

Clean Slate

CLEARINGHOUSE

A project funded by the U.S. Department of Labor
and the U.S. Department of Justice



Justice Center

THE COUNCIL OF STATE GOVERNMENTS

REDUCING BARRIERS TO EMPLOYMENT:

Building Partnerships with Civil Legal aid

April 11, 2018

Speakers

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Overview

01 Impact of a Criminal Record

02 Policies to Reduce Barriers to Employment

03 The Clean Slate Clearinghouse

A criminal record impacts the individual, their family, and the larger community.

A criminal record reduces the likelihood of receiving a job offer by nearly **50 percent.** ¹

180,000 women are subject to a lifetime ban on Temporary Assistance for Needy Families because of a criminal record.²

The U.S. economy loses about **\$82 billion** in annual GDP when people with records are under-employed.³

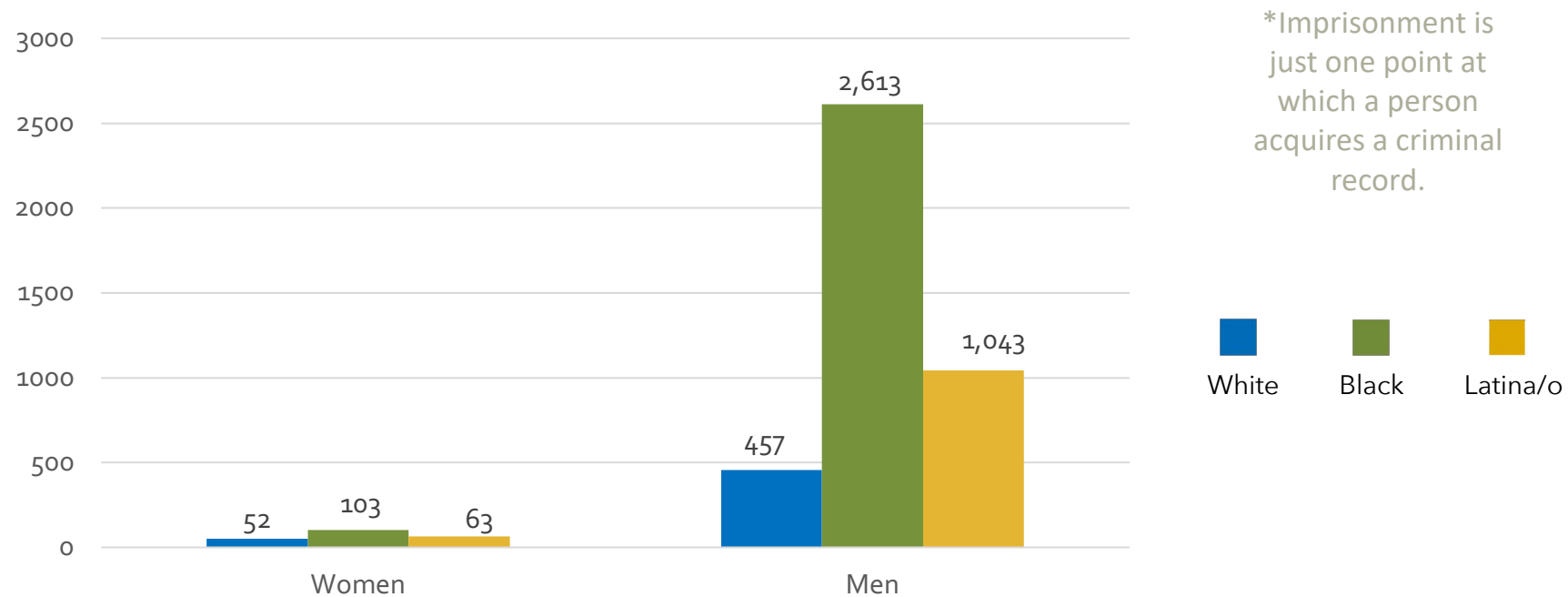
1. Pager, Devah, *Investigating Prisoner Reentry: The Impact of Conviction Status on the Employment Prospects of Young Men* (2009)

2. The Sentencing Project, *A Lifetime of Punishment: The Impact of the Felony Drug Ban on Welfare Benefits* (2011)

3. Schmitt, John, *Ex-offenders and the Labor Market* (2010)

Criminal records have greater impacts on people and communities of color.

