

REENTRY PLANNING TOOLKIT

*for all service provider
professionals supporting
people in reentry &
people with arrest and
conviction records*

about root & rebound's programs and services

Root & Rebound is a non-profit **reentry legal resource and advocacy center**. Our mission is to increase access to justice and opportunity for people in reentry from prison and jail and people with records, and to educate and empower those who support them. In California, we offer **statewide** resources and programs, which are summarized below. Visit our website at rootandrebound.org, or call [510-279-4662](tel:510-279-4662), to learn more.

TOOLKITS

Our **Reentry Planning Toolkits** are concise reentry planning guides tailored to the different audiences that rely on them. They contain key know-your-rights information, planning tools and checklists, and information around gaining ID, voting rights, navigating the employment search, family reunification, education, parole and probation issues, record-cleaning, and other key reentry issues. Our cost structure is as follows:

- **1) Reentry Planning Toolkit for People in Reentry & People with Records: FREE.** By contacting Root & Rebound requesting reentry legal resources, currently incarcerated people will automatically be sent this *Reentry Planning Toolkit* for free. (Donations are always welcome; no amount is too small.)
- **2) Reentry Planning Toolkit for Family Members with a Loved One in Reentry: FREE.** By contacting Root & Rebound, family members with a loved one in reentry will automatically be offered this *Reentry Planning Toolkit* for free. (Donations encouraged, no amount is too small.)
- **3) Reentry Planning Toolkit for Service Providers Supporting People in Reentry: Cost: \$10 each.**

We also offer special topic-specific toolkits:

- **California Employers' Fair Chance Hiring Toolkit** -- This Toolkit is ideal for employers and workforce development professionals to learn about the benefits, best practices, and legal requirements around hiring people with conviction histories. *Cost: \$10 each.*
- **"My Education, My Freedom": A Toolkit for Formerly Incarcerated and System-Impacted Students to Pursue Your Education in California: FREE to individuals who are currently and actively seeking to go back to school or enroll in college, and \$10 for all others.**

All Toolkits are available to order online at rootandrebound.org/roadmap, or by calling us at [510-279-4662](tel:510-279-4662).

ROADMAP TO REENTRY LEGAL GUIDE

For case-specific questions, the *Roadmap to Reentry Legal Guide* is an essential resource for navigating the legal impact of a criminal record on housing, employment, family, parole and probation issues, getting ID, and more. Access our searchable website of the *Roadmap to Reentry* at roadmap.rootandrebound.org. *For a paper copy of the guidebook, the cost is as follows:*

- **If your client is currently incarcerated:**
 - **FREE to check out from their institution's library.** If there is no copy in your client's institution's library, call us any Friday at [510-279-4662](tel:510-279-4662) from 9 a.m. – 5 p.m. PST (we accept collect calls); write us at Root & Rebound, 1730 Franklin Street, Suite 300, Oakland, CA 94612; or email us at roadmap@rootandrebound.org on their behalf, and we will be sure to send one to the institution.
 - **If your client wants a copy of the book,** the cost is **\$20**. Someone can order this on their behalf by calling Root & Rebound at [510-279-4662](tel:510-279-4662) or ordering online at rootandrebound.org/roadmap.
- **For everyone else:**
 - **FREE to view or download a PDF** of the guide at rootandrebound.org/roadmap
 - **FREE to access the searchable website** of the guide at roadmap.rootandrebound.org
 - **If you want your own copy of the book,** the cost is **\$39**. Order by phone at [510-279-4662](tel:510-279-4662) or online at rootandrebound.org/roadmap

HOTLINE

Root & Rebound runs the only statewide Reentry Legal Hotline in the country where currently and formerly incarcerated people and people with conviction histories, their family and loved ones, and service providers can call and speak to a reentry attorney *for free*. Call the Hotline any Friday, 9 a.m. - 5 p.m. PST, at phone number [510-279-4662](tel:510-279-4662). **Please note: Currently incarcerated people** that do not have phone access can write us confidential, legal mail at: Root & Rebound, 1730 Franklin St., Suite 300, Oakland, CA 94612 (ATTN: Katherine Katcher, SBN 295448).

CLINICS

Root & Rebound offers in-person legal clinics statewide, where people with records can sign up for a one-on-one appointment with a member of our legal team. We focus our clinics on issues and regions that are the most underserved, including in rural communities, with our tribal partners, and focusing on issues like family law, parole and probation, record-cleaning and other hard-to-access legal services for people with past justice system involvement.

TRAININGS

Community-based and prison- and jail-based trainings are critical to Root & Rebound's approach to reentry legal advocacy. As a small team of attorneys, our trainings allow us to share critical reentry legal knowledge statewide with directly impacted people and service providers, and in turn learn directly from people on the ground about the most pressing needs for people with records in their community. Through grants and MOUs, we also partner with CBOs and government agencies to embed Root & Rebound's legal trainings, direct services, and curriculum into our partner's services, thus improving the holistic outcomes for their clients.

CONTACT US: If you have any questions, please call us at [510-279-4662](tel:510-279-4662), email us at info@rootandrebound.org, or write us at 1730 Franklin Street, Suite 300, Oakland, CA 94612.

DONATE: If you find value in this *Reentry Planning Toolkit* and Root & Rebound's work, please consider donating at rootandrebound.org/donate to help sustain our free resources and trainings offered to currently and formerly incarcerated people and their loved ones.

