

Re-Entry Issues: Overcoming Employment and Housing Challenges due to a Prior Arrest or Conviction

August 16, 2013

9:00 a.m. – 12:30 p.m.

Why You Should Attend

In the past three decades, incarceration rates have exploded in the U.S., such that today we incarcerate over two million people, more than any other country in the world. The result is that many more people encounter the criminal justice system at some point in their lives. Indeed, an estimated 1 in 4 adults in California has an arrest or conviction record, and people of color are disproportionately affected.

A person with a prior record faces significant employment and housing barriers, even when the record is old or unrelated to the job or housing. These barriers impede community reintegration and prevent formerly incarcerated people from being able to support themselves and their families or contribute to their communities. This training is designed to give lawyers a foundation in the collateral consequences that result from contact with the criminal justice system, as well as tools for representing clients in need of reentry legal services.

What You Will Learn

- Basic overview of criminal justice system and collateral consequences of arrests/convictions
- Criminal records remedies (also known as “expungement”)
- Employment rights and protections
- Housing rights and protections
- Laws pertaining to background checks
- Laws pertaining to occupational licensing and appealing a license denial based on conviction history

Who Should Attend

All attorneys interested in or currently assisting pro bono clients with reentry legal services through representation or in clinical settings, law firm pro bono coordinators, managers and partners, law clinic students and faculty, and public interest and non-profit organization attorneys and staff would benefit from attending this program.

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Program Schedule

9:00

Program Overview and Introductions

Paul R. Chavez, Meredith Desautels

9:15

Overview of Reentry Legal Services

Reentry legal services encompass a range of strategies to reduce the legal barriers faced by people as they reintegrate into society following an arrest or conviction. This introductory section of the training will provide an overview of California law regarding the types of sentences imposed after a conviction and the criminal record remedies available. Additionally, the training will review the collateral consequences of a conviction in the contexts of employment, housing, and voting. The training will provide a foundation for assisting clients in overcoming reentry barriers in each of these areas.

Catherine M. Bishop, Donté Blue, Dorsey Nunn, Michelle Natividad Rodriguez

10:15

Special Topics in Record Remedies: Sealing an Arrest & Certificates of Rehabilitation

Record remedies are the centerpiece of reentry work, and often provide the key first step in helping the reentry client to overcome legal barriers. This more advanced training will focus on two particular records remedies—the sealing of arrest records and Certificates of Rehabilitation. We will provide reentry practitioners with an in-depth view of the process of sealing an arrest, including fact investigation, legal standards, and strategies for the court hearing. We will also explain the Certificate of Rehabilitation remedy, including its benefits, shortfalls, and relationship to the Pardon, to help practitioners determine if and when this remedy is right for their clients.

Craig Davis, Eliza Hersh

11:15

Networking Break

11:30

Special Topics in Employment Screening: Background Checks & Occupational Licenses

Employment is a vital part of the reentry process, and an important predictor of successful community reintegration. This section of the training will explain the rights and remedies provided by federal and state laws regarding the background check process. We will then delve into the topic of occupational licensing and develop an advanced understanding of how licensing criteria impact the many reentry clients searching for employment in regulated fields such as security, real estate, and health services. By looking at licensing through the lens of an appeal, reentry advocates will learn to navigate

the laws and regulations applicable to different regulatory boards, and also gain practical knowledge for successful administrative hearings.

Meredith Desautels, Tanya Koshy

12:30

Adjourn

Faculty

Co-Chairs

Paul R. Chavez

Senior Attorney & Pro Bono Coordinator
Lawyers' Committee for Civil Rights of the San Francisco Bay Area
San Francisco, California

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Program Attorney: Christina Thompson