

Clean Slate
CLEARINGHOUSE

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

JUSTICE★CENTER
THE COUNCIL OF STATE GOVERNMENTS
Collaborative Approaches to Public Safety

Transformative Practices: Promoting Access to Expungement

•December 13, 2017

Speakers

Chidi Umez, Project Manager, the Council of State Governments Justice Center

Jamie Gullen, Supervising Attorney, Community Legal Services of Philadelphia

Beth Johnson, Director of Legal Programs, Cabrini Green Legal Aid, Chicago

Alex Kornya, Assistant Litigation Director, Iowa Legal Aid

The Council of State Governments
Justice Center

Clean Slate

CLEARINGHOUSE

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

- Online clearinghouse of each state's adult and juvenile 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

The Council of State Governments
Justice Center

Setting the Stage: Why Expungements?

- One in three Americans has a record and half of US children have a parent with a record.
- Clearing a record is an effective way to increase employment and raise earnings.
 - CA study found average increase in yearly income of \$6,190 for those who had records cleared.
 - 93% of participants reported confidence in their future job prospects.

Legal Aid Programs Respond

This webinar will feature three legal aid programs around the country and the innovative work they are doing to increase access to justice for people with records.

- Cabrini Green Legal Aid
- Iowa Legal Aid
- Community Legal Services of Philadelphia



CGLA has been providing legal services to the community since 1973. While our reach has expanded beyond the Cabrini Green neighborhood, our focus has narrowed to working for and alongside individuals, families and communities impacted by the direct and collateral consequences of the criminal justice system.

CGLA Cabrini Green Legal Aid

seeks to strengthen lives, families and communities negatively impacted by arrest and conviction.



FOCUSED. Providing legal services that are targeted for people impacted by the criminal justice system.



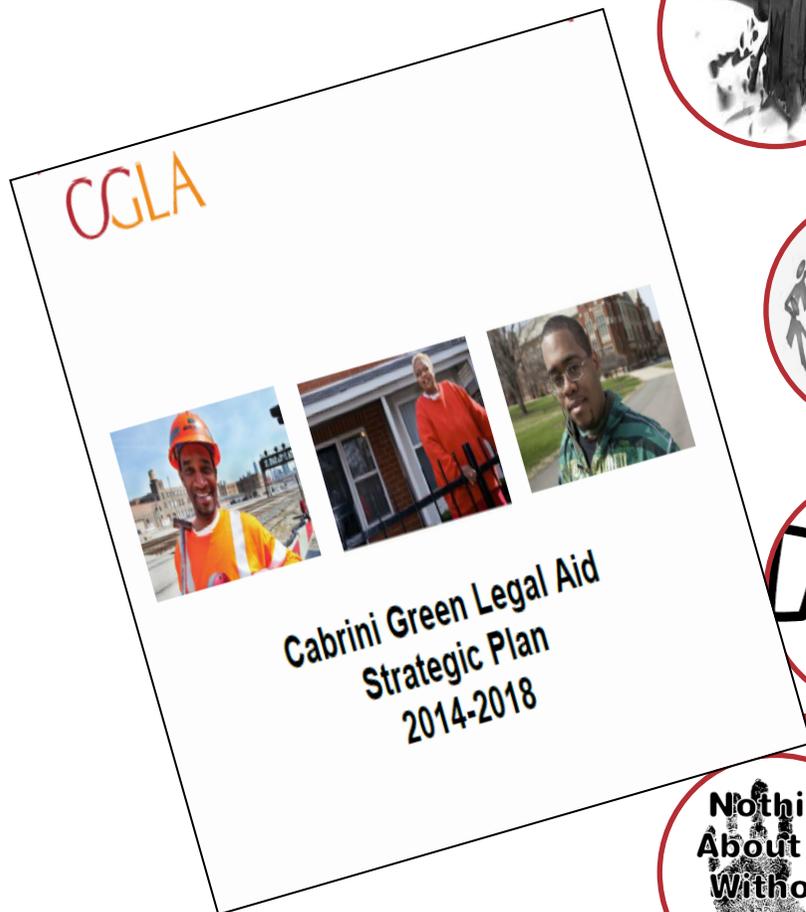
HOLISTIC. Serving the whole person through an interdisciplinary model, not just the presenting legal issue.



COLLABORATIVE. Recognizing that working in partnership results in greater outcomes.



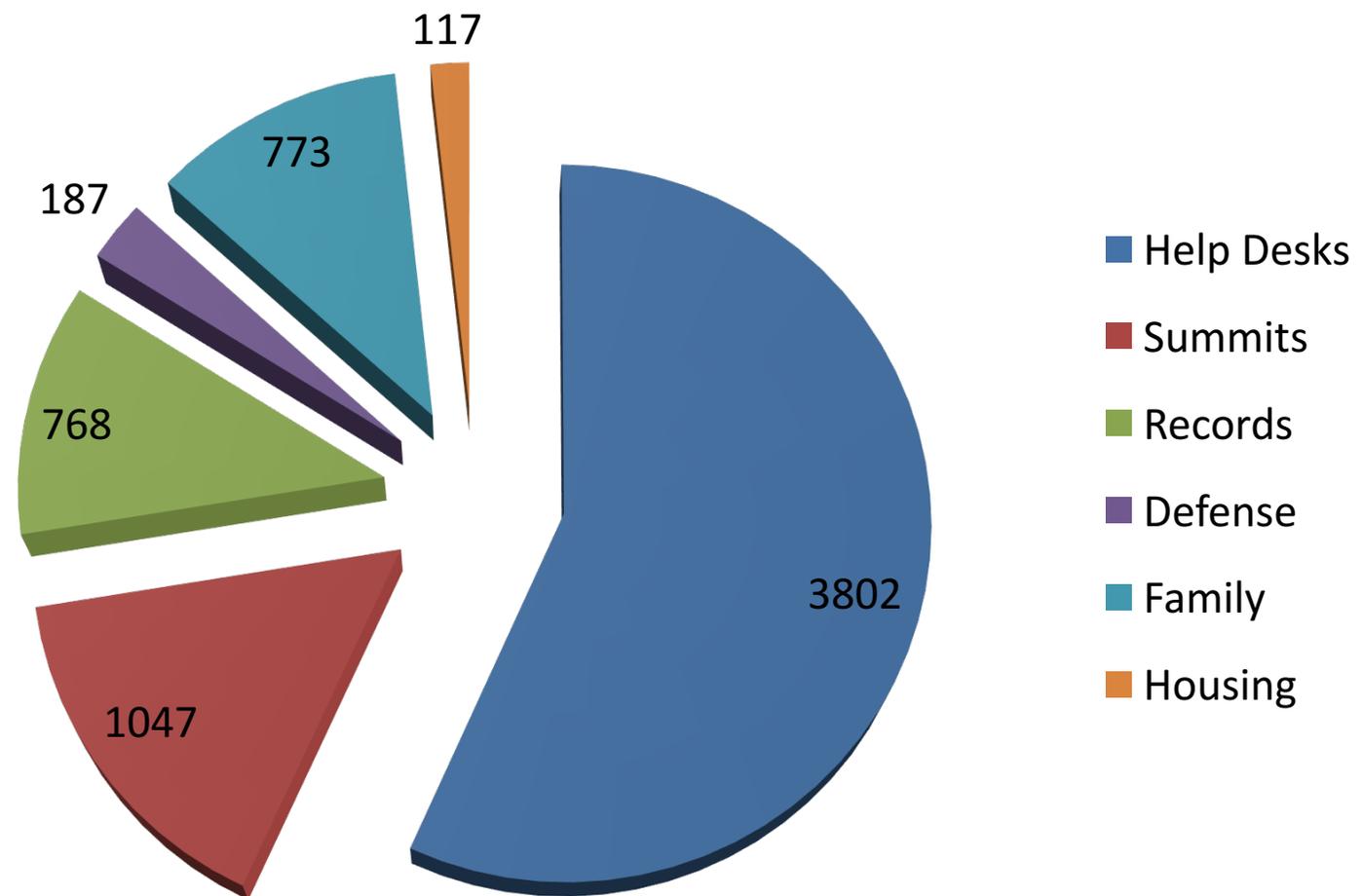
TRANSFORMATIVE. Working to change the underlying systems that result in the need for legal services, with the movement led by those with lived experience