DISCLAIMER

WHEN PUTTING TOGETHER THIS TOOLKIT, ROOT & REBOUND DID ITS BEST TO OFFER HELPFUL AND ACCURATE INFORMATION FOR INDIVIDUALS IN REENTRY AND INDIVIDUALS WITH CONVICTIONS RECORDS. HOWEVER, WE CANNOT UPDATE THIS TOOLKIT EVERY TIME THERE IS A CHANGE IN LAW OR POLICY, AND IT IS YOUR RESPONSIBILITY TO MAKE SURE THE LAW HAS NOT CHANGED AND APPLIES TO YOUR INDIVIDUAL SITUATION.

THIS TOOLKIT IS NOT INTENDED TO GIVE LEGAL ADVICE, BUT RATHER GENERAL LEGAL INFORMATION ABOUT PEOPLE'S RIGHTS IN REENTRY. IF YOU NEED LEGAL ADVICE, YOU SHOULD CONSULT YOUR OWN ATTORNEY.

ROOT & REBOUND OFFERS THIS TOOLKIT "AS-IS" AND MAKES NO REPRESENTATIONS OR WARRANTIES OF ANY KIND CONCERNING THE TOOLKIT, EXPRESS, IMPLIED, STATUTORY OR OTHERWISE, INCLUDING, WITHOUT LIMITATION, WARRANTIES OF ACCURACY, COMPLETENESS, TITLE, MARKETABILITY, MERCHANTABILITY, FITNESS FOR A PARTICULAR PURPOSE, NONINFRINGEMENT, OR THE PRESENCE OF ABSENCE OF ERRORS, WHETHER OR NOT DISCOVERABLE.

IN PARTICULAR, ROOT & REBOUND DOES NOT MAKE ANY REPRESENTATIONS OR WARRANTIES THAT THE TOOLKIT, OR ANY INFORMATION IN THE TOOLKIT, IS ACCURATE, COMPLETE, OR UP-TO-DATE OR THAT IT WILL APPLY TO YOUR CIRCUMSTANCES.

“The greatest glory in living lies not in never falling, but in rising every time we fall.”

– Nelson Mandela

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THANK YOU!

This *Toolkit* would not have been possible without the incredible **service providers, case managers, and social workers** who read, edited, and contributed significantly to its content—thank you for your support and collaboration! We also want to extend our profound appreciation and thanks to all of the **individuals and families who have been directly impacted by incarceration** for their contributions, inspiration, and resilience, which enriched every page of this resource. *Thank you!*

about the toolkit

Why did Root & Rebound create a Reentry Planning Toolkit for Service Providers?

The main goal of this *Toolkit* is to help service providers, social workers, case managers, and other professionals provide better information and support to *people in reentry and people with prior justice system involvement*.

The *Toolkit* provides answers to key questions such as: “*What are my client’s rights with a criminal record? Where do we start? Who can help? When should this all happen?*” It also provides **practical tools—important information, action steps, questionnaires, checklists, helpful hints, referrals, and resources**—that can help service providers get answers to important reentry questions, better support their clients in building reentry plans, and address structural and legal barriers that are *all too common* for people with arrest and/or conviction records.

Who is this Toolkit for?

This *Toolkit* is designed for **social service providers and professionals working with people in reentry and people with prior justice system involvement**. The communities you serve—whether they be communities of color, low-income, homeless, veterans, or in need of mental health support or addiction recovery services—are the very populations that are disproportionately impacted by the criminal justice system. For many of these individuals, a criminal record is a frequent barrier to successful reentry. We created this *Toolkit* to address the reality that not all service providers have a background in criminal justice or law. Even those that do may face new and unexpected challenges related to a client’s criminal record. This *Toolkit* is designed to provide clarity on basic legal concepts and offer guidance to professionals navigating the complex and confusing legal system. Our hope is that this *Toolkit* will strengthen the services provided to currently and formerly incarcerated clients, empowering them to thrive.

You and your client in reentry can use different versions of this toolkit together as you meet and develop reentry plans together. To order the version of the Reentry Planning Toolkit for People in Reentry and with Prior Justice System Involvement, please contact Root & Rebound by email at info@rootandrebound.org or by phone at (510) 279-4662.

Who wrote this Toolkit?

This was a collaborative effort! The development and writing of this *Toolkit* was a **joint effort** between **Root & Rebound's legal team** and several **partnering social services groups and community-based organizations** that support people in reentry and people with prior justice system involvement in many aspects of their life after release. You can find the names and organizations of our **advisors and contributors** listed on page 3.

These partners offered critically important feedback and insight on what their work looks like day-to-day, best practices from their training and experience, and specifically wrote and edited content outside the scope of Root & Rebound's expertise on such topics as fostering effective client communication (page 11), helping directly impacted individuals to rebuild relationships (page 16), and exploring options for therapy and support (page 17) inside this *Toolkit*. This *Toolkit* is richer and more useful to you, our reader, because of our legal-social services collaboration.

Why should lawyers and social service providers work together on reentry issues?

In writing this *Toolkit*, we wanted to better understand the roles that legal advocates and social service providers play in the reentry process, and acknowledge the distinct value that both professional fields add to the work. While our methodology, training, and expertise may differ, each of us is doing our part to enrich our communities and equip the individuals within them to tackle some of life's greatest struggles.

What is the value-add of reentry lawyers?

