

REENTRY SPOTLIGHT | Understanding and Mitigating the Impacts of Juvenile and Criminal Records

Beyond the nearly 2 million people who are detained and incarcerated in the United States,¹ tens of millions of Americans have some type of juvenile or adult criminal record.^{2,3,4} For people exiting prisons and jails, they must focus not only on arranging necessities for survival post-incarceration, but they must also navigate through life with a juvenile or adult criminal record. For people with records, the impact of those records often extends far beyond any disposition or sentence. Currently, more than 40,000 state and federal legal and regulatory restrictions exist in the form of “collateral consequences” that limit or prohibit people convicted of a crime or adjudicated for a delinquent act from accessing employment, business and occupational licensing, housing, voting, education, and other rights, benefits, and opportunities. Given the pervasiveness and profound impact of these consequences, it is important that young people and adults with a record have access to comprehensive reliable information about what consequences apply to them and if they are eligible to expunge, seal, or otherwise clear their records. The **National Reentry Resource Center (NRRC)** serves as a hub of information on reentry, collateral consequences, and records clearance that can assist people with records in the process of getting their lives back on track after incarceration.



Collateral Consequences

Collateral consequences are legal and regulatory restrictions that limit or prohibit opportunities for people who have a juvenile or adult criminal record. Collateral consequences are far-reaching—affecting one in three Americans—and include tens of thousands of state and federal restrictions and prohibitions. Collateral consequences can prohibit people navigating reentry from fully reintegrating into society and may have lifelong impacts on their own lives and the lives of their families.

Some collateral consequences serve a legitimate public safety or regulatory function, such as keeping firearms out of the hands of people convicted of violent offenses, prohibiting people convicted of assault or physical abuse from working with children or older persons, or barring people convicted of fraud from positions of public trust. Others are directly related to a particular crime, such as registration requirements for sex offenders or driver’s license restrictions for people convicted of serious traffic offenses. But some collateral consequences apply without regard to the relationship between the crime and opportunity being restricted, such as the revocation of a business license after conviction of any felony. Frequently consequences also apply without consideration of the time having passed between the conviction and the opportunity being sought or the person’s rehabilitation efforts since the conviction.

Collateral consequences can vary widely across states, and identifying all the penalties that may be triggered by a particular conviction can be difficult. The NRRC’s **National Inventory of Collateral Consequences of Conviction (NICCC)** helps in addressing this problem. The NICCC is an online searchable database that identifies and categorizes the statutes and regulations that impose collateral consequences in all 50 states, the federal system, and the District of Columbia, U.S. Virgin Islands, and Puerto Rico. The information available on these consequences includes the related offenses, duration of consequences, and information on and direct links to statutes and regulations. The inventory is reviewed and updated



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across all jurisdictions following each annual or biannual legislative session. Visitors to the NICCC will also find resources including state and national reports and inventories, research articles, webinars, presentations, podcasts, and links to additional online sources of information. Users can browse the entire collection or use the search tool to find resources on issues of particular interest to them.



Records Clearance, Sealing, and Expungement

For many individuals, the ability to “clear” their criminal or juvenile record is the only way to fully overcome the barriers of collateral consequences. “Record clearance” means that an individual’s criminal or juvenile history information is removed from public access, from online searches to formal background checks.

The NRRC is also home to the **Clean Slate Clearinghouse**, which catalogues nearly 900 juvenile and adult record clearance and mitigation policies across all states, the District of Columbia, Puerto Rico, and four outlying U.S. territories. The clearinghouse provides vital information to people who have been involved in the criminal or juvenile legal systems, legal service providers, state policymakers, and others. Like the NICCC, policies on the Clean Slate Clearinghouse are reviewed and updated annually or biannually following legislative schedules. The clearinghouse also includes a comprehensive listing of legal service providers in all U.S. states and territories. In addition, policymakers and legal practitioners and researchers will also find record clearance resources to help guide their work, such as legal journal articles and research reports highlighting best practices in record mitigation and clearance.

Through the NRRC, people leaving prisons and jails and living with a juvenile or adult criminal record can find the information, resources, and supports they need to move beyond past legal system involvement and pursue opportunities to help them thrive. For some, these can offer hope and a path to living fully with dignity and purpose. The NRRC clearinghouses also support legal service providers, advocates, family members, and policymakers in their efforts to ensure that juvenile and adult criminal records and their associated consequences do not unnecessarily hold people back and to understand, navigate, and reform legal systems to provide equitable opportunities for real second chances.

¹ Sawyer, W. & Wagner, P. (2023). *Mass Incarceration: The Whole Pie 2023*. Prison Policy Initiative. <https://www.prisonpolicy.org/reports/pie2023.html>

² Goggins, B. R. and DeBacco, D. A. (2022). *Survey of State Criminal History Information Systems, 2020*. Washington, DC: U.S. Department of Justice, Office of Justice Programs, Bureau of Justice Statistics. Retrieved from <https://www.ojp.gov/pdffiles1/bjs/grants/305602.pdf>

³ The Sentencing Project. (2015). *Half in Ten: Americans with Criminal Records*. <https://www.sentencingproject.org/app/uploads/2022/08/Americans-with-Criminal-Records-Poverty-and-Opportunity-Profile.pdf>

⁴ Juvenile Law Center. (n.d.). *Issues: Records*. <https://jlc.org/issues/records>