

# CIVIL LEGAL AID SUPPORTS FEDERAL EFFORTS TO HELP PEOPLE WITH CRIMINAL RECORDS MAKE A SUCCESSFUL REENTRY

## THE NEED

Each year, nearly 650,000 individuals are released from state and federal prisons. Another nearly 12 million cycle through local jails, and even more get criminal records without doing time. According to the U.S. Department of Justice (DOJ) Bureau of Justice Statistics, more than 100 million individuals have a criminal history on file in state records. When reentry fails, the societal and economic costs are high. High rates of recidivism mean more crime, more victims and more pressure on an already overburdened and costly criminal justice system.

People with a criminal record frequently encounter significant barriers to securing a job, obtaining housing, and continuing their education. Some employers admit they are unlikely to hire an applicant with a criminal record. Having a record of even a single arrest without a conviction can also profoundly reduce a person's earning capacity. Studies also demonstrate the negative impact of a criminal record in securing housing, education, and credit. These consequences affect adults with a criminal record as well as youth involved in the juvenile justice system.

## EXAMPLES OF THE FEDERAL RESPONSE

As the nation's largest correctional agency and employer, and through its grant programs, job readiness and training programs, and other targeted initiatives, the Federal Government plays a key role in addressing employment and barriers to reentry. Federal agencies, including DOJ and the U.S. Department of Labor (DOL), fund reentry efforts in communities around the country, such as Reintegration of Ex-Offenders and Second Chance Act grants that support job training for individuals returning to their communities after incarceration. The Federal Government also helps reduce barriers to reentry through its own hiring policies and enforcement of Federal equal employment opportunity laws and the Fair Credit Reporting Act.

The [Federal Interagency Reentry Council](#), established by Attorney General Eric Holder in January 2011, represents a significant executive branch commitment to coordinating reentry efforts and advancing effective reentry policies. The Reentry Council's 20 Federal agencies work to make communities safer by reducing recidivism and victimization; assisting those who return from prison and jail in becoming productive citizens; and saving taxpayer dollars by lowering the direct and collateral costs of incarceration. Reentry Council agencies' efforts support the reentry population not only in our prisons, jails, and juvenile facilities, but in our emergency rooms, homeless shelters, unemployment lines, child support offices, veterans' hospitals, and elsewhere.

The Reentry Council works to remove federal barriers to successful reentry, so that individuals—who have served their time and paid their debts—can compete for jobs, attain stable housing, support their children and their families, and contribute to their communities. Reentry Council agencies are taking concrete steps not only to reduce recidivism and high correctional costs, but also to improve public health, child welfare, employment, education, housing and other reintegration outcomes. For example, Reentry Council agencies have published more than two dozen "[MythBusters](#)" fact sheets designed to clarify existing federal policies affecting formerly incarcerated individuals and their families in public housing, employment, parental rights, Medicaid suspension/termination, voting rights and more.



"Of the more than 500 adults with criminal records served by our Parent Success Initiative Program in 2012 and 2013, nearly 80% required legal assistance to help them overcome or mitigate the stigma of their criminal convictions. Legal services are critical even for participants who successfully complete work readiness training and a transitional job experience."

- Dr. Marsha Weissman, Executive Director, Center for Community Alternatives – New York, and Department of Labor grantee



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“” We are a nation that believes in second chances. Providing legal services to help individuals make a **successful transition** back to their communities, while also empowering them with the skills necessary to find a good job and thrive in the workplace, will help strengthen our economy and our society.

~ Secretary Thomas Perez, U.S. Department of Labor

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## Legal Aid Helps

- **Expunge, seal, or obtain pardons of criminal records for eligible people**, improving prospects for employment, housing and education.
- **Correct inaccurate criminal records** such as a failure of the record to reflect an arrest that did not lead to conviction, or a felony that was reduced to a misdemeanor.
- **Secure a Certificate of Rehabilitation** to help demonstrate to potential employers, landlords, and licensing boards that an individual with a criminal record is committed to rehabilitation.
- **Enforce federal and state consumer protections** mandating accurate and fair criminal history reporting in the commercial criminal background checks sold to employers and landlords.
- **Work with EEOC and employers** to address overbroad criminal record restrictions.
- **Obtain or keep an occupational license** so that the person can be employed in the field in which s/he is trained.
- **Reinstate a revoked or suspended driver's license** by helping navigate a relicensing hearing, making it possible to secure and maintain a job.
- **Modify child support orders** to more realistic payment obligations, helping parents provide for their families.
- **Untangle fees and fines** imposed at sentencing and to pay for court costs, facilitating payment, resolving sometimes conflicting obligations, and where possible, prioritizing child support and restitution payments.
- **Address improper public housing authority eviction proceedings or fair housing complaints** to stabilize housing situations.
- **Secure health insurance**, especially for youth following juvenile incarceration.
- **Readmit school-age youth in school**, to give them a second chance.
- **Increase civic engagement** by educating people with criminal records about their rights to vote, serve on juries, and volunteer in public and civic institutions.

### Lawyer's help gets a nurse on the job

"Andy's" 10-year old felony conviction prevented him from pursuing his hopes of securing a state license to become a New York Licensed Practical Nurse. The Fortune Society, a grantee of DOL's Reintegration of Ex-Offenders Program, referred Andy to MFY Legal Services in New York. His legal aid lawyer helped Andy obtain out-of state criminal court records, gather proof of rehabilitation, and represented him at the initial investigative interview. The result was a successful license application and a job.

### Lawyer steers Ruben through obstacles to steady finances, family and job

After release from jail and completion of a 90-day substance abuse treatment program, "Ruben" sought help from Bay Area Legal Aid, Contra Costa, CA. Ruben's attorney helped him stabilize several key areas of his life, including advising him on driver's license reinstatement, his Section 8 housing status, family law matters and consumer/credit issues. These services helped him reunite with his family, secure employment, and be evaluated "low risk" on the Probation Department's assessment tool. Bay Area Legal Aid's reentry work is supported by U.S. Department of Health and Human Services Community Centered Responsible Fatherhood Ex-Prisoner Reentry Pilot Project, and DOJ's Second Chance Act Adult Reentry Program for Planning and Demonstration Project.



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