*Rate of Imprisonment per 100,000, by Gender, Race, and Ethnicity, 2015



4. Carson, E.A., Bureau of Justice Statistics (2016).

Getting a job is difficult for job applicants with a criminal record.



87% of employers
conduct criminal
background checks
on some or all
applicants.



Criminal records trigger various “collateral consequences.”

NATIONAL INVENTORY OF THE COLLATERAL CONSEQUENCES OF CONVICTION

The collateral consequences of a criminal conviction—legal sanctions and restrictions imposed upon people because of their criminal record—are hard to find and harder to understand. Now it will be easier to do both. Congress directed the National Institute of Justice to collect and study collateral consequences in all U.S. jurisdictions, and NIJ selected the ABA Criminal Justice Section to perform the necessary research and analysis. The results are now being made available through this interactive tool.



niccc.csgjusticecenter.org

There are more than 40,000 collateral consequences in state and federal law, which affect employment, housing, civic participation, and other areas.

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- 02 Policies to Reduce Barriers to Employment**
- 03 The Clean Slate Clearinghouse

States are employing different strategies to reduce the impact of a criminal record on employment.

Fair Chance hiring or “Ban the box” policies provide guidance on the consideration of a criminal record in hiring decisions, including:

- Prohibiting certain criminal record information from consideration;
- Considering only specific job-related offenses; and
- Providing job applicants an opportunity to explain their criminal record.

“Criminal record clearance” policies that allow an individual to:

- Seal, expunge, vacate, dismiss, set aside, shield, annul, or destroy their criminal records.
- Relieve a person from disclosing the existence of a criminal record when seeking employment.*

*Varies by state and clearance policies



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The Clean Slate Clearinghouse provides resources for record clearance and legal services.



Learn About Your State

Learn about policies for clearing records in your state.



Find A Lawyer

Find a lawyer who specializes in record clearance.



Compare States

Compare record clearance policies across all states and territories.

Choose a State/Province



Alabama	Kentucky	Ohio
Alaska	Louisiana	Oklahoma
American Samoa	Maine	Oregon
Arizona	Maryland	Pennsylvania
Arkansas	Massachusetts	Puerto Rico
California	Michigan	Rhode Island
Colorado	Minnesota	South Carolina
Connecticut	Mississippi	South Dakota
Delaware	Missouri	Tennessee
District of Columbia	Montana	Texas
Florida	Nebraska	Utah
Georgia	Nevada	Vermont
Guam	New Hampshire	Virgin Islands
Hawaii	New Jersey	Virginia
Idaho	New Mexico	Washington
Illinois	New York	West Virginia
Indiana	North Carolina	Wisconsin
Iowa	North Dakota	Wyoming
Kansas	Northern Mariana Islands	

Clean Slate CLEARINGHOUSE

A project funded by, and developed in partnership with, the U.S. Department of Labor and the U.S. Department of Justice. The Clean Slate Clearinghouse is a collaboration of the Council of State Governments Justice Center, Community of Legal Services of Philadelphia, the National Juvenile Defender Center, the National Association of Counties, and the National League of Cities.

Seeking New Perspective, Interview Series Gives Firsthand Look at Criminal Record Clearance Experiences

Khalil Cumberbatch, an associate vice president at the Fortune Society, joins the podcast to discuss his experiences living with a criminal record and receiving a gubernatorial pardon as well as his current efforts as a criminal justice reform advocate and his vision for the future of criminal record clearance.

