocent, I think that's the number one. Until people really realize that, there's still this black cloud over people that have been exonerated. So, I think that's the number one thing, understand that there are people that are wrongfully convicted, and understand what happens to them after they prove their innocence.

This notion of believing innocence was prevalent throughout organizational employee interviews. There continues to be this common idea within society that the criminal legal system

remains flawless and if someone has spent time incarcerated, on some level, that incarceration was justified. Charlene highlighted the importance of understanding that this idea remains, and it is something society must overcome in addition to learning more about post-release experiences among WCI. Furthermore, Charlene claimed that until society acknowledges the reality of wrongful convictions, a “black cloud” will continue to hang over WCI. This is an interesting point mentioned by Amelia. Amelia is unique in that she currently works for an innocence organization as the director of outreach and education, but she is also an exoneree. During her interview, she alluded to Charlene’s idea of the “black cloud.” Amelia stated:

A lot of people believe, well you went to prison, maybe you didn’t do the crime, but maybe you took a little part in it. You know sometimes they think “oh you got off on a technicality.” And so, still you’re going through those judgements.

Amelia’s statement provides evidence for the fact that although she has achieved exoneration, some individuals may not believe that she is actually innocent, and the stigma of incarceration continues to remain. This of course has the potential to impact community reentry among WCI. It is important to address the fact that innocent people do spend time incarcerated in order to help them overcome barriers and move forward with their community reintegration.

C. Providing Support and Resources to Aid in Community Reentry of WCI

Organizational employees appeared to be well-informed of the many challenges that wrongfully convicted individuals may experience when reentering the community; therefore, they devised strategies to aid their clients in their reentry endeavors. The level of support depends on the size and structure of the individual organization. For example, those organizations that employ social workers or social work programs have the time and resources to provide more support in comparison to those organizations that only include staff attorneys. However, regardless of the size of the organization and the particular skills and personnel available to that organization, all provided at minimum some support in obtaining employment and aiding in community reentry for their clients. One overarching strategy that organizational employees utilized in WCI employment search included writing letters and making phone calls to potential employers on behalf of WCI. Organizational employees invoked this strategy to explain the unique circumstances of their clients to help WCI gain access to employment or other needed services. Brian, an IO executive director for over three years, described how their organization tries to explain the distinctive situations of WCI:

We are happy to reach out to whoever we need to inform them of this situation and at that point it really depends on how receptive the person on the other end of the phone is. If they’re willing to take a few minutes to learn, “oh, this means that the judge declared them completely innocent and they were wronged by the state and the system, wow!” If someone can get to that point then usually they’re willing to go to some length to try and help somebody out.

Brian indicated that individuals at their organization can provide a key reference when their clients are trying to gain employment. His example shows that not all employers are aware of what being wrongfully convicted actually means and providing that critical insight can aid WCI in

obtaining employment. Another strategy that organizational employees utilized in helping clients find employment entails cultivating relationships with other entities that can help WCI obtain employment. These include organizational connections with facilities and businesses within communities or through friends and families of WCI. Katie, a social worker at an innocence organization for over 13 years described how “connections” help clients gain employment:

We have to kind of look online or by calling people or finding out if we have any contacts, which we will do and which I do. Sometimes they [WCI] have connections, either through family members, and sometimes the local attorneys that work with us have connections. So, a lot of times the only way that these people [WCI] can get jobs is by somebody who knows somebody, and I mean that’s the case in the regular job world too. A lot of who you know.

Knowing someone who can help you find a job is critical for wrongfully convicted individuals when trying to access employment. It is very often through connections that WCI are able to obtain a job. What can be challenging with this particular strategy is that WCI may lose contact with friends and family while incarcerated or be unconnected to an innocence organization, and therefore, unable to rely on this network for employment opportunities once they are released.

IO employees acknowledge that their clients need immediate and long term support, not only with employment, but with other aspects of their community reentry as well. They also note the unique position that their clients are often in as wrongfully convicted individuals; therefore, organizational employees have devised creative strategies to provide support and resources to aid in the overarching community reentry of their clients. Bethany, a deputy director and staff attorney, stated:

It’s difficult [providing reentry support] because every client is different, and every circumstance is different, but I’m trying to develop a rolodex, a database, of like all these different things and just provide like a resource manual.

Bethany noted that providing reentry support can be difficult due to each unique circumstance of the wrongfully convicted individuals. However, she was working to develop a general “database” of various resources that WCI can access. This is a strategy that other organizations and communities at large could work to put together. This collaborative approach could work to overcome barriers mentioned in the previous section and aid in the overall community reentry of WCI. In addition to developing a resource manual for WCI, community members and businesses have the opportunity to provide support as well. Charlene, legal administrator of an innocence organization, noted how their organization has utilized this strategy:

There are people that are willing to help exonerees get on their feet and we have had universities agree to pay tuition to help them. There are a lot of people that are willing to offer services, there’s doctors that will offer free services, dentists that will offer free services, social workers that will offer free services. We have a list of all of those that will do that type of thing and so we obviously give that information to them [WCI].

