The County’s Role in Supporting Record Clearance for Residents

February 2018
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Today’s Webinar

Council of State Governments Justice Center
Rashawn Davis
Policy Analyst, Criminal Records Project

Champaign County, Illinois
Katie Blakeman
Champaign Circuit Clerk

Hamilton County, Ohio
Raymond Faller
Chief Public Defender
Speaker: Rashawn Davis

Council of State Governments
Justice Center
Rashawn Davis
Policy Analyst, Criminal Records Project
Criminal Record Clearance and the Clean Slate Clearinghouse

February 15, 2018
Overview

1. The Impact of a Criminal Record
2. The National Record Clearance Landscape
3. The Clean Slate Clearinghouse
An estimated 70 million adults in the U.S.—one in three—have some sort of criminal record.

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.

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

The U.S. economy loses about $82 billion in annual GDP when people with records are underemployed.

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

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

*Imprisonment is just one point at which a person acquires a criminal record.

Employment is one of several important factors in a person’s successful reentry.

- Especially when earnings are above minimum wage
- Especially if the job is stable

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

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

After a certain amount of time having a criminal record does not predict the risk of reoffending.

A person with a criminal record who remains arrest free for about 7 years has a similar risk of offending as the general population.

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.

njcc.csgjusticecenter.org

njdc.info/collateral-consequences/
Overview

1. The Impact of a Criminal Record

2. **The National Record Clearance Landscape**

3. The Clean Slate Clearinghouse
Expungement and sealing are the most commonly used terms.

Generally **Expungement** means that records...

- Are destroyed.

Generally **Sealing** means that records...

- Are not publicly available.

But depending on the state, expunged or sealed records:

- May be disclosed for licensing or other purposes;
- May be used for criminal justice purposes; or
- May be inspected with a court order.
Most states have some type of record clearance policy for felony and misdemeanor convictions.

12. The Clean Slate Clearinghouse; https://cleanslateclearinghouse.org/compare-states/
Counties are also involved in the record clearance work.

Fulton County (Georgia): In October 2016, Fulton County held a record restriction summit with various county law enforcement agencies. Seventy-five percent of all attendees had one or more arrests cleared from their record.

Broward County (Florida): This year, the Broward County State Attorney will host a record sealing workshop to provide information and resources for people who are looking to begin the records clearance process.

Dallas County (Texas): In March 2017, Dallas County held an “Expungement Expo” during which county judges were on hand to assist eligible participants with the record clearance process. The expo also included a job fair along with other social services.
Overview

1. The Impact of a Criminal Record
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3. The Clean Slate Clearinghouse
# Clearinghouse

- Online clearinghouse of each state’s record clearance policies, resources, guides, and legal service providers.

# Audience

- Legal service providers, people with criminal records, policymakers, and reentry and workforce service providers.

# Goals

- Provide accessible, up to date information for record clearance policies across the country
- Increase capacity of legal service providers and create a community of practice around record clearance.

[cleanslateclearinghouse.org](http://cleanslateclearinghouse.org)
Collaborating Agencies

Advisors

The project was further supported by an advisory board of 26 legal professionals, along with key officials from Office of Juvenile Justice and Delinquency Prevention, U.S. Department of Housing and Urban Development and U.S. Consumer Financial Protection Bureau. The advisors brought expertise on criminal record clearance processes, how clearance affects commercial background checks and access to public housing, licensing, and fair hiring policies.
One in three adults in the U.S. has a criminal record.

Record clearance—removing criminal history information from easy public access—may provide people with an opportunity to put their pasts behind them. The Clean Slate Clearinghouse provides people with criminal records, legal service providers, and state policymakers with information on juvenile and adult criminal record clearance policies in all U.S. states and territories.
Get to Know the Expert: Beth Johnson

CSG Justice Center staff spoke with Advisory Committee member Beth Johnson—Director of Legal Programs at Cabrini Green Legal Aid in Chicago—about her thoughts on record clearance and her experience growing a small legal help desk into one of the leading record clearance programs in Illinois.

OCT 17 2017

Read More
LEARN ABOUT YOUR STATE

Connecticut

Record Clearance Overview

- Adult Criminal Records
- Juvenile Records

Below is a general overview of when juvenile records can be erased in Connecticut. Please note that the Clean Slate Clearinghouse does not provide legal advice.