MAR 6 2018

[Read More](#)



Clean Slate Clearinghouse State Highlights: Illinois

A record clearance law enacted in August 2017 put Illinois at the forefront of states expanding



Dina Sarver Charts a Course from Juvenile Record to JD

Dina Sarver was 21 years old when she began nursing school in Florida, where she lived with



Get to Know the Expert: Michelle Natividad Rodriguez

The Council of State Governments (CSG) Justice Center staff spoke with advisory

The *Learn About Your State* page gives information on record clearance policies in the state.

MINNESOTA

Record Clearance Overview

Find a Lawyer

Court Forms & Resources

For Attorneys

Legal Policies & Statutes

Adult Criminal Records

Juvenile Records

Below is a general overview of when criminal records can be destroyed or sealed in Minnesota. Please note that the Clean Slate Clearinghouse does not provide legal advice.

Read the [legal policies and statutes](#) for detailed statutory information.

Adult Criminal Record Clearance Policies Overview

Adult criminal records for cases in which you were **convicted** are eligible for sealing in some situations. You have to file a petition in court to start the process, and it is up to the judge whether or not to grant your petition.

- With certain exceptions, if you were convicted of a **petty misdemeanor or misdemeanor**, the record can be sealed two years after you complete your sentence.
- With certain exceptions, if you were convicted of a **gross misdemeanor**, the record can be sealed four years after you complete your sentence.
- If you were convicted of an eligible **felony**, the record can be sealed five years after you complete your sentence.



The *Find a Lawyer* page helps users find legal services across the U.S.

