

- Event, you automatically consent to the recording. We anticipate that a full recording of today's event, as well as any related resources and materials will be posted to the NRC website next month. One final note, before we jump in today, we will reserve time at the end for your questions. So throughout the panel discussion today, please feel free to type those questions into the Q&A painting in your WebEx window. And we will address as many of those as we can in our time today. I'll jump over and introduce our panelists here in just a moment. But before we do, I wanted to take just a couple of minutes to provide some quick background information on collateral consequences and on the NICCC. Collateral consequences are legal and regulatory restrictions that limit or prohibit people convicted of crimes from accessing employment, business and occupational licensing, housing, voting, education, and other rights, benefits, and opportunities really impacting myriad parts of their lives. While some collateral consequences are designed to serve a legitimate public safety or regulatory function, such as keeping firearms out of the hands of people convicted of violent offenses. Other consequences 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 the opportunities being restricted, such as the revocation of a business license after conviction of any felony and frequently consequences also apply without consideration of the time that's passed between conviction and the opportunity being sought or the person's rehabilitation efforts since their conviction. In recognition of the rapid proliferation of collateral consequences and the increase in the number of people affected by them, Congress originally directed the National Institutes for Research or sorry, National Institute of Justice in 2007, to collect and analyze the collateral consequences in place in the United States. In 2012, the American Bar Association began work on the National Inventory of Collateral Consequences of Criminal Conviction, which is now housed within the National Reentry Resource Center. Today the inventory serves among other functions as an online fully searchable database that identifies and categorizes the statutes and regulations that impose collateral consequences in all 50 states, the federal system, as well as the District of Columbia, U.S. Virgin Islands and Puerto Rico. Today, the inventory contains more than 40,000 consequences across the country and in the federal legal code. The NICCC is currently in the process of reviewing and updating each of these and adding new consequences and removing those that are no longer on the books. I'll conclude by saying that the NICCC also includes a wealth of resources from the field related to collateral consequences, their impact on individuals and efforts at the state and local level to understand and address collateral consequences. On the NICCC site that you see linked here, you'll find more than 100 current state national studies, standards, policies, and model legislation, state consequences, inventories, journal articles, and other reports, videos, podcasts, other trainings, and a wealth of

additional information. And we're always looking to add to the library. So we welcome submissions from the field for inclusion on the site. So with that brief overview of collateral consequences and NICC, I'd like to turn to our panelists today, if they don't mind joining me on camera here, we are so fortunate today to be joined by three individuals working on the front lines to assist individuals with criminal records, not only to understand the vast array of collateral consequences that impact their lives, but have also been working with states and localities to mitigate and remove these collateral consequences. Taking us off, Angel Sanchez is currently a visiting second chance fellow at the Bureau of Justice Assistance, where he is applying his lived and professional experience to enhance BJA's work in corrections and reentry, and to help second chance at grantees best serve individuals returning from incarceration. Most recently, Angel served as a legislative assistant for the Florida Rights Restoration Coalition, which is a grassroots membership organization run by returning citizens who are dedicated to ending the disenfranchisement and discrimination against people with criminal records. Angel, thank you so much for joining us today. We're so happy to have you with us. Angel is joined by Alicia Miller, who is the Second Chance Director at the Ohio Justice and Policy Center, which is a nonprofit law firm fighting for equal justice and fair treatment in all stages of incarceration. They offer a spectrum of free legal services, programs, and resources for people in all communities who lack essential support as they navigate the complexities of the criminal legal system. Alicia's building on her experience as a public defender, and now directs the center's efforts, focused on people, living in the community who are facing barriers to housing, employment, and more as a result of their criminal records. Alicia, thank you so much for joining us today. We're really glad to have you here. And rounding out our panel today is James Williams. James is the Director of Racial Justice Policy at the Fair Share Housing Center, which is a nonprofit advocacy organization that uses litigation and policy strategies to dismantle decades of racial and economic discrimination in New Jersey and nationally. Joining the center in 2019 after working for Philadelphia Works and the New Jersey Institute for Social Justice, James is now responsible for government relations and lobbying for the organization. James, thank you so much for being here. We appreciate you all taking time out of your schedules to join us today. All right, I'd like to jump right in. I'm hoping we can start by having you all tell us a little bit about the specific area of collateral consequences that you are currently working in or previously worked in. As I mentioned, these consequences impact nearly all aspects of lives for individuals with criminal records, but unfortunately we only have about an hour, so we wanna limit it to a couple or to a few here today. And Angel, I'm wondering if you might get us kicked off with your experiences in Florida.

- Sure, thank you for that, Nick. And so happy to be here with my co-panelists. To talk about the areas of collateral consequences that

I've been involved in, I first wanna highlight that collateral consequences unfortunately is just a very fancy word for continuing consequences. And so I wanna make that quite clear. They're very direct as someone who has lived a lot of those so-called collateral consequences that in many words are just ongoing consequences. I think that's a better synonym for them. My primary area of focus, at least for the last half a decade has been in voting rights, particularly in Florida. And now in my role with BJA, it would be focusing on barriers to higher education, both inside corrections and during reentry.

- Great, and if I can have you elaborate just a little bit more in terms of looking at individuals with criminal convictions and how that impacts their voting rights. I know we'll talk specifically about the specific work in Florida, but just if you wouldn't mind letting people know how a criminal record really does impact voting and other civic participation.

- Yeah, so the first thing that it's that many states have what they call disenfranchisement laws or felony disenfranchisement laws. And if you've heard me say felony, rather than felon, we rather use people-centered words and it is the felony that disenfranchises the individual, but there's states that make the disenfranchisement extremely difficult or nearly impossible. And so Florida was among those states where you had life disenfranchisement until the enactment of Amendment IV, which was very popular in 2018. And I'm sure we'll get into, but even after such progressive policies that rolled back some of these, what actually were Jim Crow laws, there's also barriers to that disenfranchisement by the fact that individuals who have fines and fees are prohibited from accessing that benefit. So those are some of the ways which individuals' rights to vote are being curtailed by a criminal record. And then even after the criminal record, by fines and fees that have emerged from that criminal record.