CGLA's programs served **6,326 clients** in FY17, with **6,694 legal services** delivered

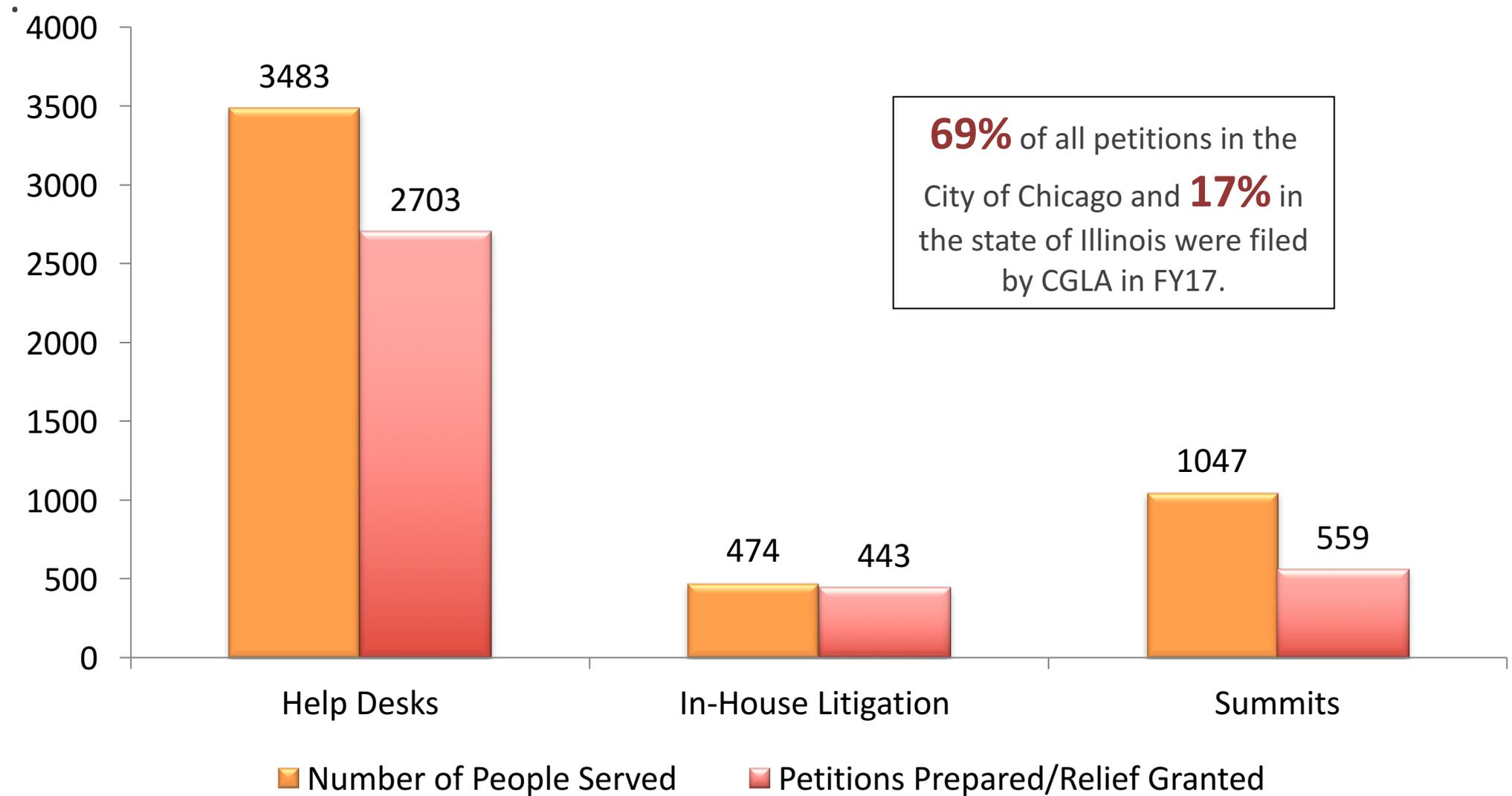
Number of People Served

84% of legal services were for criminal records cases



CGLA's Criminal Records Program

In FY17, **5,617** People were Served by the Criminal Records Program



What the Program Does

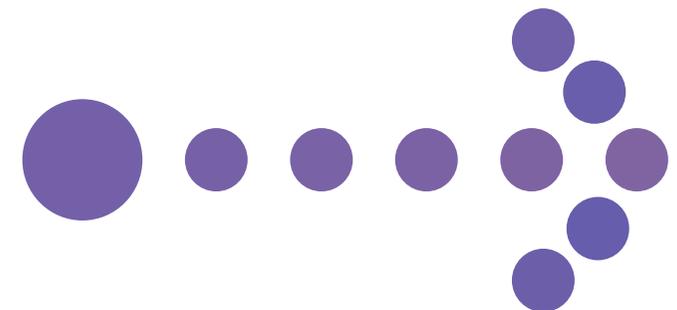
Expungement & sealing
petitions through the courts