- **Who We Serve.** We work exclusively with and for people with records, regardless of what crimes they may have committed. With nearly one-third of adults in the U.S. having some type of criminal record, the population we serve continues to grow.
- **Our Legal Expertise.** Because of the narrow focus of our work, our team has developed expansive legal knowledge about the barriers people with records commonly face—such as those related to housing, employment, family law, and community supervision.
- **Our Geographical Scope.** Our statewide model aims to empower as many Californians as possible by giving them the information they need to succeed. Instead of one-on-one legal services, we provide legal education, resources, and guidance to people throughout the state who are facing barriers because of their criminal record.

What is the value-add of social service providers supporting people in reentry?

- **Who You Serve.** The population you serve likely depends on the focus of your work and where you are based. Whether you are based in one city or multiple counties, and serve people in specific income brackets, from particular backgrounds, or with other special needs, your close familiarity with your clients and similarly situated individuals enables you to provide support in culturally affirming and needs-based ways.
- **Your Social Services Expertise.** Social service providers tend to be adept at connecting their clients with necessary resources like affordable housing, employment readiness programs, and family services. You may have also received specialized training that enables you to problem-solve with your clients from a clinical standpoint.
- **Local Support.** With in-depth knowledge of the local landscape and the nuances of your clients' environment, you are in a position to provide one-on-one support to people in a way that reflects their reality. You are also able to leverage this knowledge to form lasting relationships with other service providers, employers, and government officials for the benefit of your clientele.

By working collaboratively and harnessing our professional strengths, we can offer multifaceted, holistic support to a population whose varying needs merit varying solutions.

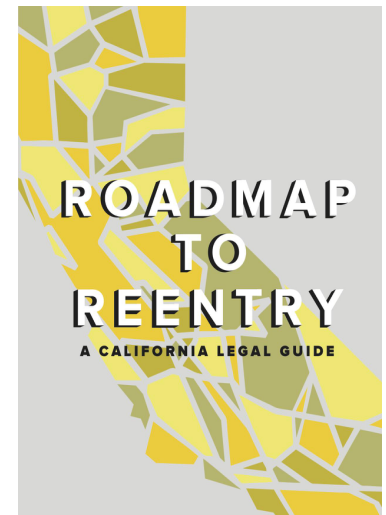
Do I need anything else to use this Toolkit?

We suggest you use this *Reentry Planning Toolkit for Service Providers* along with our *Roadmap to Reentry: A California Legal Guide* to get the most out of it.

What is the Roadmap to Reentry Legal Guide?

The *Roadmap to Reentry Legal Guide*—available **in print** and **online** as a searchable website—is an essential resource that individuals in reentry, their family members, advocates and service providers use across the state of California to answer their questions about navigating the **legal impact of a criminal record** on housing, employment, family reunification, parole and probation issues, getting ID, voting, immigration relief, and more. Try typing in a **search term** on the *Roadmap to Reentry* Wiki at roadmap.rootandrebond.org, and order hard copies of this reentry legal encyclopedia at rootandrebond.org/roadmap.

While our *Reentry Planning Toolkits* are like “mini-guides” tailored to specific users with the most important information pulled from the *Roadmap to Reentry* after years of feedback, the original *Roadmap to Reentry* guide is more accessible than ever for comprehensive information on everything reentry law related in California. To learn more about all of our resources and services, call Root & Rebound at 510-279-4662 or email us at info@rootandrebond.org. We also suggest you read more about our statewide programs and services beginning on page 3 of this *Toolkit*.



How did Root & Rebound decide what information to include in this Toolkit?

This *Toolkit* is modeled on our *Reentry Planning Toolkit for People in Reentry and with Prior Justice System Involvement*, for which we interviewed and surveyed currently and formerly incarcerated people and their family members about the issues that impacted them the most. Building off of this information, we spoke to a diverse group of service providers about their experiences working with people in reentry. Our research partners include licensed clinicians and social workers, social work students, mental health counselors, and case managers with government and nonprofit organizations. We created this *Toolkit* to reflect their voices and experiences and to prepare other professionals working with people in reentry for challenges or issues that may arise. Our partners and advisors are listed on page 3.

When and how should we use this Toolkit?

This *Toolkit* can be used at any time—it is never too early or too late. A few recommendations about using this toolkit based on whether or not your client is incarcerated:

- If your client is currently incarcerated, we recommend that you and your client begin planning for their reentry and working through this *Toolkit* at least 1 year before release from prison or jail, if possible.
- If your client is formerly incarcerated or living with a record, parts of this *Toolkit* will likely be useful to your client now. Other parts may not be relevant at all. We did our best to explain throughout when information would be more relevant depending on how long ago a person was involved with the justice system. Even if your client has never been incarcerated, but has an arrest or conviction record, certain parts of this *Toolkit* will help you and your client better understand their rights!







If you are not sure what to read first, here are some suggestions:

- To start, review the **Table of Contents** on page 7 to understand all the topics covered in the *Toolkit*. This can also help you identify topics you are looking for more information on.
- Second, review the **Timeline** on page 12 to get a better idea of where your client is now and identify key steps they can take.
- Third, each section of the *Toolkit* has a **cover page** with a **summary** of the information within that section, as well as a “**Flagging Potential Legal Issues**” **chart** to help you as a service provider identify legal issues that frequently come up for clients with records.
- Fourth, within each section, you will find more specific information and checklists that can help you better serve clients with records.
- Finally, Appendix E (pg. 99) includes a **Sample Reentry Plan** that you can help your client fill out, or use to help guide discussions with clients in reentry or with records.

As a service provider, you may be supporting individuals who are in various stages of reentry—people who are still incarcerated, or people with decades-old arrests or convictions that continue to impact their lives. Remember that while this *Toolkit* includes some general tips and information, **reentry looks different to different people**. Use the *Toolkit* as needed. If you already know something or if information does not relate to your client’s particular circumstances, feel free to skip the section.