Arizona

MAP

Community Legal Services of Arizona

1-800-852-9075

WEBSITE

Service area: Statewide

Maricopa County Lawyer Referral Service

1-602-257-4434

WEBSITE

Service area: Maricopa County

Pima County Bar Association Lawyer Referral Service

1-520-623-4625

WEBSITE

Service area: Pima County



Karen A. Lash

Practitioner-in-Residence and Director

THE JUSTICE IN GOVERNMENT PROJECT

GETTING RESULTS WITH LEGAL AID

klash@american.edu

<https://www.american.edu/spa/jpo/jgp.cfm>



JUSTICE PROGRAMS OFFICE

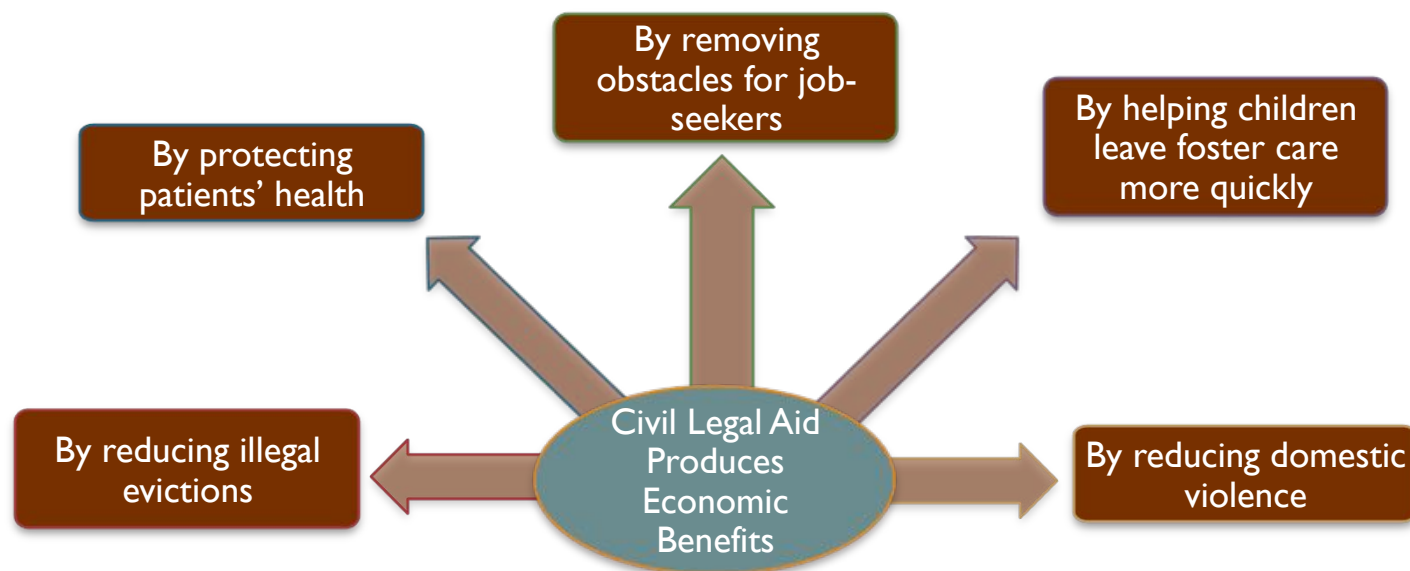
SCHOOL *of* PUBLIC AFFAIRS


Studies Show: Low Public Awareness of Legal Aid

Most low-income people – and the social service providers they work with – do not identify a wide-range of problems as having a possible legal solution



Studies Show: Economic Benefits of Investing in Legal Aid





Evidence suggests that legal interventions such as expungement stem the decline in earnings and may even boost earnings. Halting the decline in earnings suggests that the interventions make a meaningful difference in people's lives and are **key components of an effective employment reentry strategy.**

~Jeffrey Selbin and Justin McCrary, University of California, Berkeley School of Law, *Got Clean Slate? New Study Suggests that Criminal Record Clearing May Increase Earnings (2014)*



Legal services that help jobseekers with criminal records:

- Expungement/sealing/certificates of rehabilitation/pardon applications
- Remove errors from RAP sheets
- Avoid garnishment by negotiating child support or outstanding debts
- Reinstate revoked or suspended driver's licenses
- Untangle outstanding court debt issues
- Stabilize lives:
 - prevent illegal evictions
 - resolve credit report problems
 - secure domestic violence restraining orders
 - seek bankruptcy protection



Workforce Innovation and Opportunity Act (WIOA)

- New rule became final in 2016
- Federal rule lists **legal aid** among the supportive services considered “**necessary to enable an individual to participate**” in workforce activities.
- “...**legal aid can uniquely address certain barriers to employment, including access to driver’s licenses, expunging criminal records, and resolving issues with debt, credit, and housing.**”

20 CFR §§ 680.900 and 681.570

<https://www.gpo.gov/fdsys/pkg/FR-2016-08-19/pdf/2016-15975.pdf>

South Carolina WIOA Legal Aid Guidance:

P.O. Box 995
1550 Gadsden Street
Columbia, SC 29202
dew.sc.gov



Nikki R. Haley
Governor
Cheryl M. Stanton
Executive Director

STATE INSTRUCTION NUMBER 16-05

To: Local Area Signatory Officials
Local Area Administrators

Subject: Legal Aid Services for WIOA Title I Participants

Issuance Date: September 7, 2016

Purpose: To provide guidance regarding the use of Workforce Innovation and Opportunity Act (WIOA) funds for legal aid services as a supportive service for eligible participants.

References: Workforce Innovation and Opportunity Act, Public Law 113-128; 20 CFR Parts 680.900 and 680.910; 20 CFR Parts 681.570 and 681.580.

https://www.scworks.org/media/16_ET_Instruction/ET_Instruction_16-05.pdf



Other Federal Grants That Can Support Jobseekers' Reentry Legal Needs:

- Temporary Assistance for Needy Families
- Community Development Block Grant
- Social Services Block Grant
- **Now Open: DOL Reentry Projects**

www.grants.gov “FOA-ETA-18-02”

“...legal services are fundamental services that are essential in all reentry programs.”

Also other public and private sector funds like the Maryland Legal Services Corporation...