Alternative forms of relief
from a criminal record



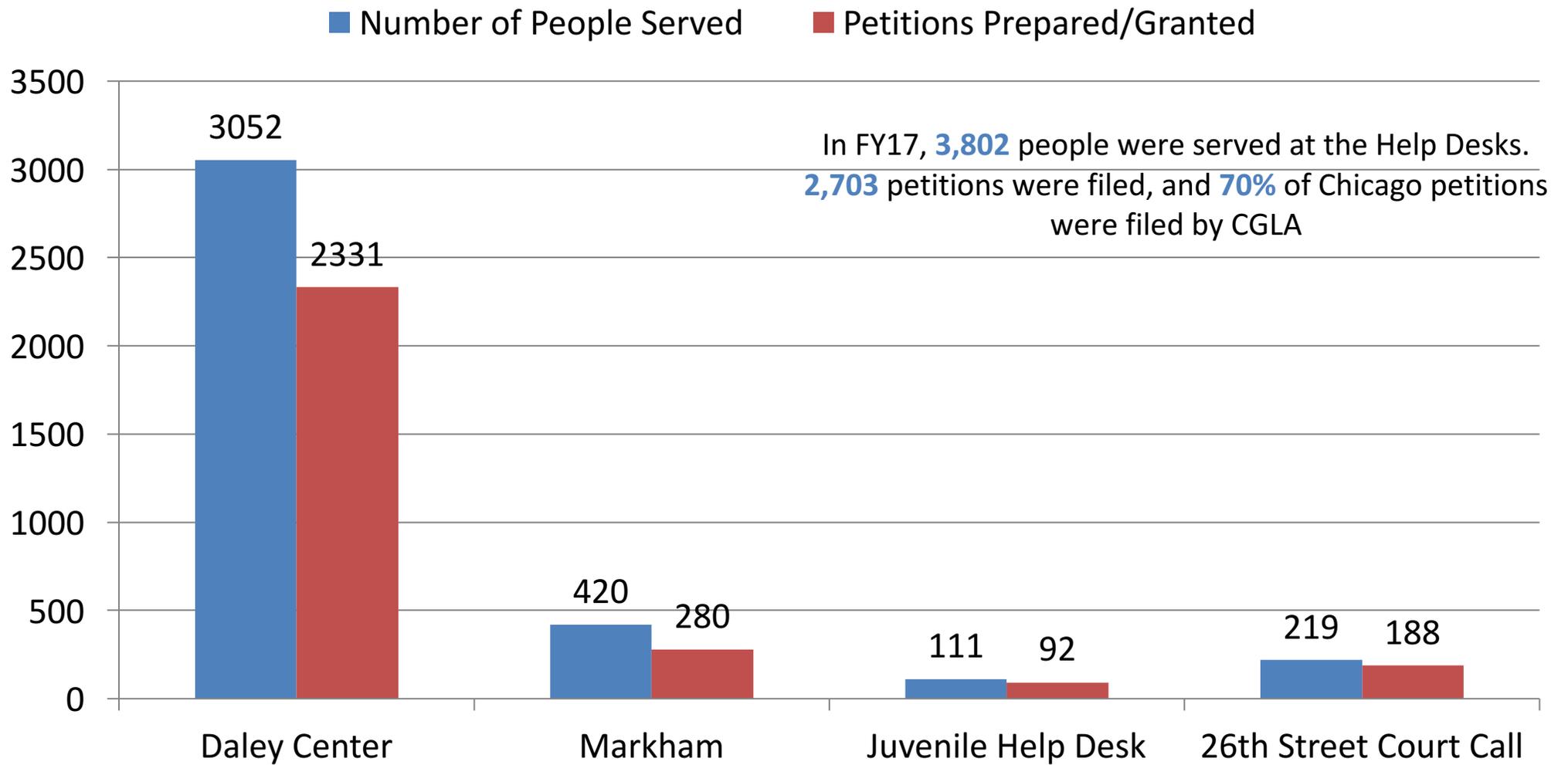
Community education and
mobilization



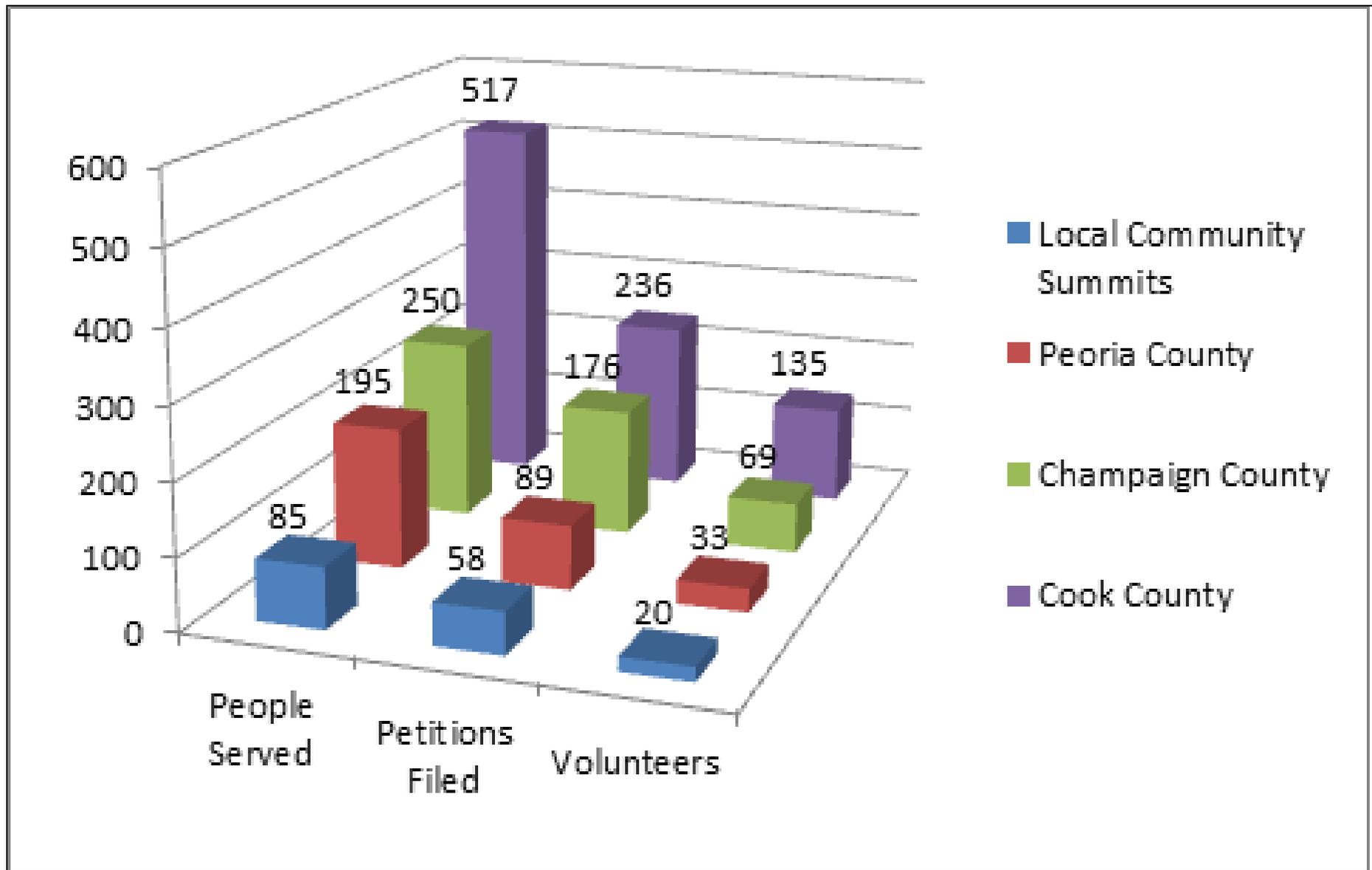
How Clients Come to Us