KEY ICONS IN THE TOOLKIT

To make this Toolkit easier to use, we have provided a list of **key icons** that pop up throughout as you read.

ICON	MEANING
	CONSULT AN ATTORNEY: If you believe your client’s legal rights may have been violated, consulting an attorney can be very helpful for professional consultation and legal support. As a first stop, Root & Rebound offers a Reentry Legal Hotline every Friday from 9 a.m. to 5 p.m. PST at phone number (510) 279-4662 , where anyone with a reentry-related question can call and speak to a member of our legal team.
	LEARN MORE IN THE ROADMAP TO REENTRY LEGAL GUIDE: For individual reentry issues not covered in this Toolkit, check out our <i>Roadmap to Reentry Legal Guide</i> , a comprehensive legal reference guide for people in reentry and those who support them, available as a searchable website online at roadmap.rootandrebound.org , and available for order in print at www.rootandrebound.org . <i>Learn more about Root & Rebound’s resources, programs, and services on page 1 above.</i>
	ACTION STEP! The information after a star symbol can be a concrete next-step in your client’s reentry plan.
	IMPORTANT INFORMATION OR WARNING! The particulars of your client’s arrest or conviction history and personal circumstances can have a big impact on legal options and outcomes. This icon warns clients with particular backgrounds of some specific barriers or issues to be aware of.
	TIPS FROM THE FIELD: This icon indicates insight gained from social service practitioners who have worked with clients in reentry.
	HELPFUL RESOURCES: These referrals may help you and/or your client address specific issues of reentry that may require other professional support.



WE ARE A FREE RESOURCE. WE ARE HERE TO HELP.

As a service provider, you can take advantage of Root & Rebound’s free reentry legal hotline. Call us any Friday at (510) 279-4662 or email us at roadmap@rootandrebound.org.

If there are any topics that we don’t discuss in this Toolkit, or if you and your client need follow-up support, please call Root & Rebound’s “Reentry Legal Hotline” any Friday, 9 a.m. to 5 p.m. (PST), at (510) 279-4662, or email us at roadmap@rootandrebound.org. Lastly, visit Root & Rebound’s Online Training Hub at www.reentrytraininghub.org to access our online reentry learning center, featuring on-demand training videos, educational worksheets, and other educational resources.

“Give light and people will find the way.”
– Ella Baker

table of contents

HERE IS A SUMMARY OF WHAT'S COVERED IN EACH SECTION OF THE TOOLKIT.

Glossary of Terms (p. 8)

Part 1—Introduction to Working with People in Reentry—Starting Over Strong (p. 10)

Part 1 covers what “reentry” is, background on some best practices and advocacy tips for working with justice-involved people including support you can connect people to while incarcerated, key issues when rebuilding relationships with family and loved ones in the early days after release, and resources for further support.

Part 2—Getting Official ID & Useful Items Set Up for the Early Days Out (p. 20)

Part 2 covers key forms of ID and other important items your clients will need in reentry and how to get them.

Part 3—Voting Rights (p. 26)

Part 3 covers voting rights in California based on your client’s incarceration or supervision status.

Part 4—Creating a Housing Plan (p. 29)

Part 4 covers various housing options post-release, what you need to know if your client will be staying with family, and how to help your client create a plan for finding both short- and long-term housing.

Part 5—Creating an Employment Plan (p. 40)

Part 5 covers information on helping your client rejoin the workforce and navigating record-related barriers in pursuing the career they seek.

Part 6—Continuing Education in Reentry (p. 49)

Part 6 covers a basic summary of various educational pathways and levels, and important information on financial aid and going back to school.

Part 7—Adjusting to Life on Community Supervision: Parole, Probation & Federal Supervision (p. 54)

Part 7 covers what community supervision is, how it will impact your client’s daily life, and what it means for family.

Part 8—Key Information About Court-Ordered Fines & Fees (p. 61)

Part 8 covers best practices for taking control of and/or reducing court-ordered fines and fees that may impede your client’s reentry progress.

Part 9—Key Information About Record Cleaning (p. 64)

Part 9 covers general information regarding your client’s RAP sheet and the possibility of cleaning up their record through the process known as “expungement.”

Part 10—Setting Up Public Benefits & Health Care (p. 71)

Part 10 covers what public benefits might be available to your client and their family, and how to help clients access them.

Part 11—Planning for Family & Child Reunification (p. 78)

Part 11 covers how to support your client’s communication with children during incarceration, key steps clients can take toward (re)unification after release, and important rights that parents have in the process.

Part 12—Reentry Resources for Immigrants (p. 85)

Part 12 covers key information for noncitizens with arrest and conviction records who need legal support.

APPENDICES:

- **Appendix A: List of Legal Aid Referrals Across California** (p. 91)
- **Appendix B: List of Reentry Organizations Across California** (p. 94)
- **Appendix C: Immigration Support Referrals** (p. 96)
- **Appendix D: Transitional Housing Providers Accepting Applications from Currently Incarcerated People** (p. 97)
- **Appendix E: Sample Reentry Plan** (p. 99) - Please find a sample **Reentry Plan** for you to fill out with your client based on their answers throughout the Toolkit.

glossary of terms

The following glossary provides basic definitions for **commonly used terms** related to the criminal justice system and criminal records.