- Thank you, that's very helpful as we start to dive into some of these issues. Alicia, if I could turn to you and tell us a little bit about the area of work you've have been focusing on, particularly around occupational licensing and related consequences.

- Yes, thank you, Nick. So I work at Ohio Justice & Policy Center. It's a nonprofit hall firm. As Nick described, we do outreach clinics in the community for people who have criminal records. In Ohio, there are over a thousand collateral consequences, or as Angel said, ongoing consequences to having a criminal record. One in six people have a criminal conviction in Ohio, they are disproportionately black and brown people. So it is just another way that racism is keeping people out of unemployment or keeping people unemployed. It's an unemployment rate among people with record is five times higher than the typical unemployment rate around the country. So I did want to give an example about occupational licensing and how that plays out. I think that that's easier since I know we all practice different areas of law or

we work in different or we don't even work in law. It's sometimes easier to just give an example. So I'll give you an example of a prior client. I'll call her Lisa that's an Alias. Lisa was a single mother, a single black mother, 10 children, and she was having a lot of problems supporting her family with the income that she had. She wanted to become a certified nursing assistant or a CNA. And that required being licensed by the Ohio Nursing Board. She paid for a course in training in order to start this job start working in this field and she could not get licensed with her criminal record. Her criminal record was already sealed, or if you're more familiar with the term expunged, which means it was hidden for most background checks in Ohio, because we don't do the full expungement, which is actual destruction of the record. So a Nursing Board or any type of board that deals with working with vulnerable populations so education would be another example, they still have it access to the collateral or to the actual record that she had gotten sealed and is considered not to be a part of her record anymore. So she wasn't able to get this job after paying for schooling and things like that. We were able to help her in her situation with getting what's called a certificate of qualification for employment. That is a rehabilitation certificate that people can use in this circumstance. It was used to make that mandatory restriction on her conviction discretionary, meaning that now the Nursing Board would have the ability to license her if they wanted to. And they were not blocked out by that mandatory collateral consequence. So she did end up getting our assistance and getting a new job. She made more money than the jobs that she had been denied for in the past. But unfortunately, a lot of people don't have the time or resources. I'm very actually surprised that she did have the time and resources to get this done. It's a very long process. And obviously once she became employed, all she had done was applied for a CQE. It was never about her qualifications. It was just about a past record that she was supposed to have been granted relief from. So that's just an example of how occupational licensing and licensing boards are. 'Cause oftentimes they do wanna license the person, they're restricted by those mandatory consequences.

- I appreciate, yeah, it is all the more real when you're talking about people and the impacts on their lives. So I appreciate you starting us there. We'll certainly circle back to more of what you and your colleagues are doing around occupational licensing and other barriers to employment. Wanna kick things over to you, James, to talk a little bit about what it looks like for individuals with the criminal record, as they're looking to find and maintain housing in New Jersey and nationally.

- Yeah, thank you guys for having me. So on Juneteenth of 2021, Governor Murphy signed into law the Fair Chance in Housing Act, which is the first statewide comprehensive housing Ban the Box Bill in the country. New Jersey, we lead the nation in racial disparities for black to white incarceration for both adult and youth. And with this

group, I think we can all agree that if you provide a formal incarcerated person with housing, employment and services, their likelihood of recidivating drops exponentially. And I'm biased. My belief is that housing is at the epicenter of that, particularly when you start to think about usually when we think about reentry and housing, our mind automatically trips to males that are released. But if we think about women, mothers that are looking to reunify their families, housing is one of the first questions that a judge is going to ask, do you have safe and secure housing? So by looking to provide opportunities for individuals to present their whole self, as opposed to utilizing the algorithm that traditionally screens out these individuals, we think that this legislation provides them an opportunity because freedom without opportunity is just existence. So we have to go beyond the idea that them being released from prison is just this existential moment. If we don't provide them the opportunity, a lot of individuals recidivate. The other piece of this legislation that we're really proud of is it has attorney general offices level enforcement. A lot of times when you see these pieces of legislation, they're toothless and don't have the kind of teeth behind it that are actually gonna make a substantive impact. But this piece of legislation is going to be enforced by our Division on Civil Rights, which is housed under the Attorney General's Office. And just last week, they lost investigations into seven landlords and developers that were actively promoting no criminal background checks, no criminal records allowed in their units. So we're already starting to make traction. And the bill went live in January. So great to see that DDAG's office is committed to that. So this bill stands as an opportunity to address several other housing barriers that exist within communities of color and particularly formerly incarcerated credit source of lawful income eviction filings are all things that we traditionally find are indicative of people that are returning home. So if we can mitigate those barriers, then we have a high likelihood of these individuals being successful. So I'm really proud of this piece of legislation, and I'm really happy to have this conversation.

- Yeah, thank you for that. I'd actually like to stay with you, if I could. You started to touch on some great points about the recent legislation in New Jersey, but I wanna take a step back and just look a little bit more about the Fair Share Housing Center and the work that it's doing and your role there. Just kind of yeah, tackling these issues from the ground in New Jersey.

- Sure, so Fair Share Housing, historically, we're a public interest law firm and we've our origin story, if you will started with a black woman in Mount Laurel in New Jersey, that was being forced out of her ancestral community. A city council member said, "If you can't afford to live here, then you need to find somewhere else to live." In this town was actually cultivated developed and grown by former black slaves. So this was a very, very important place to them. So our founder, Peter O'Connor and the matriarch of our organization, a woman