Prince George's County Legal Services Partnership

April 11, 2018



Walter Simmons

Executive Director

Prince George's County

Economic Development Corporation

Workforce Services division &

Prince George's County LWDB

www.princegeorgesworkforce.org

(301) 618-8400

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WORKFORCE SERVICES DIVISION

Prince George's County American Job Center Community Network

The Prince George's County American Job Center Community Network is a collective group of American Job Centers, community-based organizations, government agencies and faith-based organizations forming the Prince George's County Public Workforce System. Led by the County Executive and Prince George's County Local Workforce Development Board, the Prince George's County American Job Center Community Network provides a full range of workforce services connecting job seekers to training and employment opportunities in the DC Metropolitan Region.

The American Job Center Community Network is administered by the Prince George's County Economic Development Corporation-Workforce Services Division. Under the direction of the Prince George's County Economic Development Corporation, the American Job Center Community Network serves over 30,000 job seekers and employers, while continuously exceeding state and federal performance measures for employment placement, employment retention and earning for Prince George's County residents.



Aligning Priorities

In 2016 the Prince George's County Local Workforce Development Board determined that the Prince George's County Public Workforce System wasn't meeting the needs of job seekers with severe barriers in Prince George's County. To better tool the workforce system the Board developed the following strategies:

- ▶ Create a Disability & Sever Barriers Committee
- ▶ Develop partnerships with service providers to increase services available for disadvantaged populations and job seekers with severe barriers
- ▶ Implement a customer centered design/holistic approach to meeting the needs of job seekers
- ▶ Pursue alternative funding sources to provide services for target populations
- ▶ Increase access to job seekers with multiple and/or sever barriers

American Job Center ReEntry Population (WHY?)

Returning Citizens/Ex-Offenders are “Priority/Target Populations” identified by the State of Maryland and the Prince George’s County Local Workforce Development Board. Prince George’s County residents occupy large percentages of Maryland and DC’s incarcerated populations.

- ▶ 2,891 Returning Citizens accessing basic services through the Prince George’s County American Job Center from PY14-PY16
- ▶ 83% of Returning Citizens accessing services are unemployed
- ▶ Over 3,000 intensive services provided to Returning Citizens annually
 - ▶ Job Finding Club
 - ▶ Bonding Assistance
 - ▶ Ex-Offender Specific Job Search Assistance
 - ▶ Ex-Offender Specific Job Readiness Training

Putting the Pieces Together

- 1. Identify pro bono legal services and workforce colocation models**
 - ▶ Baltimore City
- 2. Develop support of pro bono legal services co-locating in American Job Centers**
 - ▶ Maryland Department of Labor, Licensing & Regulations
 - ▶ Maryland General Assembly
 - ▶ Governor's Workforce Development Board
- 3. Identify pro bono legal service funders in Maryland**
 - ▶ Maryland Legal Services Corporation
- 4. Identify pro bono legal service providers in Maryland**
 - ▶ Maryland Legal Aid
- 5. Align mission, vision, service strategies and goals**
- 6. Host frequent meetings**

What are we learning?

Promising Practices

- ▶ Co-location
- ▶ Partner Training
- ▶ Co-location with AJC Community Partners
- ▶ Multiple Services for Job Seekers
- ▶ Partnered Programming
- ▶ Joint Outreach

Obstacles

- ▶ Long Term Funding
- ▶ Common Data Entry System
- ▶ Universal Intake
- ▶ Universal Referral
- ▶ Service Connection Tracking

BREAKING NEWS

Free Legal Services
by Maryland Legal Aid

Do you have civil legal issues that prevent you from achieving meaningful employment?

The One Maryland 4 Jobs Project (1M4J) offers FREE legal services to job training participants in the Prince George's County One Stop Career Center.