Read the legal policies and statutes for detailed statutory information.

Juvenile Record Clearance Policies Overview

Most juvenile records can be erased.

- **Non-serious juvenile charges** can be erased after you turn **18 and at least two years have passed since your discharge**. You have to submit a request to the court to start the process, and the judge is required to grant your request if you meet the criteria.

- **Serious juvenile charges** can be erased after you turn **18 and at least four years have passed since your discharge**. You have to submit a request to the court to start the process, and the judge is required to grant your request if you meet the criteria.

- If you can show the court you have a good reason to have your record erased, you can submit a request to the court to erase your record before the two- or four-year waiting period is over. It is up to the judge whether or not to grant your request.
FIND A LAWYER

Choose a State/Province


Arizona

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
Contact Information

Email: cleanslate@csgjusticecenter.org

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

Rashawn Davis, Policy Analyst, The Council of State Governments Justice Center

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.
12. The Clean Slate Clearinghouse; https://cleanslateclearinghouse.org/compare-states/
Speaker: Katie Blakeman

Champaign County, Illinois
Katie Blakeman
Champaign Circuit Clerk
Champaign County
Expungement and Record
Sealing Summits

Office of the Champaign County Circuit Clerk
Katie M. Blakeman
Public Access to Court Records in Illinois

Available for Public View Online
- Index
- Court Calendar
- Docket Sheet or Record Sheet
- Sentencing Information

Prohibited from Public View Online
- Images of Court Documents
- Personal Financial Information
- Juror Questionnaires
- Arrest or Search Warrant Information
## Criminal Record Relief in Illinois

### Expungement
- Eligibility – Non-Convictions
- Record Destroyed
- No Access by Public
- No Access by Law Enforcement, Prosecutors, or Employers

### Sealing
- Eligibility – Certain Convictions
- Record Preserved, but Restricted
- No Access by Public
- Limited Access by Law Enforcement, Prosecution, and Employers
Process to Obtain Relief in Illinois

1. **Criminal Record Search + State Police Transcript**
2. **Eligibility Determined**
3. **Petition Prepared and Filed**
4. **Copies of Petitions Sent to Agencies (60 day Period to Respond)**
5. **Case Sent to Judge for Review**
6. **If Granted, Copies of Order Sent to All Agencies**
Inspiration for Champaign County’s Efforts

Cook County Summit

- Held annually
- More than 1000 participants
- Fee Waiver Hearings on Site
- Very large scale

Cabrini Green Legal Aid

- Grants for assisting counties outside of Cook County
- Training for persons with criminal records
- Training and supervision for attorney volunteers
Champaign County’s Response

2nd Annual Champaign County Expungement & Record Sealing Summit

Saturday, October 21st
Stone Creek Church
2502 S Race St, Urbana
8:30AM to 5:00PM

Specific session times will be assigned after registration.

Register at www.champaigncountycourt.org
Register by September 22nd

Questions? Call Circuit Clerk’s Office
217-384-6125

Full-service assistance with application, preparation, and filing for adult and juvenile criminal record expungement, sealing, and alternative forms of relief.

- Free Legal Assistance
- Waiver of All Filing Fees
- Full Service from Beginning to End
- Child Care/Child Programming
- Voter Registration
- Secretary of State
- Free Rides (MTD)
2016 Champaign County Summit

- Over **500** people attended
- **75** volunteer attorneys & law students
- **624** petitions filed

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### Petitions Granted vs. Filed

<table>
<thead>
<tr>
<th></th>
<th>Sealing</th>
<th>Expungement</th>
</tr>
</thead>
<tbody>
<tr>
<td>Petitions Granted</td>
<td>133</td>
<td>318</td>
</tr>
<tr>
<td>Petitions Filed</td>
<td>244</td>
<td>380</td>
</tr>
</tbody>
</table>

**Q. Why the denials?**

**A. Fines & Fees**

49% of the denials were a result of outstanding financial obligations (14% of the total petitions)
2016 Champaign County Summit Demographics