that our work stem from named Meth Lawrence went about taking this case all the way to the Supreme court and New Jersey's constitution was interpreted to say that every municipality in the state of New Jersey is required to have an affordable housing set aside, which gives us the strongest affordable housing law in the country. So our work has historically always been rooted around advocating for black and brown communities and ensuring that the intersection of housing, social justice and civil rights is a key point of purpose. Housing acts as there's the house, which is the four walls and the roof, and then there's the home in which the family lives and that home becomes a community in which people thrive. So our goal is to build houses that turn into homes, which turn into communities and those communities are excellent opportunities. And I'll add this and just stop here. So I had a conversation with Robert Smith this past weekend. Bill and Robert Smith and his story was about an opportunity where he was allowed to go to a school outside of his district that was like a magnet school. And from that magnet school, he was able to get into an internship program as a high school student that was meant for college students. He met a young man that peaked his interest. He applied to Cornell and the rest is history. So when I think about the residual impacts of what housing can mean in terms of generational talent and generational wealth, I think it can't be understated that when you provide communities that have schools, healthcare, jobs, clean water, clean air, the sky is the limit. There's generational wealth in housing, historically black people, the first thing we do when someone in our family dies is we have to sell the house because we don't have the generational wealth to take care of funerals. And those are the kind of expenses. So when I think about housing and the work that we do, the goal is to create communities. And that starts with first, the building of affordable housing, which will hopefully act as a pipeline for generational wealth. And from there build the type of communities where black and brown people can thrive and call their own gentrification is rampant throughout this country, communities that were often thought as desolate and unwanted are now seeing tremendous amounts of redevelopment. And in New Jersey, I jokingly say to one side of this is the Atlantic Ocean, where else do you want us to go? So if we're forced out of our homes, unless you expect the people, the black and brown people of this state to become Atlantians, you have to provide housing. So that's the history of our work and what we're looking to accomplish. So yeah, that's what we do.

- Great, great. I'll definitely circle back when I learned more about the involvement that you all had in kind of pushing legislation in New Jersey, but Alicia wanna bring you back in and similarly, just share a little bit more about the Ohio Justice & Policy Center and kind of the work you're doing in this space when it comes to occupational licensing and a range of collateral consequences work that you're working on.

- Yes, so I think the most significant thing that we did specifically

target at employment and occupational licensing was the passing of the bill that created the certificate of qualification for employment. So that was a few years ago. And throughout the years, we have made it a lot easier in order to get that actual application approved. So that's one thing that we've done. Right now, there is a new bill that's being proposed the Senate Bill 288. So we're working on getting that passed. That's going to open up the number of people who are eligible to get those collateral consequences removed through removal of records from their background. So we're working on that. We always advocate for full expungement because that's really truly the only way to get rid of some of these consequences. The easiest way I would say to get rid of them is to allow people to just get full relief from their record, as soon as possible, especially if they have shown that they are not a danger to the community and have been living a crime free life for sometimes we have clients who come in, and they have been without any contact with the justice system for 20 years, and they just can't get that off of their record. So right now, we're working on opening up eligibility for record ceilings so that less people are subject to the collateral consequences. Although I find that it's difficult to just work on the specific collateral consequences because there's so many of them, there's so many different boards, licensing boards that use them. And there's so many licensing boards who are attached to this idea that they really need these consequences to safely license people, which isn't true.

- I appreciate that. I'm curious, you have a very unique title and very fitting for our celebration here this month of second chance director. Curious if you can tell us a little bit about your background and how you came into this role and what specifically that area of the center is focused on working on.

- Yes, I'm from a suburb outside of Cincinnati, Ohio. When I grew up, I didn't know what the difference was that I can tell that there was a difference in the way that I had access to resources and people living in Cincinnati did, children because I was a teenager. So when I was in undergrad, I decided to go to law school to become a public defender. And luckily for me, I decided to go back to Cincinnati, and OJPC is not something I knew about until I was a law student, but it is a unique opportunity because we get the opportunity to work in direct services, as well as systems and advocacy work. Usually things are separated. So for example, as a public defender, I only got to work on the direct services. There are some policy centers who only work on policy. So I got into this work because I was really adamant about interning here. The first internship I did at OJPC was under the previous, a previous second chance director. And that's when I learned a lot about collateral consequences, civil impacts, and how I could try to do as best as I could to combat them as a part of my legal practice as a public defender.

- Wonderful, thank you. I appreciate that. It's always interesting.

People's journeys into the spaces they now occupy. And similarly Angel, I wanna turn things to you. I know you've been in a state of transition from a previous position and now taking on the role at BJA, but if I can stick with Florida for just a little bit, curious, if you could tell us a little bit more about the coalition there and what the work that you all did and continue to do on behalf of individuals looking at voter restoration and the like.

- Absolutely, so the Florida Rights Restoration Coalition, if I could sum it up in a word, it's family to me. I had the privilege of meeting my brother in struggle, Desmond Meade who's the president of FRRRC, maybe like in 2014. And at the time he was just a pure volunteer. We were all volunteers, but one of the things that was unique, Desmond at the time was trying to collect petitions from his mother-in-law's house, running around in his car, trying to get people to sign petitions and restore voting rights to people with prior convictions, something that everybody said wouldn't happen because of the cheap way that we could be demonized as convicts. But what was really different about this situation was that FRRRC was not only fighting for individuals with felony convictions. We were all led by individuals with felony convictions. So as we were both trying to get some relief, we were also doing the leadership work. And in that moment, we were also changing narratives. The people we were encountering, weren't encountering us as those commercialized, demonized felons, and convicts. They were seeing us as leaders, as friends, as uncles, as children, as parents, and saw that everybody deserves a second chance. And when individuals reintegrate successfully, we all win, right? So it almost became a win-win for a lot of people. And that ultimately culminated in the initiative going on a ballot, which was very difficult in Florida for a citizen initiative to go on a ballot, to amend the state constitution. It wasn't even just the law to change the state constitution and needed more than 60% of the vote. And that's what FRRRC is most popularly known for in 2018 for having successfully gotten the state of Florida with a super majority to say yes to second chances and restore voting rights on an objective measure upon the completion of sentence, to all individuals who were not convicted of murder or felony sex offense. And I wanna pause right there, it isn't that we don't believe. In fact, FRRRC have have individuals with those prior convictions, it isn't that we don't believe that those individuals who are part of their community contributing don't deserve the right to vote, but it was a reality that still we have to meet people where they are. And for a lot of people, it isn't a question of so much public safety or reason, but a lot of times still remains a lot of righteous indignation towards certain offenses. And oftentimes the term violent offense is used as a blanket statement, but it's really trying to speak to do these two types of felonies. And so that was a carve out if you will. And now that we in the state of Florida had regained the right to vote, we saw measures that try to chip away at what I call sore losers bills that try to chip away at some of that win. But the ultimate reason for the