FREE Schedule your one-on-one appointment today, and speak to an attorney about:

- Bankruptcy
- Child Custody & Support
- Criminal Record Expungement
- Debt Collection
- Government Benefits
- Housing
- Landlord/Tenant
- Veteran's Benefits
- Wage Claims
- Other Civil Legal Services

For more information, please contact Zenia Wilson at zwilson@mdlal.org or 301-618-8408

Brought to you by:

PGCEDC ECONOMIC DEVELOPMENT CORPORATION WORKFORCE SERVICES DIVISION

MARYLAND LEGAL AID Humane Rights - Justice for All

PGCEDC www.princegeorgesworkforce.org 301-618-8425

Prince George's County ReEntry Month Calendar of Events

Community ReEntry & Employment Discussion
March 6 at 6:30 p.m. - 8:30 p.m.
Prince George's Community College
Bessie Forum
301 Largo Road - Largo, MD 20774

ReEntry Entrepreneurship Seminar
March 27 at 6:30 p.m. - 8:00 p.m.
Prince George's Community College
Bessie Forum
301 Largo Road - Largo, MD 20774

Expungement Clinic
March 9 at 11:00 a.m. - 4:00 p.m.
American Job Center
1801 McCormick Drive
Suite 140
Largo, MD 20774

ReEntry Career Readiness Seminars
March 27 & 28 at 10:00 a.m. - 2:00 p.m.
American Job Center
1801 McCormick Drive, Suite 140
Largo, MD 20774

ReEntry Service Provider Networking Breakfast
March 20 at 8:30 a.m. - 11:30 a.m.
DoubleTree By Hilton
9100 Basil Court - Largo, MD 20774

2nd Chance Job Fair
March 29 at 9:00 a.m. - 12:30 p.m.
American Job Center
1801 McCormick Drive, Suite 140
Largo, MD 20774

RSVP Today at www.princegeorgesworkforce.org or call (301) 618-8445 for help!

PGCEDC www.princegeorgesworkforce.org (301) 618-8425

Expungement Clinic

Erase Your CRIMINAL RECORD

Don't miss this opportunity!
Maryland Legal Aid will expunge Maryland criminal records and provide brief legal advice for child support issues.

Friday, March 9, 2018 Free Event! Register Today!
11:00 a.m. - 4:00 p.m.
Session 1 at 11:00 a.m.
Session 2 at 1:00 p.m.

Please register for one session and arrive 15 minutes early.

Register today at:
www.princegeorgesworkforce.org
or call (301) 618-8445 for help.

1801 McCormick Drive
Suite 140
Largo, MD 20774

PGCEDC ECONOMIC DEVELOPMENT CORPORATION WORKFORCE SERVICES DIVISION

MARYLAND LEGAL AID Humane Rights - Justice for All

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Post Legal Services Success & Comparison Data

Prince George's County will assess the effects and success of legal services joining the American Job Center by comparing EDC-WSD reentry training program outcomes of PY17 to program outcomes of PY14-PY16:

- ▶ Total Enrollments - 196
- ▶ Career Services - 186
- ▶ Occupational Training Services - 153
- ▶ Program Completers - 158
- ▶ Credential Attainment - 90 (59%)
- ▶ Employment at Exit - 73 (37%)
- ▶ Average Hourly Wage at Exit - \$16.57

One Maryland 4 Jobs (1M4J)

Removing Legal Barriers to Employment



Zenia Wilson
1M4J Staff Attorney
Maryland Legal Aid



MARYLAND
LEGAL AID

Advancing
Human Rights and
Justice for All

Maryland Legal Aid

- Maryland Legal Aid is a non-profit civil law firm with offices throughout Maryland.
- Free legal advice and representation to low-income and vulnerable individuals who qualify for our services.
- For more information, visit www.mdlab.org



MARYLAND
LEGAL AID

Human Rights
Justice for All

Maryland Legal Aid handles:

- Consumer Rights
- Elder Rights
- Employment
- Family
- Farmworkers Rights
- Government Benefits
- Health Care
- Housing
- Veterans Benefits
- Criminal Record Expungement
- Child Abuse & Neglect
- Foreclosure