GENDER
- Male: 46%
- Female: 54%

RACE/ETHNICITY
- American Indian or Alaskan Native: 5%
- Asian / Pacific Islander: 1%
- Black or African American: 22%
- Hispanic: 72%
- White / Caucasian: 1%
- Multiple ethnicity / Other (please specify): 5%
2017 Champaign County Summit

100+ Legal Volunteers + Completed Petitions in 5 hours = 779 petitions filed

Q. Why the Change in Time?
A. Eligibility Determined Ahead of Time

ALL participants with transcripts were charted prior to the event.
2017 Champaign County Summit Demographics

**GENDER**
- Male: 48%
- Female: 52%

**RACE/ETHNICITY**
- American Indian or Alaskan Native: 5%
- Asian / Pacific Islander: 1%
- Black or African American: 2%
- Hispanic: 2%
- White / Caucasian: 26%
- Multiple ethnicity / Other (please specify): 11%
Outcomes Mean Everything

Reason for Seeking to Clear Criminal Record

- To Find Employment: 213
- To Enter Educational Program: 68
- To Find Housing: 41
- To Assist with Immigration: 4
- Other Reasons: 62
# Champaign County Costs – (PLACEHOLDER AMOUNT)

<table>
<thead>
<tr>
<th>Materials</th>
</tr>
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<tbody>
<tr>
<td>Folders</td>
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<tr>
<td>Forms</td>
</tr>
<tr>
<td>Office Supplies</td>
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<tr>
<td>Staff Shirts</td>
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<table>
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<tr>
<th>Food</th>
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<tr>
<td>Attorney Charting Events</td>
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<td>Circuit Clerk Staff</td>
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<tr>
<th>Travel Costs for Supervising Attorneys (CGLA)</th>
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<tbody>
<tr>
<td>Lodging</td>
</tr>
<tr>
<td>Train Tickets</td>
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<table>
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<tr>
<th>County Staff Time</th>
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</thead>
<tbody>
<tr>
<td>Prior to Event</td>
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<tr>
<td>Day of Event</td>
</tr>
</tbody>
</table>
Costs Covered or Donated

Space, Furniture, Equipment
- Space (Church)
- Furniture (Church)
- Computers and Printers (County IT)
- Security (Church)

Food
- Volunteers Day Of
- Participants Day Of (Food Trucks)

Child Care
- Church Child Care Center
- Urbana Park District Programming

Transportation
- MTD – Free Bus Rides
- Church Groups – Van Transportation
Contact Information:

Phone: 217-384-3725

Email: kblakeman@co.champaign.il.us
Hamilton County, Ohio
Raymond Faller
Chief Public Defender
OUR MISSION

To defend the life and liberty of our clients as well as to protect their statutory and constitutional rights by providing zealous, effective and ethical representation.

Raymond T. Faller, Public Defender
RTFaller@cms.Hamilton-Co.org
513-946-3880
The Law Office of the Hamilton County Public Defender provides legal services to individuals who are deemed indigent according to U.S. poverty guidelines.

The primary purpose of our office is to represent individuals who are charged with crimes whose punishment may result in a loss of liberty.

We also realize that often our clients’ needs go beyond that which can be addressed in the courtroom.

Our office has partnered with various community organizations to fulfill this purpose.
Our office is separated into several divisions to better enable us to represent each of our clients own unique legal circumstances.

Our divisions are organized according to specialty and area of law.

- Appellate
- Juvenile
- Felony
- Municipal
- Guardian Ad Litem

The office maintains an administrative division where our staff work tirelessly to provide additional support for our attorneys and clients.
FRESH START

• Is a criminal record locking you out of jobs, housing, life? We may be able to help clean up your criminal and juvenile records and give you the Fresh Start you need. The Law Office of the Hamilton County Public Defender is offering the Fresh Start Expungement Walk-in clinic.

• By attending one of our Fresh Start clinics, if eligible, we can help you seal your criminal record.

• All you need to do is obtain a copy of your record at the Hamilton County Sheriff's Office at 125 E. Court Street, 9th Floor.

• Our Fresh Start clinics are held on the 1st and 3rd Wednesday of every month between 1:00pm and 4:00pm in our office located at 125 E. Court Street, 9th Floor.

• Our Fresh Start Expungement Program has been recognized by the National Association of Public Defense in an August 21st article titled 'Fresh Start Clinic' initiated by our Appellate Director Chris Jones.