refranchisement is not seen voting as an ends in itself, but as a gateway right, that allow now individuals like Desmond, like myself to become civically engaged, which data tells us that people who are civically engaged are less likely to recidivate. So we all win just because of that, allow to undo some of that generational disenfranchisement that goes beyond laws and is more in psychology, just like I became the first in my family to go to college where I became the first in my family to cast a ballot at the age of 36. And I took my nieces and nephews to the ballot with me so that they could have that experience and have that same expectation of themselves. Because when you start denying communities a lot of opportunities and rights for numbers of generations, communities learn how to live without it, and then end up unappreciating it. And so now we're trying to undo also the psychological consequences that have been created because of these barriers. So I'm proud to call FRRRC family, even though I'm no longer on staff there, partly because of what it symbolizes. It symbolizes that individuals who have been demonized and indeed individuals who may have been part of the problem have a lot to contribute and can be part of the solution. And if given a chance, we could start cringing the narratives. I'm sure there's plenty of people watching me today saying, wow, if you would've told me that's a convicted felon, but this is what I'm seeing from that individual. I could make a better judgment and it wouldn't, it doesn't actually give it with the narratives that they've been hearing. And to those same individuals, the next thing that comes to mind is, well, you're probably in exception, and that's why I'm so happy with organizations like FRRCs or Vote NOLA in New Orleans, or all of us in the west coast is because let me take you to these organizations so you can see a laundry list of us. And let's start removing some of these exceptional barriers so that we can make these so-called exceptional stories the normal. So I'll leave it there.

- That's fantastic. So much to pull on there. And I wanna come back to you Angel, and talk a little bit about your work at BJA, but James, I wanna see if there's anything you'd like to add. Both Alicia and Angel have talked about the work their organizations have done to push forward legislation in their states. You mentioned new legislation in New Jersey. I'm sure there are folks participating today that are interested in, like, how do you get from there to here? What does it take for an organization or a group of organizations to put together something that becomes legislation and then becomes law that gets enacted? Just curious if you wouldn't mind sharing a little bit about your center's work and pushing forward legislation in New Jersey and kind of yeah, the challenges there.

- Sure. One of the key points that we emphasize is that Governor Murphy during his first campaign and his first election, he carried 94% of the black vote. Almost seems like a fake number, if you will. So as he was campaigning for a second term, we made it a point of reminding him that black and brown people got him in to Trenton. I

think we did a good job of leveraging our community's political impact and reminding our legislators that without us, particularly, you know them in particular, it's a tough road to hope without the black and brown community supporting you. The second piece that we made it a point of not appropriating, but utilizing if you will, is the racial reckoning that occurred. All this country has always been under a racial reckoning, but the new reminder, if you will, after George Floyd. So we wanted to address the need for legislation that particularly spoke to the needs of black and brown communities. Once again, the fact that New Jersey, a quote unquote, Northern blue state leave the nation and racial disparities, it almost seems comical. We have at 12 to one for adult 22 to one for youth, and we're talking about an average length incarceration, five to seven years and the cost for youth is like 325. For adults, we're pushing \$70,000. So from an economic standpoint, we really push the narrative of what it is costing our state to incarcerate engage these black and brown people, as opposed to providing them much more cost effective resources on the outside with the ability, with the opportunity for them to provide substantive income will substantive impact to our community align that youths. And I think it's not my own, but I think it speaks to what we're talking about those second opportunities. In today's society, we would've never let Malcolm Little become Malcolm X. We would've never let that drug dealing Pimp become that charismatic leader that he turned out to be. He's probably one of the most influential people of the 20th century and globally in history. But just imagine if he would've only been relegated to the criminal record that he was on paper. So I think we have to look past who an individual is on paper and provide them once again, going back to that idea of opportunity after those crimes have been committed, many of our great civil rights leaders have criminal records, King had a record. X had a record, Angela Davis had a record, Huey Newton had a record like, there many, many, many that we can go on and on, John Lewis, like this, that's a part of the fabric of what it takes to do this work. So if you identify individuals that have a criminal record as those that aren't fit to be in society, then who's left. If we look back historically, our founding fathers committed treasonous acts, they were criminals, but it was done under the idea of creating this great experiment, which is our country. So there is opportunity for individuals if we provide it to 'em and that's the key, but that goes back to that statement of racial reckoning, the people that have been historically the most disenfranchised and denied that opportunity have been black and brown communities. And that's part of that evolution. We went from slavery to Jim Crow, from Jim Crow to... no, I'm sorry, from slavery to share cropping, from share cropping to Jim Crow, to Jim Crow to the drug epidemic, to the drug epidemic, to mass incarceration, to mass incarceration, to excessive use of police violence, black and brown people have been confronted at every side as this country has evolved. So our work and hearing the great comments from my colleagues is squarely around, like, what does that look like? How can we as a country identify that we have never gotten rid of slavery? We've just

evolved the process. So we are still dealing with this same issue that we saw generations ago. It's just new, no more crosses, no more nooses, just garbels and badges. Now, pieces of paperwork that take people's opportunity away before it even gets started. A young person goes to jail. And that doctor, that person that could cure cancer is now relegated to being in a juvenile justice system, their whole life. What does that mean? So I appreciate the work that my fellow panelists are doing, and I think that they're doing tremendous, tremendous work. I applaud them, and I hope that we can continue to erase barriers and make this country realize that we need to do better.

- I appreciate that. Yeah, certainly not a straightforward issue, but not a new issue as you say. Alicia, I wanna see if you have anything to add in terms of reflecting on anything James said, or just in particular kind of the work, a similar question that the center's been doing on a legislative level, things that you are in the works or pushing forward you've mentioned some on the ground efforts, but curious if there's anything that you're pushing to a state level or additional laws or acts you're tracking.