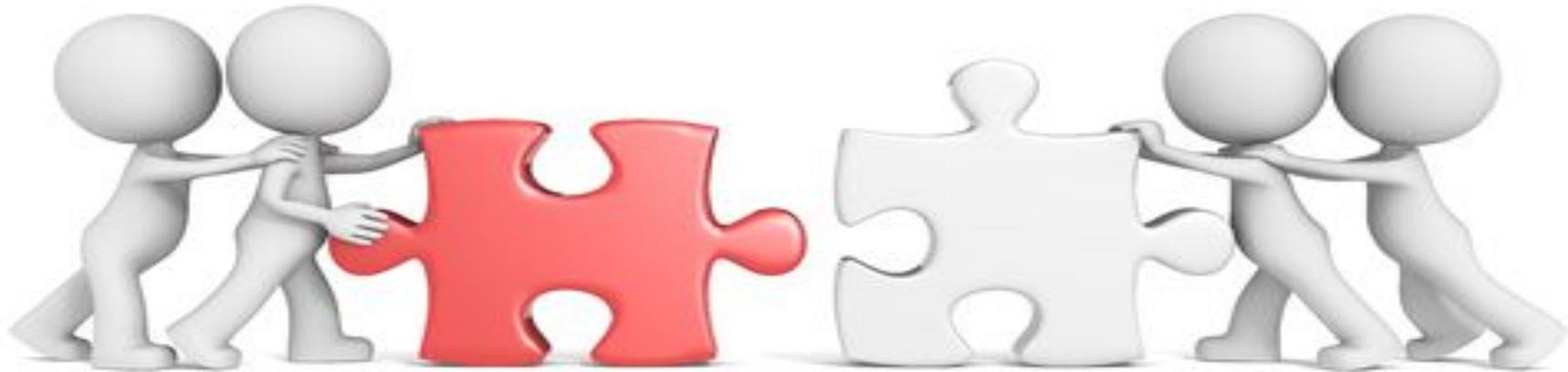
Help Desks



Community Summits



Partnerships



Collaborative Partners

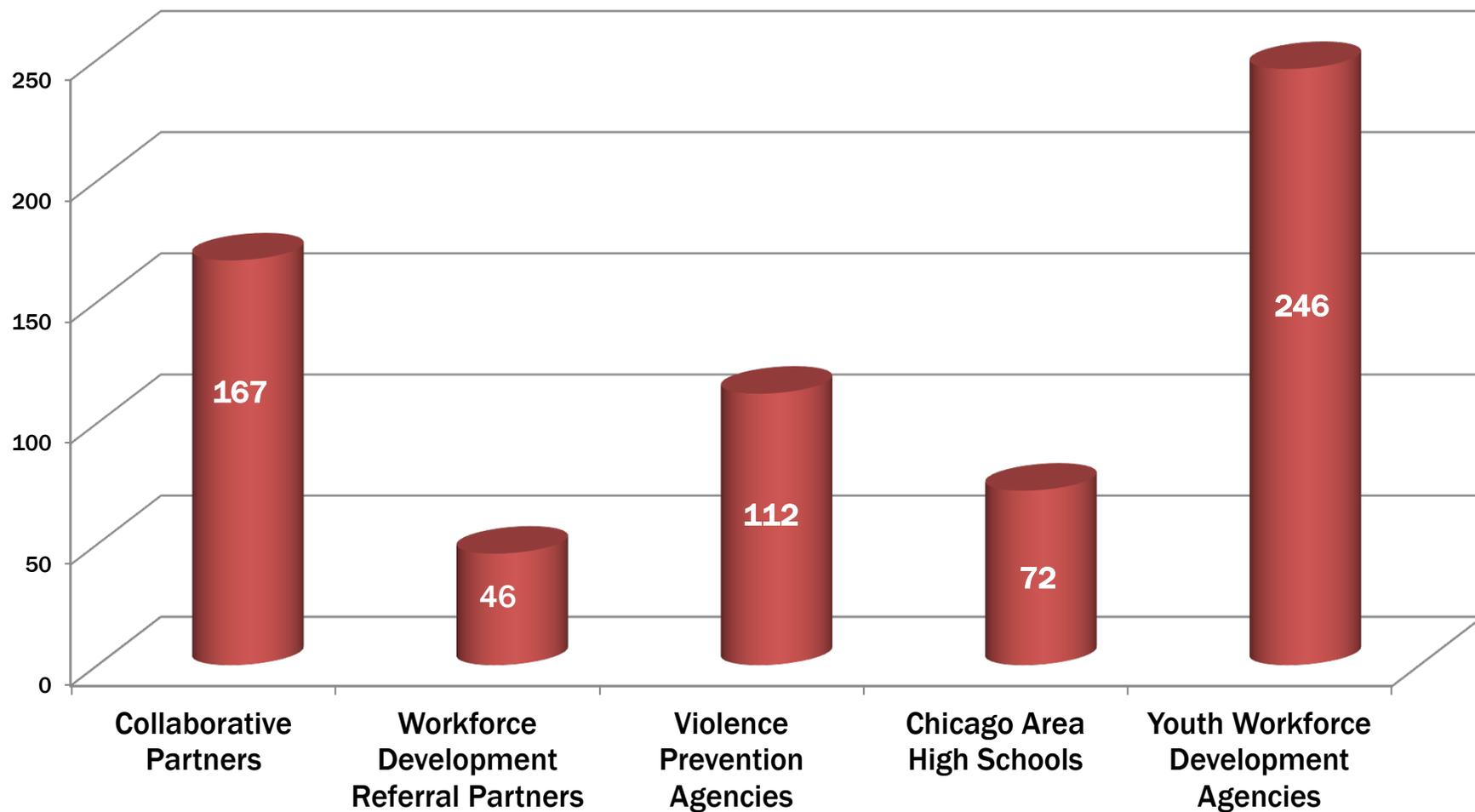
- Onsite Intakes
- "Holistic" Attorney
- Stability Scores