MARYLAND
LEGAL AID

Human Rights
Justice for All

One Maryland 4 Jobs

- In the aftermath of the uprising that followed the death of Freddie Gray, the Baltimore City Mayor's Office of Employment Development (MOED) was awarded a grant from the US Department of Labor. Prior to the start of the grant, city officials conducted a series of community conversations. Residents expressed feeling disconnected from employment services but also that workforce services were disconnected from one another.
- MOED established 1B4J (One Baltimore 4 Jobs) and targeted the initiative toward young black males from distressed neighborhoods in Baltimore.
- Through a partnership with Maryland Legal Services Corporation (MSLC), MOED connected 1B4J job training sites with civil legal services providers such as Maryland Legal Aid.
- The program was extended throughout Maryland and named 1M4J. Maryland Legal Aid has placed Staff Attorneys at Prince George's County and Alleghany County jobsites.



MARYLAND
LEGAL AID

Human Rights...
Justice for All

1M4J Focus Areas

- Bankruptcy
- Child Custody and Support
- Criminal Record Expungement
- Debt Collection
- Government Benefits
- Housing & Landlord/Tenant
- Veteran's Benefits
- Wage Claims
- Other Civil Legal Services



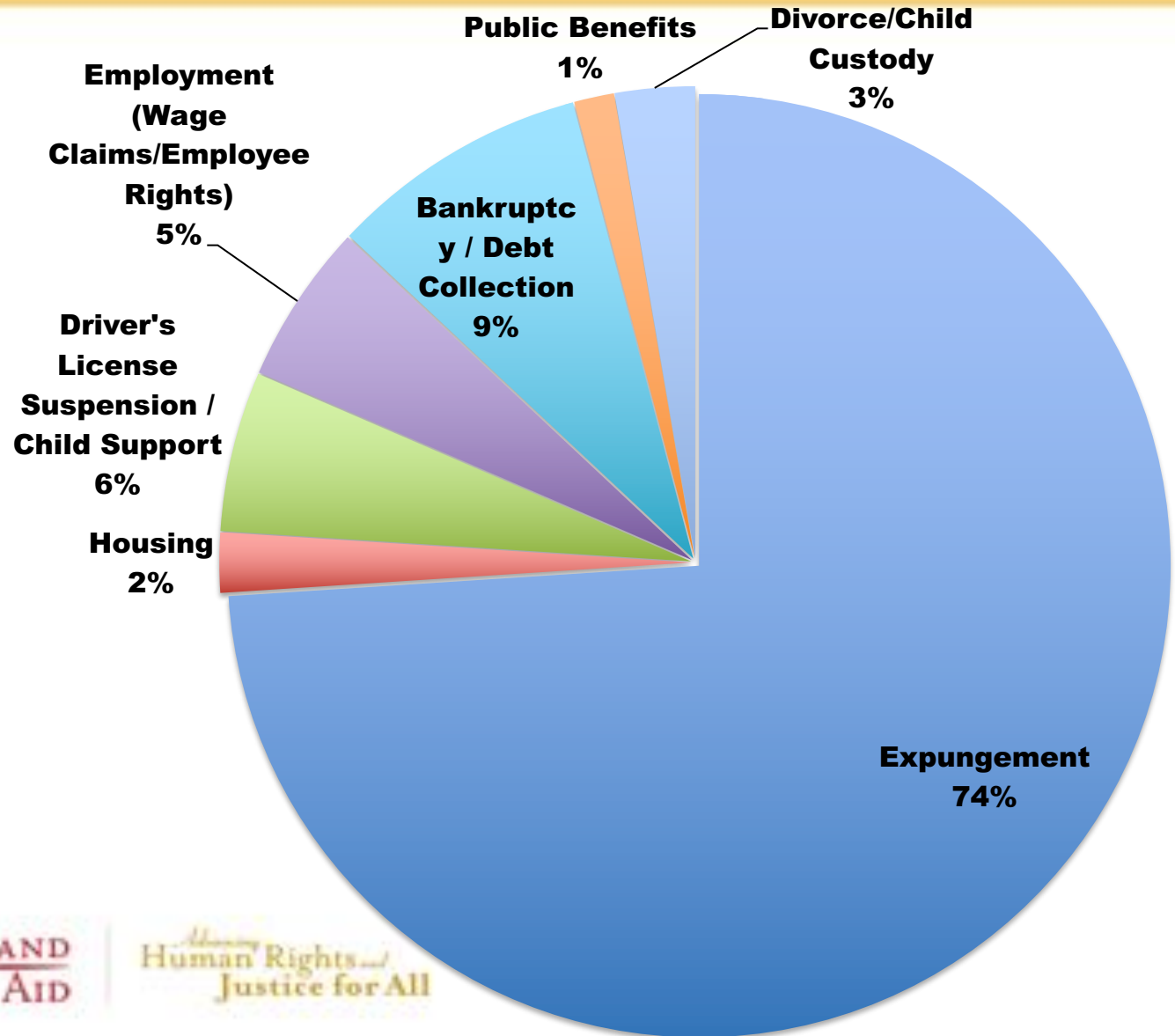
1M4J at the Prince George's American Job Center

