Bushway Opportunity Score™

A briefing for employment counsel | Research, application, and boundaries

Why this matters

A criminal record describes past events. On its own, it does not show what the passage of time and the pattern of a person's record indicate about reconviction risk today. Research on desistance shows that this relationship changes over time, and that age and time since the most recent conviction are central to it.

The Bushway Opportunity Score translates selected facts of a record into a standardized, research-based measure. It is designed to supplement individualized review, never to replace it.

The score at a glance

WHAT IT ESTIMATES	Modeled risk of reconviction within the next year, estimated from the facts of a conviction record.
SCALE	10 to 28. A higher score means the record shows more of what the research links to lower modeled risk.
METHOD	A published statistical model (a survival model) developed by Dr. Shawn D. Bushway and colleagues. The score is not generated by AI.
THRESHOLDS	Bushway Works does not publish or endorse any score threshold, cutoff, or pass/fail value.

The score is computed from facts of the record such as:

Age at screening | **Age at first and at most recent conviction** | **Time since the most recent conviction** | **Number of felony and misdemeanor convictions**

The charge itself is not an input. Neither is any demographic characteristic other than age.

What the score does, and does not, answer

- ✓ Gives a consistent, research-based measure of what the facts of a conviction record indicate about modeled reconviction risk.
- ✓ Reflects the passage of time: with no new conviction, the score moves toward a higher value as time passes.
- ✓ Comes with a plain-language explanation of the facts that produced it.

- — Does not decide whether a particular offense is relevant to a particular job.
- — Does not assess qualifications, character, rehabilitation evidence, or job-specific circumstances.
- — Does not measure job performance or suitability for any role.
- — Does not recommend a hire, a rejection, a threshold, or a legal outcome.

How the score is delivered

The Bushway Opportunity Score is the research-based score. Bushway Works Context is the Bushway Works software for obtaining it with an explanation and a documented review workflow.

Where the score fits

The score is one supporting input. It does not replace counsel, employer policy, or employer judgment, and it does not replace consideration of the nature and gravity of the conduct, the time elapsed, the nature of the job, or other information relevant under applicable law.

1	2	3	4	5
Background report from the employer's screening provider	Employer policy and applicable legal screening rules	Bushway Opportunity Score and its explanation	Individualized review, including information from the candidate where applicable	Employer decision and documentation

Questions to consider before implementation

- Which decisions or review stages could benefit from an additional, standardized source of context?
- Can the employer's existing screening provider or adjudication platform display the score and its explanation?
- How will reviewers be trained so the score is not treated as a cutoff or a hiring recommendation?
- Who assesses job-relatedness, applicable state and local restrictions, and FCRA-related obligations?
- How are exceptions, supporting materials, and decisions documented?

Scope, limits, and data

WHO CAN BE SCORED

The model is validated for people aged 18 to 60, for convictions within a 10-year window whose most recent conviction is at least one year old. Outside those limits no score is produced. That is a limit of the model, not a judgment about the person, and no inference should be drawn from the absence of a score.

WHAT IS KEPT

Context keeps the facts of the record used for scoring, the score, and the case documentation. It does not keep the person's name, date of birth, Social Security number, or the background report itself. A case is linked to a person only through the employer's own reference.

STATUS

Research-informed decision support. Bushway Works Context is not a consumer reporting agency and does not make hiring decisions.

SHORTER LOOKBACK RULES

Where a state or local rule sets a shorter window, convictions outside it are left out of the score entirely. Most such rules limit what a screening company may report; a few limit what an employer may consider. Context applies the stricter rule and records its citation and which kind of limit it is.

CURRENCY

The facts behind a score keep moving. A case record is dated, and a record more than 24 months old should be scored again rather than relied on.

Delivery options

Bushway Works Context

A browser-based workflow for teams that review cases themselves. Each case produces a dated case record with the score, the facts behind it, an explanation, and the reviewer's attestation.

Integration

For larger employers, the goal is for the score to arrive alongside the background screen, inside the screening or adjudication system the team already uses. Feasibility, timing, and cost are evaluated with each employer and screening partner.

Educational information only. These materials are not legal advice, not a legal compliance certification, and not a representation that any use of the Bushway Opportunity Score meets a particular legal requirement. Counsel and employers should evaluate applicable law and intended use independently.