Referral Partners

- Criminal Records Eligibility Prescreening
- Trainings
- Reserved Intake Slots

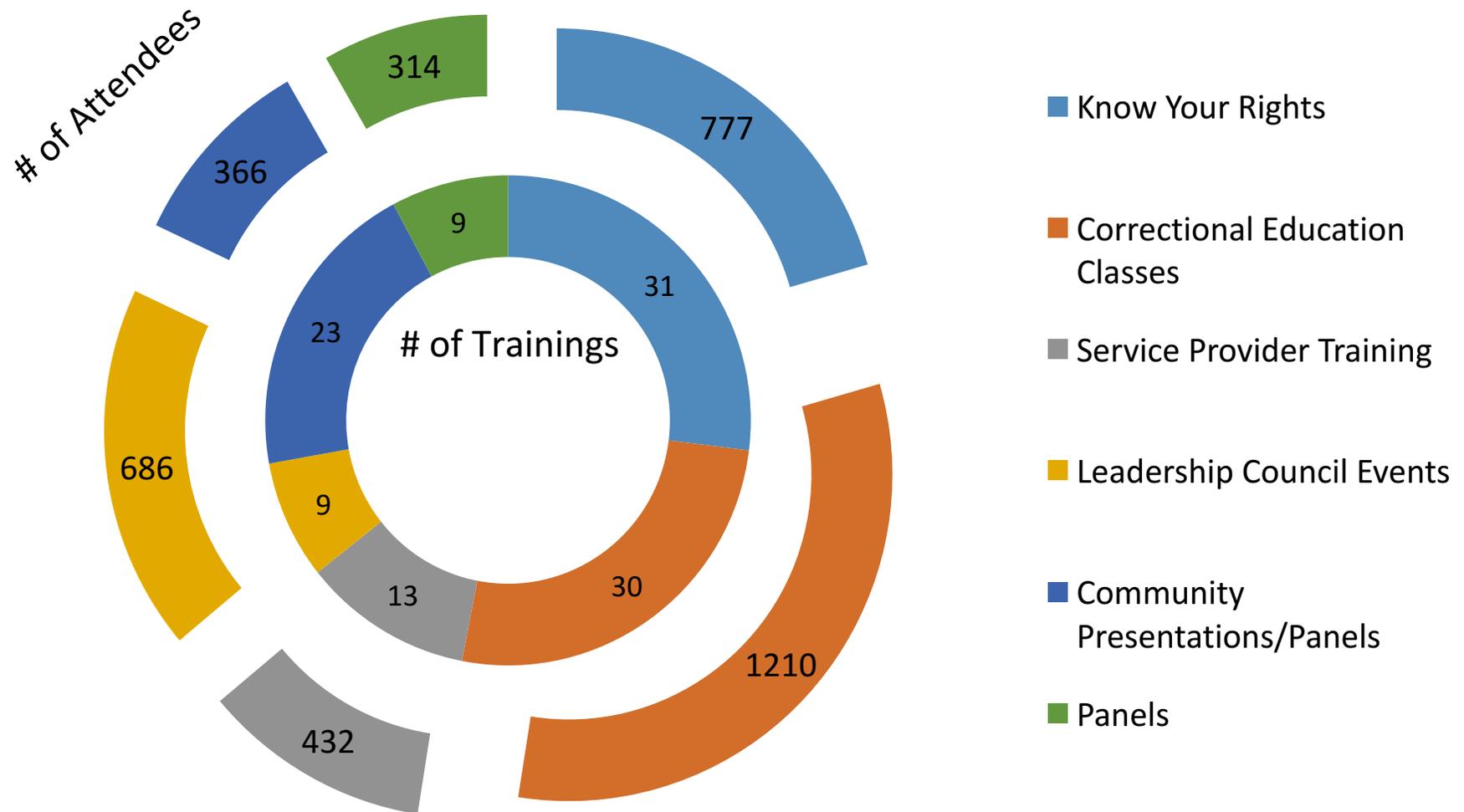
CGLA's Criminal Records Program

CGLA Received **643 Referrals** in FY17 from Partner Agencies



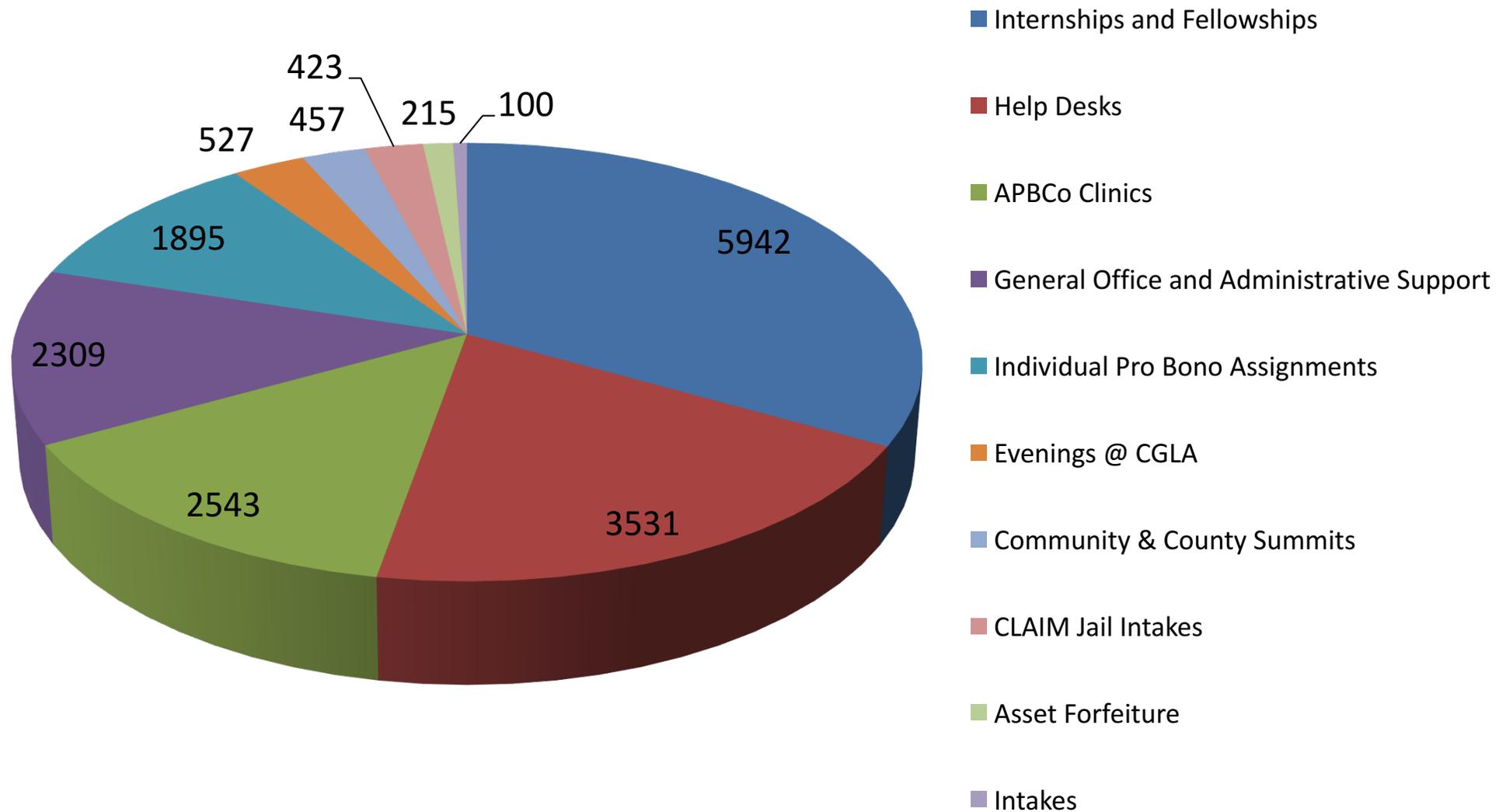
Community Education

In FY17, we provided **115 trainings or presentations** to **3,785** community members, service providers and directly impacted individuals.



FY17 Pro Bono Hours:

444 people volunteered 18,774 hours





CHICAGO

In FY17, we engaged **19 law firms** and **4 corporations** that together provided **4,946 hours** of pro bono service to CGLA clients – representing 27 percent of pro bono hours in FY17

-
- *Coordinated 5 APBCo clinics, connecting 60 clients to 128 attorneys at 14 firms and corporations.*
 - *28 certificates and health care waiver cases were placed with law students at Loyola's Life After Innocence Clinic.*
 - *30 clemency cases were placed with pro bono attorneys, with Allstate and Dentons handling 56 percent in their joint effort to help clients receive pardons.*

The doors for sealing blew open at the end of August!



Allows for the sealing of all felony convictions – keeping only the current exceptions in the statute.

Made NO FURTHER distinctions between “violent” and “non-violent” convictions

The logo for Iowa Legal Aid features the text "IOWA LEGAL AID" in white, uppercase, sans-serif font, stacked vertically. A registered trademark symbol (®) is located to the right of the word "AID". The text is centered within a dark blue square, which is partially overlaid by a lighter blue horizontal bar at the bottom.

IOWA
LEGAL
AID®

HOPE. DIGNITY. JUSTICE.

RACIAL EQUITY PROJECT

EXPUNGEMENT & EMPLOYMENT
BARRIERS CLINICS

A solid green horizontal bar spans the width of the slide at the bottom.

Expungement & Employment Barrier Clinics

- Conceived and planned by Iowa Legal Aid's Race Equity Committee in 2016
- Focus on communities with statistically significant disparities in poverty, unemployment, and incarceration rates for African Americans
- Aims to reduce barriers to self sufficiency caused by criminal justice involvement

The Funding

- Funded through a special IOLTA project
- Funds came from a settlement between USDOJ and Bank of America
 - i.e. not actual interest on trust accounts
- Project funded as “community redevelopment legal assistance”
- Communities selected due to very high numbers for disparities

Clinics: Timeline

Past

- **[Pilot]** June 10, 2017. Des Moines, Evelyn K. Davis Center.
- August 26, 2017: Des Moines, Evelyn K. Davis Center, 9:00AM to 1:00PM

Presently scheduled

- September 28, 2017: Davenport, United Neighbors, 3:00PM until 7:00PM
- October 19, 2017: Waterloo, Payne AME Church, 3:00PM until 7:00PM
- November 11, 2017: Des Moines, Evelyn K. Davis Center, 9:00AM to 1:00 PM

Later

- **2018:** Des Moines [**4**], Waterloo [**2**], Davenport [**2**], Dubuque [**1**]
- **2019:** Des Moines [**2**], Waterloo [**1**], Davenport [**1**], Dubuque [**1**]

What the clinic covers

- Expungement
- Court debt
- License and registration issues
- Background checks

Workflow

1. Clients apply with site hosting partner or ILA
2. Register clients and check eligibility
3. Law student volunteers or AmeriCorps analyze records, prepare CRS
4. Staff and volunteer attorneys review CRS and preliminary assessment on day of clinic
5. Client interview
6. Advise client and help with forms
7. Wrap-up & triage

Criminal Records Spreadsheet (CRS)

- Proprietary product – programmed excel spreadsheet
- Augments and organizes the analysis of criminal records
- Assembled largely by law students

<http://bit.ly/2cvOi0a>

Day of Clinic

- We will have between 8 & 9 attorneys available for 35 possible clients.
 - Coming in during 45 minute “waves”
 - Count on no shows
- Other non-attorney volunteers will be available to greet, register, ferry people from the waiting area to an available attorney, make copies, etc.
- One or more site supervisors will be floating around to check up on people and make sure things are going smoothly.

Client Stories

- Story of O.S.
- Story of W.M.