• Since the inception of the Fresh Start Clinic in October 2013, Director Chris Jones and countless other Hamilton County Public Defender employees have worked tirelessly to assist nearly 4,000 members of our community to clear their criminal records. Approximately 1,900 individuals were actually eligible and over 5,800 cases were sealed, including dismissed charges. This number does not include the additional Juvenile Court records we have assisted our clients in sealing and expunging.
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<tbody>
<tr>
<td><strong>Fresh Start - Expungement Eligibility</strong></td>
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<tr>
<td><strong>Statistics Since Program Inception</strong></td>
<td></td>
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<tr>
<td><strong>Summary</strong></td>
<td></td>
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<tr>
<td><strong>10/01/2013 - 02/01/2018</strong></td>
<td></td>
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<tr>
<td><strong>Total Clients Who Came In</strong></td>
<td>3,355</td>
</tr>
<tr>
<td><strong>Total Interviews</strong></td>
<td>2,434</td>
</tr>
<tr>
<td><strong>Not Eligible Due to Income</strong></td>
<td>526</td>
</tr>
<tr>
<td><strong>Number of Eligible Clients</strong></td>
<td>1,908</td>
</tr>
<tr>
<td><strong>Total Cases</strong></td>
<td>22,172</td>
</tr>
<tr>
<td><strong>Number of Cases Not Eligible</strong></td>
<td>13,093</td>
</tr>
<tr>
<td><strong>Number of Eligible Cases</strong></td>
<td>9,079</td>
</tr>
<tr>
<td><strong>Eligible Cases Expunged (a)</strong></td>
<td>6,027</td>
</tr>
</tbody>
</table>
WE CAN HELP CLEAN UP YOUR CRIMINAL AND JUVENILE RECORDS AND GIVE YOU A FRESH START

Contact
Public Defender’s Office
230 East 9th Street
Cincinnati, OH 45202
513-946-3700
513-946-3808 (fax)

Fresh Start Program Walk-in Clinic Location & Hours:
125 East Court Street, 9th Flr (same building as Dunkin Donuts & Tom & Chee)
Cincinnati, OH 45202
513-946-3692
Email: freshstart@cms.hamilton-co.org

HOURS: 1st and 3rd Wednesday of every month.
1pm – 4pm

No appointment necessary, but please bring a copy of your adult criminal record.

- In Hamilton County, you can obtain a copy at the Hamilton County Sheriff’s Office, located at the Hamilton County Justice Center, 1000 Sycamore Street, Cincinnati, Ohio 45202. The cost is $5.00 (cash only).
- Please note we cannot expunge your out-of-county or out-of-state convictions, you must apply for expungement through that particular county or state.

Call for information on qualifying for free representation and documents needed or visit us at www.hamiltoncountypd.org

WE CAN HELP SEAL AND EXPUNE YOUR JUVENILE RECORDS AND GIVE YOU A FRESH START

EVEN AFTER YOU BECOME AN ADULT, CERTAIN PERSONS AND AGENCIES CAN STILL ACCESS YOUR JUVENILE RECORDS AND USE THEM AGAINST YOU UNLESS YOU TAKE STEPS TO SEAL AND EXPUNGE THOSE RECORDS

YOUR DISPOSITION DATE: ____________________, 20___
DATE YOU CAN FILE TO SEAL AND EXPUNGE: ____________________, 20___
YOUR ATTORNEY’S NAME: ____________________________
AND NUMBER: ____________________________

OR YOU CAN ATTEND OUR

FRESH START EXPUNGEMENT CLINIC

Call for information on qualifying for free representation and documents needed or visit us at www.hamiltoncountypd.org
EXPUNGEMENT CLINIC
1st & 3rd Wednesday of every Month/ 1:00-4:00 p.m.
125 E. Court St, 9th Floor, 513-946-3692
Bring your police record
(Available at the Justice Center for $5)

YOU CAN FILE FOR EXPUNGEMENT AFTER:
Misdemeanor—1 yr. after completion of sentence.
Felony—3 yrs. After the completion of the sentence.
Ignored Case—2 yrs. After case ignored by G.J.
Dismissal/Acquittal—No waiting period.
Questions
Presenters’ Contact Information

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