- **Infraction:** A violation of a rule or local ordinance, usually punishable by a fine rather than by incarceration. Examples include traffic (or “moving”) violations, disturbing the peace, and failure to appear.
- **Misdemeanor:** A minor crime usually punishable by a fine and/or confinement in a place other than prison, such as county jail. Examples include driving under the influence (DUI), petty theft, solicitation for an act of prostitution, and shoplifting.
- **Felony:** A major crime usually punishable by imprisonment for more than one year or by death. Examples include burglary, arson, rape, certain drug crimes, and murder. Felonies can be—but aren’t always—classified as **serious** or **violent**. These classifications can be important, as they dictate whether a crime counts as a strike under California’s Three Strikes Law. They also may impact a person’s ability to be released early.
- **Arrest:** Occurs when law enforcement apprehends or restrains the movement of a criminal suspect against his or her will. An arrest does not necessarily lead to a person being charged with a crime or taken to jail. However, even if they are not prosecuted, an arrest will show up on a person’s criminal record.
- **Charge:** To formally accuse a person of an offense. At this stage, a District Attorney or prosecutor has the choice to drop (or “dismiss”) charges or move forward with criminal prosecution in court.
- **Bail:** The sum of money required to release a person from jail or prison while charges are pending against them, or while they are being tried, in order to guarantee their appearance in court.
- **Conviction:** A judgment, made in court by a jury or judge, stating that a person is guilty of a crime.
- **Plea:** An accused person’s formal response to a criminal charge, limited to a plea of guilty, not guilty, or no contest. A plea of no contest is treated exactly like a guilty plea for criminal purposes.
- **Sentence:** The punishment imposed by a court on a person convicted of a crime. See definitions below for detailed descriptions of common types of sentences.
- **House Arrest:** When a person is confined to a residence as an alternative to jail or prison time. Travel is usually restricted.
- **Ankle Monitor:** A device that people under house arrest, or on parole, are required to wear that monitors their location.
- **Jail:** A local (usually county-level) government’s detention center, which holds people awaiting trial, people convicted of misdemeanors, or people convicted of felonies but sentenced under Realignment (see below).
- **Prison:** A state or federal confinement facility for people convicted of crimes, especially felonies. The California Department of Corrections and Rehabilitation, commonly abbreviated as CDCR, oversees the state prison system.
- **Realignment:** In 2011, Governor Jerry Brown signed the Public Safety Realignment Act in an effort to reduce the number of inmates funneling into overcrowded state prisons. Realignment allows non-violent, non-serious, non-sex offenders to serve their sentences in county jail instead of prison.
- **Parole:** A condition of release for a person coming out of state prison. People on parole (sometimes called “parolees”) remain under the control of the CDCR and must adhere to a set of rules (called “conditions”) designed to promote a crime-free life. To ensure compliance with these rules, people on parole are required to check in with a **Parole Officer (“P.O.”) or Agent** employed by the CDCR’s **Division of Adult Parole Operations (DAPO)** at designated intervals.
- **Probation:** A criminal sentence served in the community in place of—or following—a jail sentence. As with parole, people on county probation must adhere to a set of rules (known as “conditions”) designed to promote a crime-free life. A person convicted of a misdemeanor may get **informal probation**, in which case they are supervised by the court; a person convicted of a felony may get **formal probation**, in which case they are supervised by the court or a **Probation Officer**.
- **Determinate Sentence:** A sentence for a fixed length of time rather than an unspecified duration.
- **Lifer:** A person sentenced to life in prison who may eventually become eligible for release due to good behavior or proof of rehabilitation.
- **LWOP:** An acronym referring to people sentenced to life in prison without the possibility of parole. This means that, absent a remarkable event such as a government pardon or commutation of sentence, that person will never be released from prison.
- **Strike:** A conviction in California for “violent” or “serious” felonies.

- **Record of Arrests and Prosecution, or “RAP” sheet:** The government’s official version of an individual’s criminal record. It lists every contact an individual has had with the criminal justice system, including arrests, convictions, acquittals, dismissals, and sentences. These usually take one of three forms: a County RAP sheet (listing only in-county contact with the criminal justice system), a California Department of Justice RAP sheet (listing all contact with the criminal justice system within California), or an FBI RAP sheet (listing all contact with the federal or any state’s criminal justice system in the U.S.).
- **Warden:** The chief administrative officer of a prison who oversees prison operations, manages prison personnel, and supervises facility-wide safety and security compliance.
- **Correctional Counselor:** A prison staff member who works with incarcerated individuals, maintaining records on their history, risk of re-offending, and managing their plans for transition from prison to parole or probation.
- **Contraband:** An item or items unlawfully brought into prison or jail. Possession of contraband can result in loss of good time credit. A visitor, staff member, or contractor who brings contraband into a prison or jail can face serious fines and/or jail time.
- **Board of Parole (BOP):** The Board that is responsible for parole suitability hearings and nonviolent offender parole reviews. This Board also assesses parole eligibility for incarcerated people who are elderly, have medical problems, or were youth offenders.
- **California Department of Corrections and Rehabilitation (CDCR):** The State department responsible for operating California’s state prisons and parole systems. Prison staff and parole personnel are employees of CDCR.
- **Private Background Check:** A background check assembled by a private company, which draws from sources like court records, police, correctional, and CDCR records, other public records, internet searches, and communication with people who know the applicant.
- **In-house Background Check:** A background check assembled by the employer, which draws from public records, interviews with people who know the applicant, and online searches.
- **Live Scan:** A Live Scan is a comprehensive background check procedure that involves submitting an applicant’s fingerprints to either the California Department of Justice or to the Federal Bureau of Investigation. An applicant may be required to Live Scan for many government jobs, jobs requiring security clearance, or as an element of an application for an occupational license.
- **Petition for Writ of Habeas Corpus:** The way for an individual in prison or on parole to ask a state or federal district court to make a decision about the lawfulness of the individual’s detention or supervision.

part 1.