- So, one thing that we are interested in doing in Ohio is Clean Slate Initiative, which I saw there was a presentation about that Sunday. I'm sorry, I missed it. Clean Slate Initiatives when they automatically expunge so destroy the records after a certain amount of time, the person doesn't have to apply for it, the person doesn't have to go to court for it. I believe Pennsylvania has done this. And the problem that we have here at OJPC is Ohio's not a unified court system. So every county has a different way of doing things, and that can also be different. Hamilton County, at least is pretty consistent with felony and misdemeanor court, but they can also differ between courts, even in some of these other counties. And so in order to get that, that law takes technology to support. And so our system is in Hamilton County or in Cincinnati is really antiquated and not able to actually even handle that type of relief. So the first thing that we are doing at OJPC is we're working with someone who lives in Columbus, Ohio, and they started an electronic record stealing tool that people can use. So we're hoping we're gonna be the ones to launch it in Cincinnati. And we're hoping that by showing, okay, here's how technology can improve the system, here's how technology can make relief from your records accessible that the courts will then try to improve their technology and give us a way to get full destruction of these records at some point for people.

- No, it's a fantastic point. We did have one of our panelists on Monday talk about the importance of that technological backbone to really make records clearance a reality. So, yeah, I'd love to learn more about what you all are doing. So many great topics to cover. Angel, I wanna come back to you. We did get a couple of questions about things on the federal level. And I know while you're with the Bureau of Justice Assistants as a fellow, well, I'll let you talk a

little bit about your work as a fellow there, and kind of what you're doing now on a national level from your experience.

- So at BJA, one of the things that I take most dear to my heart as a responsibility is to provide a lived experience perspective to the conversations and to the ongoing work that already exists, and then highlight some of the fault lines that oftentimes get missed and the blind spots that get missed, even when there's well-intentioned policies or well-intentioned practitioners, but unfortunately only see it from the practitioner's point of view or even the correctional point of view, because at bottom, if we wanna get to individuals before they're released into the community, we have to come to them through corrections. And so there is a reality that is seen from the correctional point of view, and then there's the reality that's seen from the prison yard, right? And from the individual who's incarcerated. And so that's one of the primary things that I'm bringing into this role as it relates to the national efforts in different parts, but not only mine, because my perspective in and of itself, it's also very limited. Today I am very much detached from a lot of the transitional barriers that I once experience, even though despite all these achievements, I still encounter them. In fact, this week, I am writing a personal statement to explain my criminal history at this juncture, despite having this fellowship with BJA, graduating from law school, with honors and whatnot. But I do have a front row seat to my sister's reentry into society. She's a single mother of three, and I could imagine without me helping her co-parent and with all this social capital and cultural capital that I have, I don't know that she would have been successful. And when she would have failed, I think a lot of us that are not privy to that perspective and that lived experience would have said she didn't try hard enough, which isn't fair for her. And we all at the end suffer because of it. I think I heard James talk about, where do you want us to go when you start gentrifying? And the reality is that we have government funded housing that we use for surplus housing needs, and those are prisons in jail sadly, it isn't like we're not already spending money to house people. We just do it in a punitive way. And that seems to be a little bit more palatable, unfortunately, but even if it was just that the consequences and the ripple effect that has negatively, I think behooves all of us to want to say, we have to figure out a different way, because likewise, when you help one, it's that person plus the ripple effect. As we heard the story of the individual who won the Cornell and the positive ripple effect that had. So I do want focus on some of that, and I wanna bring back a little bit of the work that FRRC is doing on the ground. Once the right to vote was established and barriers, both Clean Slate, for example, in Philadelphia and Pennsylvania have been attached again to fines and fees being satisfied. And a lot of these fees are court costs, meaning they are a procedural cost. They're not even fines. Oftentimes they're just simply to fund the operation of the criminal justice system. So the incentives of the structures are such that when during COVID less

people were going through the court system, what happened is a lot of those court systems were having budget shortfalls. And so we have an incentives misaligned to not want to have individuals go through the court system, less they then have budget shortfall. So we have to correct some of those incentives. I think I heard it once said that when you have systems and policies and structures and organizations in centers put in such a way that it makes good people do bad things that should be a red flag, that that's a bad system, right? And I think that's some of the things that we missed because we are working on the front lines, but don't realize that the structures are just put in such a way that they incentivize the system to continue the way it is.

- Yeah, absolutely. I'm hoping I can touch on, or have you touch on one part of the work, as I understand it at BJA, taking a look at the current funding mechanisms through BJA and the work that they're doing there, and the measuring the outcomes from those funding, Second Chance Act funds go to 200 plus jurisdictions around the country. I know you'll be working on behalf of, and support of those grantees, but wondering if you might touch on just again, your focus there and looking at the way BJA is providing funding and measuring outcomes from that funding.

- Yeah, so something that is near and dear to my heart is the access to higher education. And part of it is because I didn't have it while I was in prison. I was very fortunate to go to prison in late 1999 and stay in prison through 2011. So through that 12-year period, my first part of my prison sentence still had a lot of individuals who had been in prison for about two decades who had been exposed to Pell Grant funding, higher education before it was banned in 1994. And their instillment of higher education and using donated books to instill the use of higher education and to think in such a way, inspired me to one day, get out and go to college. And it was very transformative for me. If at first it was transformative for me in the sense that it gave me a self-esteem. So when guards would demean me and act like I was ignorant because of the community I came from, it protected that and made me feel that I was smarter than that same guard who was trying to call me ignorant, but then it also empowered me to begin, like I argue, it gave color to the world. I began understanding how middle class America operates. And that's when I started dreaming, "If I ever got out, I'm going to college." And then once I did write to a community college, afraid that they would be turned off because of my criminal history, gang related shootings and firearms, violent offenses, I was surprised to learn that they would send a catalog with a note saying, "Come see us when you get out." And that was the second revelation to me that there was a world such as higher ed. Sometimes that it's a little bit more forgiving and more supportive of second chances. And so those two things made me dream of someday promoting higher education for people in arguably the third or the fourth largest state in the country in Florida, but more importantly for the nation. So I never thought I would live to see Pell be reinstated. It