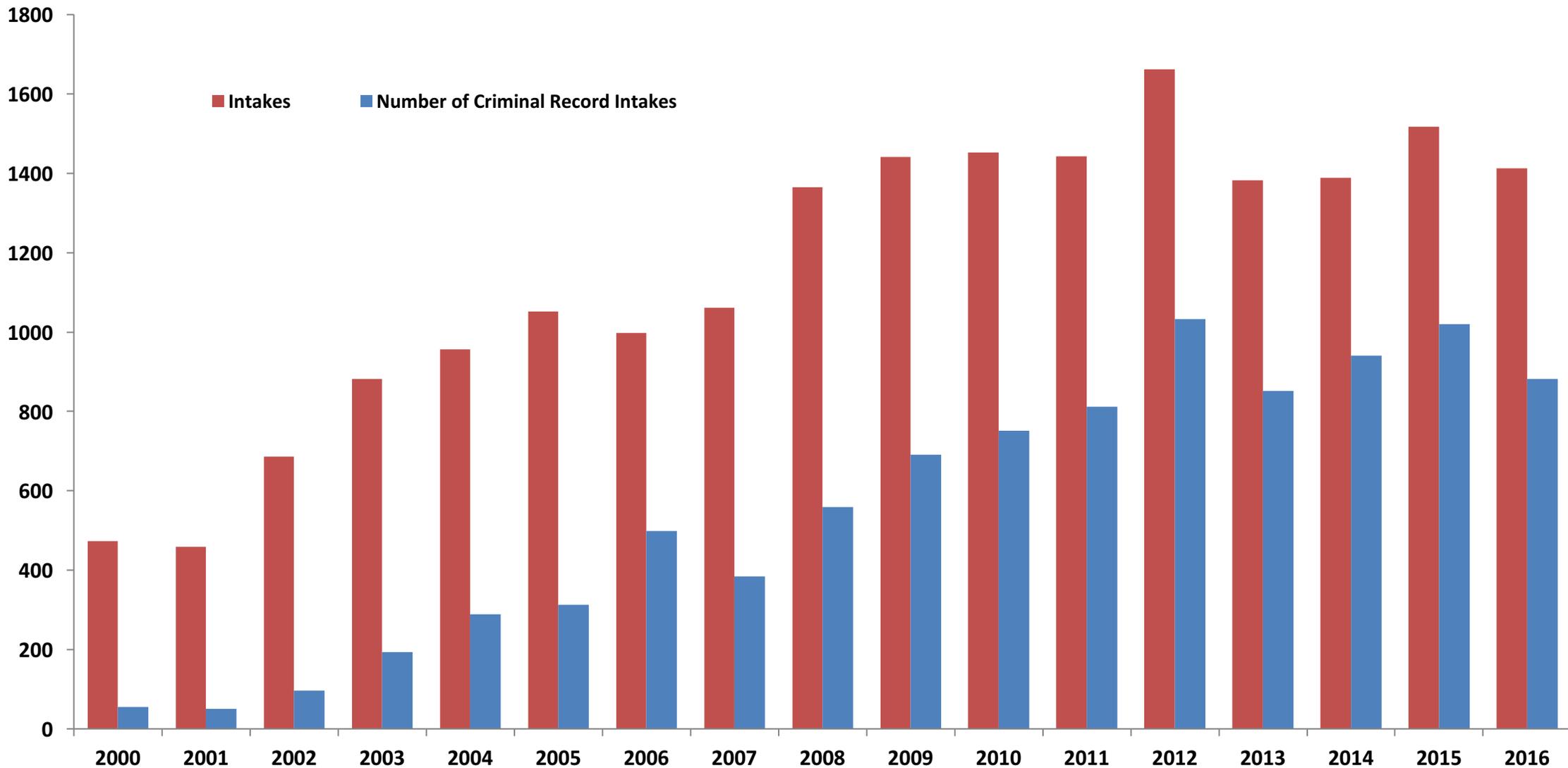
Community Legal Services

- CLS has been at the forefront of advocating for the rights of people with records for nearly two decades, including litigating Title VII cases, suing commercial background check companies, and writing national reports on the impact of records on our clients and communities.
- In response to the need we see from our clients, expungement has become the #1 way we seek to help clients with records (mostly non-conviction arrests).



A Growing Problem in Philadelphia

CLS Employment Unit Intakes 2000-2016



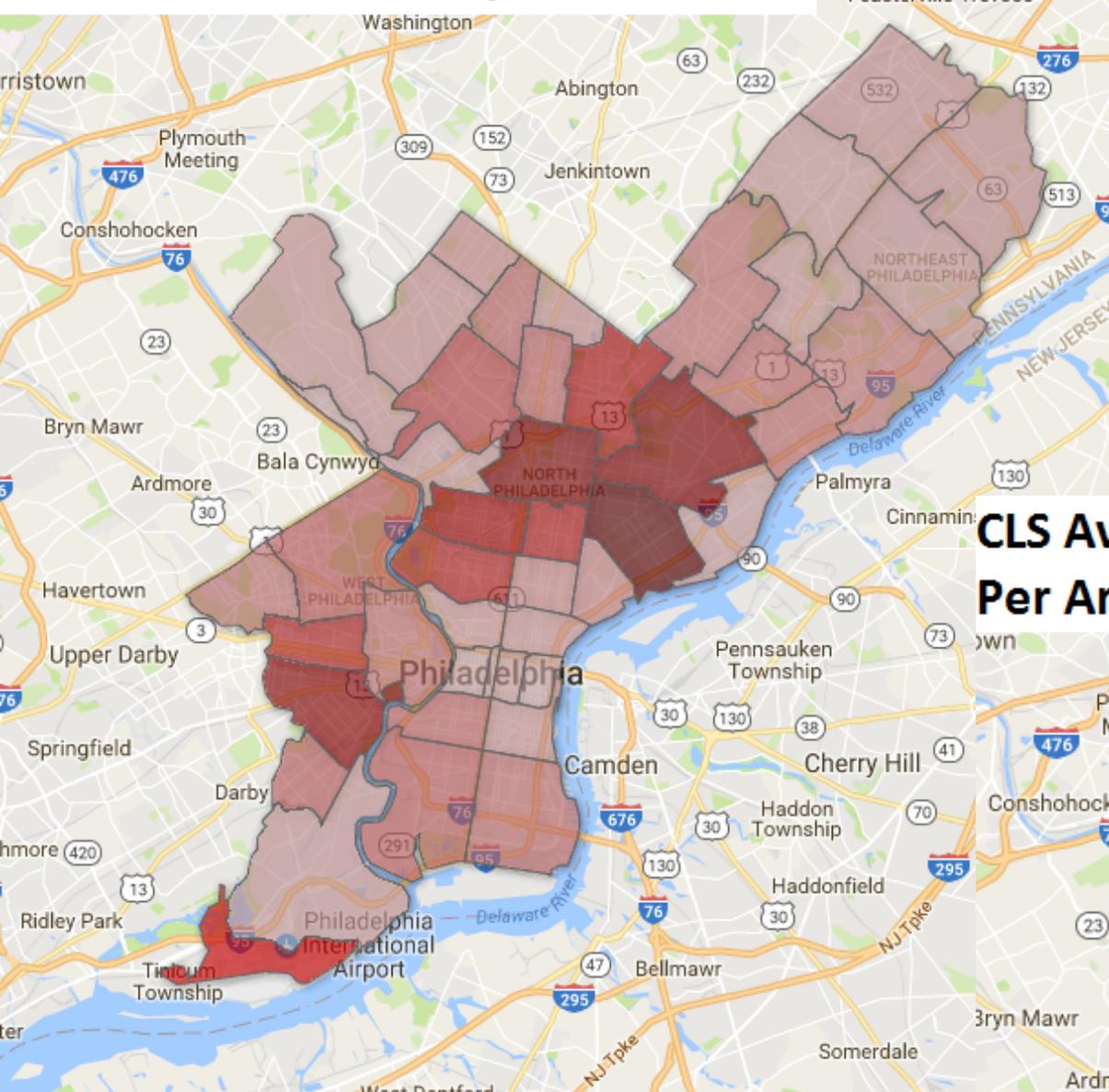
Using Data to Better Understand the Issue

- Purchased bulk data from local courts and analyzed arrest numbers in neighborhoods around Philadelphia.
- Compared court data with intake data; identified neighborhoods with significantly higher arrests coupled with individuals not regularly coming into CLS's offices/intakes.