INTRODUCTION TO WORKING WITH PEOPLE IN REENTRY: STARTING OVER STRONG

SUMMARY

Part 1 provides:

- **Information** about what reentry is and how it relates to the work of social service providers;
- **Definitions** of key words and terms you may encounter when working with people in reentry;
- **Tips** for effective communication with clients;
- **Information and resources** to help clients with (re)building relationships with loved ones & family after a period of incarceration; and
- **Information and suggestions** for therapy and support for clients in reentry.

FLAGGING POTENTIAL LEGAL ISSUES

CLIENT ISSUE	WHAT YOU CAN DO TO SUPPORT
<i>If your client is incarcerated or has a record...</i>	Review this <i>Toolkit</i> for relevant sections that may apply to your client's situation, and answer starter questions in each section—with your client if possible. We recommend sharing this toolkit with your client as early as possible, and at least one year in advance of release if possible.
<i>If your client is currently incarcerated and needs on-site medical treatment and was denied...</i>	Talk with your client first. Due to potential backlash that they may receive, have a conversation with them to see if advocacy or legal action is something that they would like to pursue. If so, for clients in state prison, you can try calling California Correctional Health Services, which is tasked with making sure that prison medical care conforms to constitutional and legislative requirements. See more on pg. 14. For clients in federal prison, you can advise them on how to navigate the appeals process. Learn more on pg. 14.
<i>If your client is in the community and needs health-care resources...</i>	You can refer your client to various resources listed in this section. See pg. 17 for a starting list. If your client is having any issues with a medical provider or accessing their public benefits, you might want to connect them to a legal aid attorney (find a starting list of legal aid organizations in Appendix A, pg. 91).

introduction to reentry planning

This section provides **general information about working with clients in reentry** and supporting them to **start over strong**. Our goals are to 1) clarify basic legal concepts and 2) describe best practices for connecting with people in reentry when you are still in the early stages of relationship-building. We have included information on advocating for a client who is currently incarcerated, as well as guidance on helping your client deal with common emotions and issues after release.

What is reentry”?

Reentry is the process of a person’s transition from prison or jail to rejoining the community. Reentry is a process that requires people to be able to fulfill their **basic needs** and reconnect with the community, including obtaining **identification documents (ID)**, securing **housing**, figuring out **employment and finances**, succeeding on **parole or probation**, signing up for **health care**, and reunifying with **family members**.

It is important to remember that when we say “*people in reentry*,” we are actually referring to individuals with a broad range of experiences, skills, and needs. Reentry planning is different not only from individual to individual, but also different based on timing: different for a currently incarcerated person planning for their release, an individual on community supervision (parole or probation), someone who was arrested (but not convicted) many years ago, or an individual who has been in and out of the system since they were young. If a person has a criminal record—**even if they never spent a day in jail**—that record can continue to have a lingering, negative impact on their life. As a service provider, you need be aware of that impact so you can tailor your services according to your client’s goals and needs. This *Toolkit* is designed to broadly address the needs of people in reentry, regardless of their custody status or particular arrest or conviction history.

How does reentry relate to my work?

No matter what type of services you provide, you are likely to encounter someone with a criminal record in the course of your work. This is because certain populations—such as people of color, individuals experiencing homelessness, low-income individuals, and people with mental health, trauma, or substance abuse issues—are disproportionately policed, prosecuted, and convicted in our country.

As this *Toolkit* will explain, a person’s **criminal record (meaning a history of arrest(s), conviction(s), and/or incarceration)** can directly affect their ability to access public services, get accepted into public or private housing, get a job or enter a particular profession. A person who has spent time in custody or had significant encounters with police may also have experienced significant trauma as a result, requiring particular sensitivity from professionals offering support and care. The majority of this *Toolkit* will address specific steps and important rights your client has in reentry—and how YOU, as a service provider, can help with the reentry process.

Tips on Effective Communication

Social workers and social service providers are often taught to “meet people where they are.” In the context of reentry, this requires a basic understanding of criminal justice concepts. Learning common terminology will help bridge communication gaps between you and your client, ensure that you are on the same page, and better equip you to identify potential reentry-related barriers that your client is experiencing or asking about.