was banned for almost 30 years and it just got reinstated and will go online next year. And immediately upon noticing that I immediately went to work and said, "We have to identify fault lines." So for example, I had a community college ready to receive me for where was I going to live? I was almost on the verge of fainting a drug problem so that I could go through a drug shelter because otherwise I couldn't get any housing. And while this housing might seem very small in that, it's very critical in those first 90, 180 days, then I get to the Salvation Army work program in Orlando and a city away from my old neighborhoods. I felt like if I went to back to my old neighborhoods, that would be walking into a revolving door, back into prison, my mom continues to battle drug addictions. I have 10 years of probation, but when I get to that work program and I reveal to them my desire to enroll in the college that I had to note that I had the catalog to enroll in the local community college, I was warned that if I enrolled in the college before I got a job, I would have to find another place to live because they were a work program, not an educational program. And so having had that awareness, I was lucky. And I would emphasize that word luck. I was lucky that the assistant manager was a former correction officer who then became my advocate and said, "When we see individuals like this, we need to support them and made exceptions." And I would emphasize to that word exception for me and allowed me to stay there for 18 months while I went to community college from that shelter and allowed me to become then a 4.0 student, which then earned me some scholarships. My work study job was the first full professional actual legitimate job I ever had, which then gave me credibility to get another office job later. So those two things, housing and work study created these opportunities, but let's be clear what they were. There were products of chance, of luck, of exceptions. And if that's what we're counting on for people to successfully reintegrate, we're in bad shape. So now that Pell Grant is being reinstated, my goal is to try to get second chance at grantees and others in the field to turn their eye to individuals and try to create a opportunity and pathways that is fitted for individuals who want to continue education, because that is the way that they're gonna access mobility. And that is also the way they're gonna access some of the work experience they need through a lot of the work study on campus. And it's the way that they're gonna access some of middle class America, which I now have the privilege to be part of. So that's what I'm hoping my project does is create what I call corrections to college pipeline networks and pathways, and I emphasize corrections to college rather than prison to school, because I am trying to highlight beyond the K through 12 access. So post-secondary education and certainly college and advanced degrees.

- Wow, yeah, it's inspiring work to take on and comes from a very inspired place. I think you close us with a great theme I'd like to pull on, and that's the nature of our opportunities and providing opportunities for individuals. And I think all three of you are working to ensure that as many people as possible that have been

denied opportunities or have had more challenges put in their way than opportunities are working to address that. So if I could have us all kind of close on the work you're looking forward to for yourself and for your organization and kind of what you're most excited about and being able to provide opportunities to individuals with criminal records and others. Alicia, if I can kick off with you just again, what's next for you and what you're most excited about in this space?

- I guess, and I just wanna thank Angel for sharing all of that. It's really hard to kind of communicate just how difficult these things are for people when they are struggling with additional barriers of a record, because they already have so many barriers that they're fighting against. So I really appreciate his input on that. And it just reminds me, one of the things I'm really excited about is we will be working with the community health worker here in Cincinnati. It's a program where people with lived experiences guide, they go through a training program and then they guide people with similar experiences through the process. So for example, our clients who relapse and cannot finish their services. So if they want to get their records sealed or they want to get a COE, but they can't go to court because they're still in their drug addiction. That's someone who will kind of hold their hand through the process of getting treatment or hold their hand through the process of getting housing, having a healthy baby and things like that. So that some of the problems where they do intentionally make relief so difficult to get, they say, here are the options to help returning citizens, but they make them so difficult and so inaccessible. So I'm excited about this program. It's with an organization called Health Care Access Now in Cincinnati that's really going to give people, not just a guide, but someone who's actually been through the same things that they have been through and understand exactly what it takes to help them. And of course, we push for a clean slate law every year. So we are always pushing for that full expungement. That's something that we will never stop working for. And there's been a lot of incremental changes here, but we're looking to make some big changes.

- That's fantastic. I look forward to hearing what's next in Ohio and look forward to that Ohio Clean Slate Bill and chapter there. I know our colleagues at the Clean Slate Initiative are fully in support of the work there in Ohio, as it is underway. James, if I could turn to you similar question of kind of what's next for you in the Housing Center and what are you most excited about as you look ahead to increasing opportunities for folks?

- We just wanna continue to make sure that housing stays to the forefront of the conversation. We usually start with a statement that housing is a right. So we think it almost becomes unconstitutional and criminal to continue to couple the criminal justice system with housing, we see that more and more states are removing the criteria for those that have oppressed passed, forgive me prior conviction,

they're having their voting rights restored. We saw that just happen in Florida. So from the standpoint of what it looks like to decouple the criminal justice system from housing, from voting rights, it's long overdue. So many of these things are being anchored to these fundamental rights. And we want to continue to advocate for ways to ensure that housing is a standalone that nothing impedes it, that nothing comes in a way of individuals getting access to it. And that we provide the kind of housing and opportunities that will allow everyone in this country to be successful. Robert Smith, having met him, he's not the exception to the rule, going back to Angel's point. There were a lot of things that worked in his favor, but it's not beyond me that there could be other versions of him out there that never got the chance. So when I think about him and other people that have had a tremendous amount of success, and I also think about the thousands, the millions of people that are in cages around this country, how many other brilliant minds, how many other entrepreneurs, how many other just earth changing individuals are behind bars. And when they return home, there's still an opportunity for them to reach that genius level that they have. And if we don't continue to strive to ensure that those people can tap into that singular, 'cause all it takes is a singular moment. A book, a conversation, just one person to provide you that opportunity and then like a rocket you take off and that's all it takes. It's one singular opportunity. And I think our goal is to look at housing as that opportunity, a safe place that you could go home reunite with your family, lay down, sit, relax, fill out job applications, continue to heal. Being incarcerated is a traumatic experience. Continue to go through your therapy, continue to learn like, and COVID has taught us that housing is everything to us, right? It became my daughter's first grade class. It became her gym, it became my gym. It became a yoga studio. It became a music play place. It became everything. So housing has the ability to be this nexus of potential. And we have to continue to advocate for it as such so our work will continue to address eviction violence. So many people had evictions filed against them. And we know that that is another huge barrier for people not only formally incarcerated, but just people in general. So that's on the horizon. We are still leery that evictions, massive evictions could be out there as states are starting to run out of their rental repayment funds, credit, black and brown communities don't have the same access to credit as other communities. So how do we get to that point? Eviction filing, social lawful income. These are just some of the few things that we're focusing on and I'm just reading the chat. Our goal is to make it happen on a state level so that we can start to begin the conversation of creating an appetite for it on the federal level. We wanted to push hard. In New Jersey, particularly we have legislators that we have a tremendous relationship with and we really want to show them that it can be done. A lot of legislators sometimes are looking for to your point from the grassroots communities to show the will, the resolve to get these things done. And we push our politicians to do greatness. Information shouldn't come from Washington. It should come from our communities to