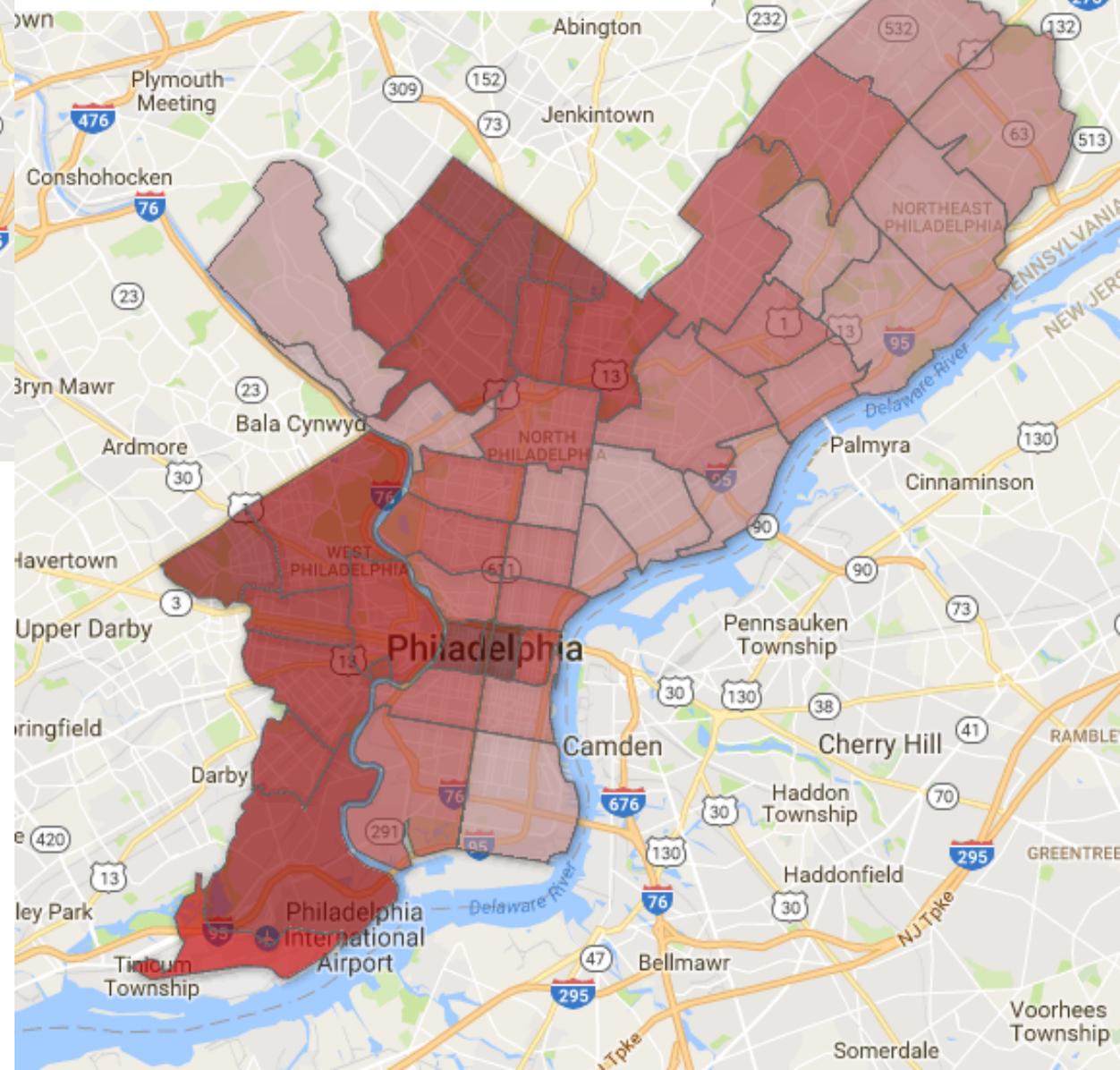
CLS Responds: Launches Clinic Project

- Teamed up with Temple Law students to launch expungement clinic project under the National Lawyer's Guild umbrella.
- In the last two years, CLS held more than 20 large-scale expungement clinics across 12 neighborhoods in Philadelphia.
- Resulted in more expungements citywide, particularly in key neighborhoods.
 - **2012: 200 expungement clients**
 - **2016: 581 expungement clients**