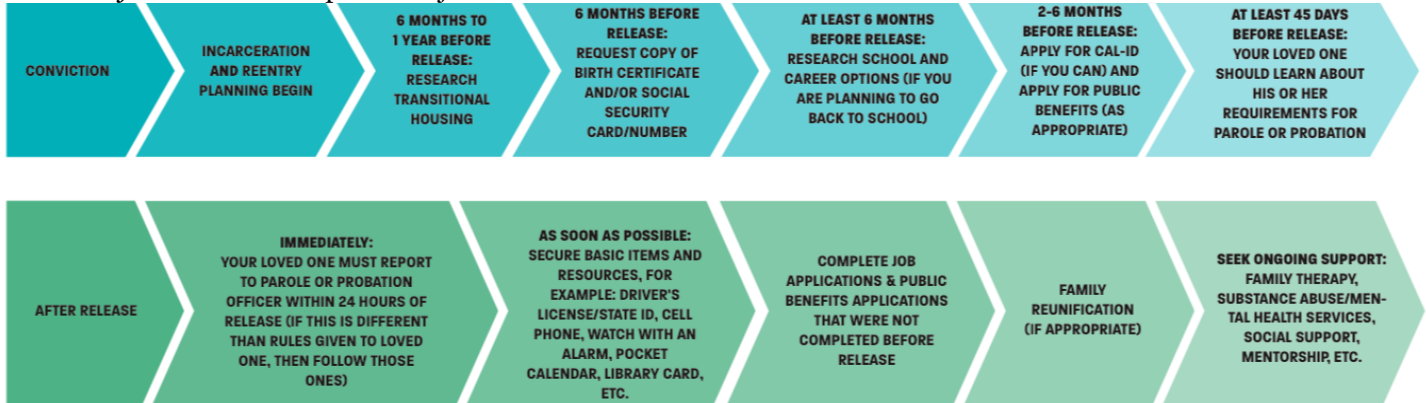


Reentry Planning Tips

- Start planning for reentry issues early on—ideally at least 6 months to 1 year before your client is released from incarceration. Though it is never too early or too late to start!
- Take notes and write things down. While working through this Toolkit with your client, you should take note of helpful information, resources, and contacts. Write down and keep track of dates, deadlines, phone numbers, addresses, and other important information—all in one place.
- Think about and plan for immediate needs like housing, food, and clothing. While you and your client figure out short-term needs, keep their long-term vision and goals in mind too, and stay motivated.
- Remember, strong communication is key. It is okay for your client to share their concerns and feelings with you. Are they worried about finances? About finding employment? You are here to support your client through the challenges, and help them problem solve.
- Surround yourself with people who are a source of positivity, encouragement, and motivation. Help your client to develop a plan to avoid risky situations. This might include people, places, and things (for example, avoiding drugs or alcohol if they have had past substance abuse issues). Learn more about self-care on pg. 18.


When do I help my client start planning for their reentry needs?

“When and how do I start?” is often one of the first and hardest questions about reentry planning. As a starting point, the **reentry planning timeline** below may help you think through *when to start* and focus on different needs in reentry. The timeline below is broken into two sections: the **top half** shows key steps your client can take *while incarcerated* to plan for reentry, and some suggestions of when to begin; the **bottom half** shows key steps your client can take *after release* from prison or jail.



starter questions

The starter questions below are focused on the “big picture”: *What are your client’s goals? What are their concerns? What are you and your client committed to in their reentry? How does your client hope that family or other people who support them will be involved?*

 **ACTION STEP:** If your client is currently incarcerated, they may wish to answer these “starter questions” before or while planning for reentry to guide them. If your client is living with a record in the community, some questions may still be relevant to how they want to communicate about their experiences with the criminal justice system.

STARTER QUESTIONS

- What are your client’s *biggest goals* for their reentry?
- What do you expect to be the *biggest challenges* for your client in their reentry? OR What are the biggest challenges for your client now?
- What does your client want you to know about their experiences with the criminal justice system?
- What kind of help will your client need or do they need in addressing their history of incarceration or past involvement with the criminal justice system?
- How can your client’s family or friends support them?
- How can a community group (places like those listed in Appendix B, pg. 94) support your client?

MAKING COMMITMENTS

What are the **most important commitments** for your client to stick to in their reentry? *Your client and you may wish to discuss these together, or this may be something your client wishes to use with their family and loved ones.*

- COMMITMENT 1: _____
- COMMITMENT 2: _____
- COMMITMENT 3: _____
- COMMITMENT 4: _____
- COMMITMENT 5: _____

You and your client can refer back to these **commitments** as daily motivations for their reentry process. When your client reaches certain goals, s/he can feel free to check off old commitments and add new ones.

providing services & support to an incarcerated client

For those without criminal justice system experience, providing support to a person confined to a correctional facility may seem intimidating. The terminology and procedures are very different from the outside world, and the rules are strictly enforced. If you have an incarcerated client, you will have to **learn how to navigate the prison or jail system**, like learning how to prepare for visits and advocate for a client whose needs are not being met by the institution. This section is designed to orient service providers to these procedures.

1. Visiting jail and prison:

The rules for visiting an incarcerated client differ depending on the type of facility. For the majority of correctional facilities, the first step is to apply for clearance. If you are currently supervised on probation or parole, or are a “former inmate,” you may not be cleared to enter a jail or prison at all, or it might take much longer. If this occurs, ask the person in charge of visits (sometimes called the Visiting Sergeant or Facility Commander) how to challenge or appeal this decision. This process will likely require you to gain the **Warden’s written permission** to enter the facility.

→ **If your client is in a California state prison...** Your client must send you a Visitor Questionnaire (CDCR Form 106) with their signature. They can get this form from their **correctional counselor**. Complete the questionnaire and mail it to the Visiting Sergeant and/or Lieutenant at the prison where your client is located. Prison staff will typically let you know if you have been approved in a couple of weeks. Upon approval, you should schedule a visit during visiting hours. To verify visiting hours at the prison where your client is located, call (800) 374-8474 or visit the CDCR website at www.cdcr.ca.gov. Ask in advance about **restrictions on what you can wear and bring to a prison visit**. If you aren’t in compliance with these rules, you will not be allowed to visit. Also, check to make sure your client has not been put on lockdown or moved to another facility. *NOTE:* The process for requesting a legal visit is different if you work for a legal organization or with lawyers. See “Tips” Box, pg. 13 for more information.