Washington. So we need to tell our legislators that it can be done and they need to find the will to do it. So that's our motto. That's what we would like to continue to strive for. And we hope that the next time we convene that we've had the opportunity to pass another historic piece of legislation. And that's our goal, that's our appetite. And that's what we wanna do.

- Fantastic. Well, I'm thankful for your home for bringing you to us today for giving you that space. And thank you for those comments. Angel, we're at the top of the hour, but I wanna reserve space here for kind of what's next. Whether you look towards what Florida's gonna do in the wake of the legislation there, what's next? I know you've started to talk about a little bit what's next for you at BJA, but yeah, kind of the last word of what are you most excited about as you look ahead?

- Well, I echo all what my co-panelists have shared as reasons to be excited on. Personally, the one thing or the thing that I would add is the role that FRRC and other grassroots organizations that are led by formerly incarcerated leaders, the role that they're playing in changing culture and narratives. I'm so excited about the fact that we have a Mark Carter genius fellow coming out of FRRC with Desmond. Now we have a second chance fellow, a visiting fellow at BJA coming with me. And we were all at one time, not even eligible to apply for a certain job or to live in a certain place. So that by in and of itself just gives me goosebumps. And then all the bipartisan movement that's happening around the country, both in Florida with the passage of Amendment IV when you allow people to voice their sentiments on second chances, you see super majorities, right? And then the Second Chance Act a bipartisan act to create more successful reintegration. But I also know it's generational work. These are seeds that are being planted, but it does excite me. And if I had to point to the one thing that I think makes me emotional to just see happen was the restoration of Pell Grants for incarcerated students. I know what that means for someone who may never get out, and cannot afford a correspondence course, and I know what individuals like myself who are incarcerated will be able to do with that education and how they'll be able to contribute to the conversation. So that's what moves me, that's what excites me. And that's what I'll be focusing on is the restoration up Pell and creating access for those that do get out, but also for those that are probably not getting out soon.

- Yeah, that's great. And I'll put in a plug, we do have a number of sessions focused on the reinstatement of Pell that our colleagues of your institute are leading and have led. So be sure to check out the slate of events this month focused on that. Well, I'll pause here just to say a quick thank you to all of you for talking through those, the work that you're doing, and the people that you are that you bring to the work that you're doing so I appreciate that. What I encourage participants to do, we do have about a little over 10 minutes reserved

for some additional questions and thoughts from participants. A few that have come in, I know there is interest of what's happening at the national level. I will mention, Angel pointed out some things that I will mention the shifts within the U.S. Department of Housing and Urban Development there's resources on the National Reentry Resource Center. Just talking about HUD's movement and Secretary Fudge's letter from June of last year, acknowledging, as we've said that housing is a basic need and individuals exiting incarceration are at risk of homelessness and thus are eligible for federal vouchers in support of housing. So information there, I won't pretend to speak to other federal priorities and what's moving there, but I know for the National Reentry Resource Center and the NICCC, we do constantly kind of monitor what's going on. And I think all of our panels make a great point that what happens at the federal level is almost singularly a result of what's going on at the state and local level. So raising the voices of individuals within states highlighting the successes within states at a legislative level is always going to be key to moving federal policy along. I'm sure there'd be plenty more to say there. Many of you are timing in with your contact information, sharing the work that you're doing. It's so great to see all of the movement in the country. I see connections being made in front of me here and typing. I'm trying to look to see if we have any specific questions that you all haven't already addressed. I'm not seeing anything immediately. So while I pause here, let's see. There we go, perfect timing. So there is a question for anyone on the panel about thoughts or suggestions about background check variances navigating through. I know James mentioned Ban the Box and others, some different ways that you all are assisting and individuals understanding background checks and their impacts and how to navigate those. Alicia, maybe I'll start with you around background checks.

- So for background checks, they basically are the way that we find out about all of the issues that we've talked well, not we, but the way that the people who are running these background checks, that's how they're finding out and blocking people out of opportunities. And it can be that when we do work on background checks, we do do background check corrections and help people with that. If people are going to actually... I'm sorry, I got distracted by the next question.

- No worries.

- But if people are going to actually have a background check, it has to be correct. And so there is a process for making sure that if someone was denied because of a record that the background check that they received was correct, so that goes into legal advocacy that we would have to reach out to the employer or the housing agent in order to help someone through that, but that's our specific help with background checks. But we also explain to people the differences between background checks. So if you do a background check and you're not doing fingerprinting, here in Ohio, if you have your record

sealed, it's not going to pull up that record. But if you do one where you are fingerprinted, that's where they still have access to your records. And that's usually for government employment is a common one, or it's not common with housing that they have that access here in Hamilton County, but like nursing, working at schools, hospitals, and things like that, people are getting fingerprinted and still being held accountable for something that is actually supposed to be in their knowledge. They're not supposed to be held accountable for anymore. So yeah, background checks, they can be really complicated and can be really difficult to get someone to help because on the other side of it, you're not actually talking to someone who is knowledgeable on the law around background checks and why this is unfair and why it is improper by the time we've helped someone navigate that process, the job is gone to somebody else. So yeah, it is a challenge. And that's the way that we try to work through those challenges.

- Yeah, absolutely, Angel or James, anything to add around background checks?