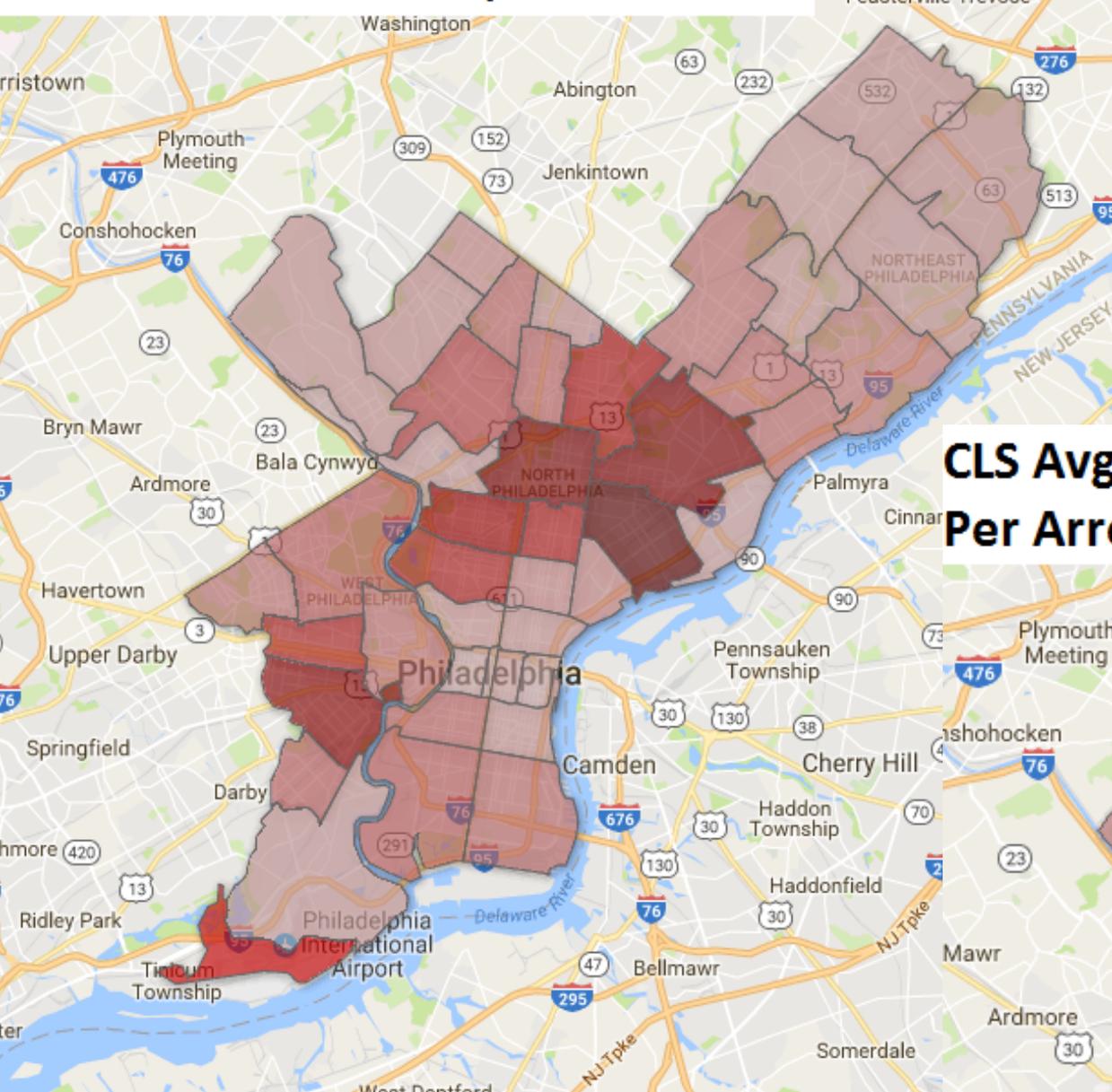
Total Arrests in Philadelphia 2010-2015



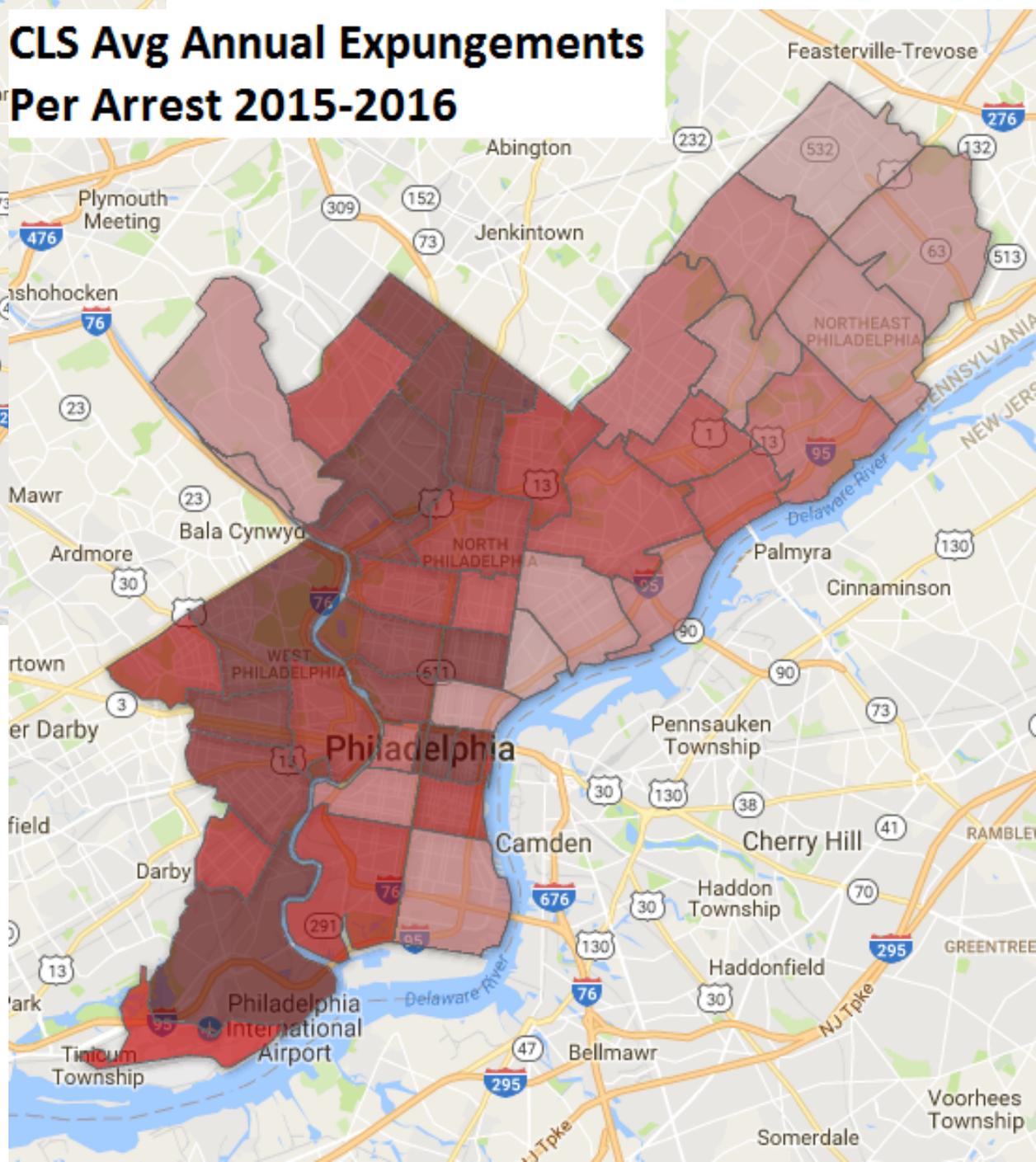
CLS Avg Annual Expungements Per Arrest 2010-2014



Total Arrests in Philadelphia 2010-2015



CLS Avg Annual Expungements Per Arrest 2015-2016



Effective Clinic Partnerships

- No increase in CLS paid staff thanks to pro bono partnerships.
- Community partners provide space, spread the word, and run clinic logistics.
 - Community partners include: Community College of Philadelphia, churches, city council and state representatives, YMCAs, and community non-profits.

Effective Clinic Partnerships

- Temple Law students staff clinics, and thanks to **CLS's Expungement Generator**, draft and upload petitions to CLS client database in real-time at clinics.
- Pro bono attorneys help staff clinics and represent clients that are over-income for CLS's services.

Benefits of Expungement Clinics

- The obvious – reaching more people who may not have come to CLS's office for help.
- Building strong relationships with law schools, law firms, etc.
- Strengthening ties to community partners.
- Getting local politicians invested in these issues, which may help future advocacy.
- Spreading info about other legal rights/issues and identifying clients for larger advocacy efforts

Building Larger Partnerships

- Despite CLS's efforts, still not even close to meeting the ever-growing need for expungement help.
 - 1 in 3 Philadelphians have a criminal record, and people continue to be arrested every day.
 - Pennsylvania has the 8th highest corrections population in the country (including people on probation and parole).

PHL Citywide Expungement/Sealing Clinic

- Collaboration of
 - City of Philadelphia and Mayor's Office
 - Philadelphia District Attorney
 - Philadelphia Bar Association
 - Community Legal Services
 - Duane Morris LLP

VOLUNTEERS NEEDED

FREE CRIMINAL RECORD EXPUNGEMENT & SEALING CLINIC

SATURDAY NOV. 12, 2016 10 A.M. - 1 P.M. 6 LOCATIONS

[#GETEXPUNGED](https://twitter.com/GETEXPUNGED)
GETEXPUNGED.ORG

We are seeking at least 100 attorneys and law students to process petitions on November 12, 2016, which will require a commitment of a one-hour training and four hours the day of the clinic. We are also seeking at least 25 attorneys to handle subsequent hearings to be scheduled on a later day reserved by the court solely for expungement and sealing petitions, which will require an additional estimated six-hour commitment.

Training Sessions
CLE Expunging & Sealing Criminal Records

- Tuesday, November 1, 2016 - 6:30 - 7:30 p.m. Duane Morris LLP
- Wednesday, November 2, 2016 - 12:30 - 1:30 p.m. Duane Morris LLP
- Wednesday, November 2, 2016 - 6 - 7 p.m. Philadelphia Bar Association
- Friday, November 4, 2016 - 12 - 1 p.m. Philadelphia Bar Association

REGISTER FOR TRAINING AT PHILADELPHIABAR.ORG

PRESENTED BY
THE YOUNG LAWYERS DIVISION OF
PHILADELPHIA BAR ASSOCIATION

IN PARTNERSHIP WITH
Duane Morris LLP
OFFICE OF THE DISTRICT ATTORNEY
CITY OF PHILADELPHIA
CIVIL LIBERTY UNION
City of Philadelphia

Outcomes

- Over 600 clients registered within days and 1,853 registered at time registration closed.
- 175 attorneys, law students and paralegal volunteers.
- 900+ clients served.
- Thousands of petitions filed – ongoing.
- TBD number records cleared – ongoing.

Next up: Clean Slate Legislation!

- Despite all the resources in Philadelphia, there is still an unending need for record clearing services.
- Clean Slate legislation uses technology to automatically seal arrest records once charges are dropped and automatically seal minor misdemeanor convictions after 10 years.
- This will greatly reduce the need for individuals to file expungement petitions in PA.
- Clean Slate is a model being explored all over the country!

Join the Clean Slate Clearinghouse Google Group!

If you are interested in starting or expanding your record clearing practice, or just want to stay in the loop, sign up for our google group with practitioners around the country!

Email Janet Ginzberg at jginzberg@clsphila.org to join.

Questions?

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