Charlene highlighted how their organization has developed relationships with a variety of individuals throughout society that will offer free services to their clients. This example shows that community members have diverse opportunities in aiding WCI throughout their community reentry experience.

V Discussion

Existing scholarship indicates that wrongful convictions continue to occur and create negative implications for society and those individuals who are wrongfully convicted (Forst, 2013; Huff & Killias, 2013; Norris et al., 2020; Shlosberg et al., 2020; Smith & Hattery, 2011; Weigand, 2009; Westervelt & Cook, 2012). The majority of attention is often given to experiences leading up to release from a wrongful conviction and fail to follow individuals long term to examine how being wrongfully convicted can impact individuals for many years after their release.

The current study was designed to more specifically examine the impacts of being wrongfully convicted and explore the community reentry experiences particularly pertaining to gaining and maintaining employment. Through the use of qualitative interviews with those who work closely with wrongfully convicted individuals, innocence organizational employees provided a wealth of information detailing many of the challenges that wrongfully convicted individuals encounter as they attempt to rebuild their lives. Furthermore, this study worked to apply the use of traditional theoretical perspectives among a novel group, providing support for the continued use of life course perspective and stigma when examining any group that has experienced incarceration, wrongful or not.

Findings reveal that WCI must navigate a lengthy complex process to receive their release, and while being released from a wrongful conviction is a critical element, it is only the beginning of a difficult journey that individuals must undergo. Some of the experiences that wrongfully convicted individuals encounter are similar to those of other individuals released from incarceration. They experience challenges of finding housing, reconnecting with loved ones, gaining employment, and managing trauma, all while attempting to reenter a community and society that may be drastically different than when they were first incarcerated (Alexander-Bloch et al., 2020; DeShay, 2016; Grounds, 2004; Scott, 2010; Shlosberg et al., 2020; Weigand, 2009; Westervelt & Cook, 2012).

Although wrongfully convicted individuals may have some experiences that mirror other formerly incarcerated individuals, they also have some experiences that are explicitly unique. For example, wrongfully convicted individuals may experience a quick release removing any community reentry preparation before their release and lack access to certain services that could benefit them in their reentry processes (Westervelt & Cook, 2008). Additionally, wrongfully convicted individuals may receive much support through media attention and community support before their release. Once WCI are released, these avenues of support may disappear as attention is diverted to other cases. Oftentimes, WCI must navigate unique forms of trauma directly produced by their wrongful conviction. Not only are they managing various psychological issues produced by their wrongful conviction, but many participants discussed how wrongful convictions created distrust in WCI making it challenging to broadly reenter the community and more

specifically, secure employment. Overall, wrongfully convicted individuals may have to navigate community reintegration largely on their own, creating a more difficult path in comparison to other formerly incarcerated individuals.

Each of the aforementioned negative consequences are thrust upon wrongfully convicted individuals and upon release, they often encounter a number of barriers that complicate their community reentry processes. Due to their unique status as WCI, various reentry programs and services may not be available, lending additional support that community reentry among this group may be a sole endeavor. The lack of resources provided to WCI is just the beginning of the challenges that must be overcome to achieve successful community reentry. Findings show that WCI must also navigate difficulty gaining employment, disruptions to their life-course, stigma, trauma, and carrying a criminal record. More specifically, experiencing a wrongful conviction has negative implications for the life course, as individuals are pulled from their current employment or educational institutions, and once released, may not qualify for previous jobs that they use to perform. This indicates that any resources previously put into their education and employment are essentially erased and individuals must start over. While incarcerated, WCI are not in the labor market with the ability to plan and work toward retirement, which has the potential to increase the overall time they must spend within the labor market. These named consequences not only disrupt life course trajectories for individuals, but also have the potential to divert and lengthen (re)achieving markers of adulthood. Furthermore, the “black cloud” continues to follow WCI long after their release, which is a challenge individuals must endure throughout their community reentry experience.

Findings also show that IO employees are aware their clients encounter a variety of challenges when reentering the community; therefore, they have devised different strategies to assist in the community reentry processes. Innocence organizational employees speak to employers or contact community connections to try and aid their clients in gaining employment. They also have begun to develop a resource manual to share with their clients to help overcome the lack of programs and services often provided to their clients. Additionally, participants from the current study highlight a myriad of ways in which communities—and society more broadly—can support WCI. One initial way to support WCI is for society to acknowledge that wrongful convictions do occur. WCI may be expected to prove their innocence over and over to employers, criminal legal actors, and wider society, years after their release, which creates challenges for WCI but also reinforces the assumption that our criminal legal system is flawless. But as the statistics for wrongful convictions indicate, our criminal legal system is not flawless and mistakes do occur, resulting in innocent individuals spending time incarcerated (Acker, 2017; Baumgartner, Westervelt, & Cook, 2014). If society can acknowledge this reality, we can all work to reduce wrongful convictions as well as provide more support to WCI. Wider societal knowledge and acknowledgement of wrongful convictions can also work to reduce the stigma that WCI may experience, by creating a better understanding of the ways in which individuals can get swept into the criminal legal system by no fault of their own.