- Referrals and collaboration with American Job Center Reentry Coordinators and Career Consultants
 - “Know Your Rights” and “Preparing for Reentry” presentations
 - “Job Club” and job fair attendance
- Referrals from Community Partners
 - Child Support Enforcement, Department of Rehabilitation, Capital Area Violence Intervention Program, and other non-profit partners
- Expungement clinics at the American Job Center, Prince George's District Court Self-Help Center, and Lawyer in the Library
- Walk-ins / Telephone Intake



1M4J at Prince George's County American Job Center

(September 2017 – February 2017)



MARYLAND
LEGAL AID

Advancing
Human Rights and
Justice for All

Expungement & Employment

- Not only does a criminal record make it difficult to secure employment, but it also makes it difficult to obtain housing, a loan, credit, or custody of a child.
- Contact with law enforcement (arrests, citations, etc.) is reported in background investigations; even if the charges did not result in a conviction.
 - Many job-seekers are unaware these charges are reported on their criminal record.
 - Legal services at the Prince George's County American Job Center allows job-seekers to have petitions for expungement prepared on-site and filed by an attorney.
 - 575 Petitions for expungement filed between September 2017 – February 2017 (doesn't include Petitions that were prepared by Attorney and filed pro se).



Debt Collection/Bankruptcy & Employment

- Job-seekers may fall behind on financial obligations while unemployed or underemployed. Also, poor credit history can affect ability to secure certain types of employment.
 - While in the process of looking for employment, many job-seekers face excessive contact by debt collectors, and sometimes harassment.
 - Bankruptcy can protect assets and stop wage garnishment and foreclosure.



Child Support & Employment

- Non-payment of child support leads to garnishment of wages, tax refunds, unemployment benefits, and workers' compensation payments. Non-payment also leads to suspension of driver's license, professional licenses, and passport applications.
 - Makes it difficult for non-custodial parent to find jobs that require a driver's license.
 - Legal Aid can assist non-custodial parent with modification of child support and work with CSEA to remove driver's license suspension. In some cases, non-custodial parents in Maryland may be eligible for child support incentive programs to resolve child support arrears.



Wage Claims & Employment

- Job-seekers may be denied unemployment benefits, and fall behind on financial obligations while searching for work.
- Legal Aid can provide legal advice and representation for unemployment appeals and overpayment cases.
- Legal Aid can also help recover unpaid employment wages.



Questions?

Email: cleanslate@csgjusticecenter.org

Sign up to receive newsletters and other announcements at cleanslateclearinghouse.org.

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This presentation was developed by members of The Council of State Governments Justice Center staff. The statements made reflect the views of the authors, and should not be considered the official position of the Justice Center, the members of The Council of State Governments, or the funding agency supporting the work.