- I would add from a direct experience, so one of the things that unfortunately has had been a reality, imagine applying for the most prestigious university with essays or the most involved grant application or scholarship, having to put together a personal statement, everything you've done in your life trying to change, that's what most of us have to do if we wanna be successful in trying to explain our past. So that's how intense it goes into it. And so that's why you see a lot of us just drop out when the question comes up and that speaks to the importance of Banning the Box. But I would highlight that that's just a first response because you still have to deal with the question later, and then we might have legal reasons. And I'll give you an example. My probation was terminated for good behavior early in 2014. And the courts retroactively terminated the date till when I got outta prison in 2011, so that I could have started my clean slate time from 2011. However, I got a question. Have you been on probation within the last 10 years? Legally or technically, no, because that goes back to 2011, but practically there's records out there that might show that I was in supervision on 2012, 2013. So out of transparency, I say yes. And now that transparency leads to more questions. And so I'm caught in between, and I'm sure Alicia and James can resonate with this. But when you're walking around, always with a question mark on your mind over you, you are always having to be twice as good just to get half as much, right? And so when you have this question mark, now you have to be extra transparent and then deal with stuff. And so you're like, well, legally I was right. Yeah, but we don't want legally. Now I feel like I doubt you to begin with. And so it becomes this catch 22 that I've experienced. And then oftentimes when you go into places because of your past a probation is placed upon you. So I got accepted finally at a university with indefinite disciplinary probation. And while to

them, I had not done anything wrong later on when I'm applying to the bar, the university to tell me I don't have to rebuild it to anybody. But when the bar is asking me, have you ever been placed on disciplinary probation at any university or school? Do I become the hyper-technical debater or do I show transparency? And so now I had an additional thing to explain to show I was on disciplinary probation at the university, but never had any disciplinary infraction at a university. And it created more record upon record that I had to explain. I see Alicia's reaction, which just makes you just feel so defeated and exhausted. And so I want us to think about that as we're trying to both change policy and how they look, what they look like in practice.

- And I just wanna add a lot of times, it's not actually about being just twice as good. I feel like for our clients, they have to be nearly perfect in order to just be considered for opportunities, even with CQEs and Ban the Box, that's just getting them a second opportunity to explain themselves or giving them more time to actually show why they should be considered for employment, housing or licensing. But the truth is that our most close, like perfect journey from having a criminal background into when that ended until now, like an example is to get a pardon they want you to have done community service. I can honestly say I am a single mother and I am an attorney. Obviously I work in a service oriented field, but where would I have time to do the community service? So they're looking at people that they know have these barriers, they're asking for so much of them. And then my question for the parole board is how many of you have done community service? Obviously, I'm not gonna say that, but it's very frustrating. They expect perfection to even give someone with a criminal record a chance, and it is very difficult and frustrating.

- I appreciate that. We're bumping up against time here, James, but I do wanna see if you have anything to add here maybe to close us out for this afternoon.

- Sure, so I think going back to the screening agencies there, it's a very unregulated industry, the purity of the information isn't there. Sometimes you have individuals that are merely just using Google. I have a very common name. You Google my name. There's no telling what you may find. So the idea that these agencies that are not soliciting their information from verified sources. So work in higher education and that's conveying to my students that it's like citing, where are you getting your information from? When I was in graduate school, like Wikipedia was never allowed, but now, some are allowed to cite Wikipedia. It's not a credible source in my book. So how do we ensure that these individuals are getting their information from a credible source? It should to Angel's point, they should only be getting it from a source that serves a real time up to date status on where he is in as it pertains to his cases and everything. It shouldn't show case pending because one court didn't update the records. It shouldn't show

still on probation. It shouldn't show all those kind of things. But if these systems, and we all know that they don't talk for whatever reason, we can send a person to the moon and order the planet, but we can't create systems that actually talk to one another and provide real time updates because the housing system doesn't talk to the DOC system and the DOC system doesn't talk to the county level police and the county level police doesn't report it back to health and human services. So, nobody knows what the real information is. And that goes back to Angel's point. He has to walk around with a binder full of documentation, just to prove that who he is, and that he's met all his legal obligations. And without that binder, he's classified purely as a criminal, purely as a criminal though he served his time, though he's a fellow, though he's done everything that the state has asked him to do. And more without that documentation. And I can say it probably without even knowing it, he probably has one saved on his computer, a set of documents saved on his phone and one printed out just in case, because he has to go through those additional steps because every level of engagement that he'll have, oh, well, can you send us, I've got it right here on my phone. He got emailed it out and he comes back and he says, here's a paper copy. He keeps all these things because without it, without it, the opportunities that we've discussed will never be afforded to him. So he has to have this almost OCD level of record keeping just to verify that he is who he is. So the purity of information inciting like the appropriate sources is something that we need to work on. And we need to have systems that talk all of these departments, as it pertains to criminal records should all have a way of, in a linear way updating real time, so that we can know exactly what that looks like, but they don't, and that's a technology barrier. And unfortunately, those that unfortunately reap the negative benefits more times than most are gonna be people of color and people that are formally incarcerated. So not only do we have to work, excuse me, to verify that criminal records are correct, but we also have to make sure that the systems that maintain these records are actually speaking to one another so that these barriers don't continue to exist.

- Yeah, no, and that's a perfect topic we could have a whole other panel on. Yeah, thank you all. It's hard to leave any conversation like this at a stopping point, but I'll use the clock as my guide here. I wanna thank the three of you again, for all the time and effort that went into this for sharing of yourselves and sharing of your work. This has been an amazing panel. I see the accolades coming in already. I know it's highly appreciated by those that were here. So thank you again to the three of you. We will post an archive of this next month, and we will supplement this, this recording of the event with some additional materials that have come in and look forward to continuing the conversation. Some great information shared here. If you have additional information that you'd like to share, email address theirs for info@nationalreentryresourcecenter.org, reach out to any of us. And let's use this as a springboard for continued

conversation around this topic. So thank you all again for joining and thank you again to our panelists for an amazing discussion today. Much appreciated.

- [All] Thank you.