There are numerous policy implications that could be put into place to better support WCI. First, WCI should have access to the same reentry services as those individuals released on probation and parole. Denying WCI resources to reentry is yet another way that the criminal legal system harms these individuals (Westervelt & Cook, 2010). Allowing them to access similar

services is one way to better support WCI. Additionally, WCI may experience a quick release with no plan or preparation for that release. To better aid WCI in their reentry efforts in terms of quick releases, their community reentry preparation should begin as soon as their case is taken on by an innocence organization. While not all cases may go through an innocence organization, this is a small step in trying to support WCI in their community reentry journey. Although some cases are involved in litigation for many years, this would give ample time to provide education, training, counseling, and various services that individuals need to successfully reenter the community.

Findings presented here also show how WCI need long term support. Therefore, policy and lawmakers should devise specific strategies in aiding WCI long term. This could include financial support, education and training opportunities, assistance in gaining employment, providing housing, and counseling support to help manage the trauma caused by wrongful conviction. Long term support mechanisms should be implemented in combination with existing compensation statutes. Furthermore, existing compensation statutes should be reevaluated to allow for a smoother and quicker receipt of funds. Currently, processes of compensation are complex, lengthy, and have many limitations, making it extremely difficult for WCI to receive compensation (Mandery et al., 2013). The lack of financial support through compensation contributes to arduous community reentry process.

Finally, I align with other scholars who have recommended immediate criminal record expungement upon release for a wrongful conviction (Shlosberg et al., 2014). This could be particularly beneficial when searching for employment, because it would allow WCI access to occupations that require clean criminal histories. This could also prevent WCI from disclosing their wrongful conviction if they chose to keep that information private.

A. Limitations and Directions for Future Research

Findings from this study should be considered within the context of some limitations. First, while the current study attempted to recruit a larger and more diverse sample of IO employees, only a modest number of individuals were available to participate. A larger, more diverse sample may reveal additional challenges that WCI may experience or provide other best practices for IO to better address the needs of WCI. The perspectives of the current sample may also differ from those who were unable to participate. The current study also lacks the direct experiences from wrongfully convicted individuals themselves. Including the perspectives of WCI can provide a more detailed understanding of community reentry experiences (a manuscript addressing this limitation is forthcoming).

Future studies should work to include those voices of wrongfully convicted individuals to examine their lived experiences in community reentry after release from a wrongful conviction. Again, this will provide a better understanding of WCI experiences and provide unique ways to assist them in their community reentry efforts.

Moreover, there are many aspects to community reintegration beyond finding and securing employment. And while employment is a critical aspect to successful community reentry, future studies should also work to examine other aspects of community reentry to provide a more holistic understanding of how community reentry may differ for WCI in comparison to other formerly

incarcerated individuals. Once again, this will aid in tailoring resources to address the unique needs of WCI.

Additionally, the findings from this study should be considered within the geographical context of the United States. All participants worked for U.S. based organizations and only discussed the community reentry of their clients in communities throughout the United States. Furthermore, concepts of stigma, community reentry experiences, and other negative consequences of wrongful conviction may manifest differently in various geographical locations. Future studies should work to overcome these limitations by focusing on organizations and community reentry experiences of WCI in areas throughout the world to see if the findings are similar or different than those presented here.

B. Conclusion

Wrongful convictions continue to produce a wide variety of negative implications. More specifically, individuals who are wrongfully convicted experience a massive injustice and have their lives completely disrupted. The majority of attention often resides prior to release from imprisonment; however, community reentry after wrongful incarceration is challenging and continues long term.

One critical aspect of successful community reentry includes finding and securing employment. Wrongfully convicted individuals encounter numerous barriers in navigating the job market due to consequences produced by their wrongful conviction. WCI must deal with large gaps in their employment history and the stigma attached to incarceration and criminal records, all within a society that may be completely different than when they were first incarcerated.

Furthermore, WCI must address these challenges with fewer resources than those offered to other individuals released on probation and parole, indicating that the community reintegration journey of WCI can be even more difficult. Despite committing no crime, WCI are subjected to the harsh treatment of the criminal legal system and then offered little or no support upon their release. Therefore, it is imperative that we work to reduce the instances of wrongful convictions but also attempt to provide services to help alleviate the harms caused to innocent individuals.

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