Once you arrive at the visitor reception area, you will be processed. This entails showing CDCR staff your government-issued identification (must be the *same one* used to approve your clearance). Prison staff will then verify that you have been properly approved and scheduled, are properly attired, and do not possess **contraband**. You will likely pass through a metal detector before being directed to the visiting room. For more information about prison visits, download CDCR’s publication “Visiting a Client in Prison,” available at <http://www.cdcr.ca.gov/visitors/docs/inmatevisitingguidelines.pdf>.

→ **If your client is in a Federal prison...** The Federal Bureau of Prisons recommends that visitors undertake the following steps: First, locate the individual you wish to visit; second, gain approval on a visiting list; third, be prepared for your visit by familiarizing yourself with rules, regulations, and procedures; and fourth, plan your trip to the facility. This will require the person you are visiting to complete a Visitor Information Form, which they will then partially complete and mail to you for completion. You then send the form back to them for approval by the facility. To locate an individual incarcerated in Federal Prison, and to learn more about the Bureau of Federal Prisons’ guidelines for visitation, you can read “General Visiting Information” at this link: <https://www.bop.gov/inmates/visiting.jsp>

→ **If your client is in a county jail...** Check online if the County Jail or Sheriff provides clearance registration forms on its website. If so, follow the directions listed on the form. If not, you can usually get the clearance form in person. Some county jails allow you to register for clearance, schedule a visit, and see your client on the same day. Others require advance registration and/or scheduling. Visiting hours may also differ. The county jail’s website should provide these details. If not, call the county jail or Sheriff’s office for more information.

As with state prison, once you arrive for an approved visit to a jail, processing entails showing jail staff your government-issued identification (must be the same one used to approve your clearance). A staff member will then verify that you have been properly approved and scheduled, are properly attired, and do not possess contraband. You will likely pass through a metal detector before being directed to the visiting room.



TIP FROM THE FIELD: Though rare, prisons and jails will sometimes enter into a *widespread clearance agreement* with an organization if they have an established relationship. If you know members of your organization will be visiting the jail or prison frequently, you can ask about this type of agreement. Don’t be discouraged if the prison or jail turns you down—this is a privilege reserved for unique circumstances. You can always continue clearing staff for visits on an individual basis.



TIP FROM THE FIELD: If you are meeting with your client as a visitor and not through an agency with clearance, the person who you are visiting may not be able to receive other visits on the same day. To the extent possible, please coordinate what you can prior so as to not interfere with possible family visits.

2. Helping an incarcerated client get on-site treatment:

Direct Advocacy for Health Care

Sometimes a simple phone call from an outside service provider can be enough to improve or initiate care. As a service provider with intimate knowledge of your client's needs, you are usually in a good position to advocate for your client.



TIP FROM THE FIELD ON TRAINING AND SUPERVISING STAFF: Because outside advocacy can sometimes cause the opposite desired effect, talk with your client in depth about the potential options and outcomes--including potential backlash they might experience and whether or not it's worth the risk--**before** taking any steps on their behalf.

→ ***If your client is in a California state prison or county jail...*** Despite efforts at prison reform, many incarcerated people are not getting the care they need, particularly when it comes to mental health issues. If your client has been denied care in county jail or state prison, they can file an administrative health care appeal using CDCR Form 602-HC within 30 days of the denial.

If your client's issue is time-sensitive to the point that waiting will cause them irreparable harm, they should submit their health care appeal as an **emergency appeal** directly to the CDCR **Health Care Appeals Coordinator**. In doing so, they will go directly to the second level of review and receive a response within five working days.¹

→ ***If your client is in a CDCR institution and needs support around medical care...*** You can also try calling California Correctional Health Services, which is tasked with making sure that prison medical care conforms to constitutional and legislative requirements. The number is (916) 691-3000. Be prepared to share your client's CDCR #, the prison in which they are located, and details about the issue they are facing. You can also email questions to Lifeline@cdcr.ca.gov.

→ ***If your client is in a federal prison...*** Appealing a denial of health care requires navigating the United States Department of Justice Federal Bureau of Prisons Administrative Remedy Program. This program permits an incarcerated person to seek a formal review of issues related to any aspect of their incarceration by submitting an Administrative Remedy form (a "Form BP-9"), obtained from prison staff. Usually, this must take place within 20 days of the incident that the person is appealing. If this appeal is rejected by the Warden, the individual may appeal the rejection by way of a Form BP-10 to the Regional Director within 20 days of having received the Warden's response. Finally, if the individual is unhappy with Regional Director's response, they may submit a Form BP-11 to General Counsel, this time within 30 days of receiving their response from the Regional Director.

Although there are 20, 30, and 40 Calendar days provided, respectively, for a response from the Warden, Regional Director, and General Counsel, an individual whose immediate health or welfare is challenged must receive a response within 3 days. This time period may be extended to 20 days at the institutional level, 30 days at the regional level, or 20 days at the Central Office level, if the time period is insufficient to make an appropriate decision.

Your Client's Rights to Mental Health Care

If your client needs support around mental health care, below are some additional tips for helping them access care while incarcerated and helping them understand their legal rights, in addition to the paper-based administrative health care appeal process discussed below.

→ ***If your client is in state prison...*** Try calling the Division of Correctional Health Care Service's Mental Health line at (916) 691-0209. Be prepared to share your client's CDCR number, the prison in which they are located, and details about the issue they are facing.

The law: California state prisons must provide treatment and monitoring to any inmate with current symptoms of certain mental health disorders enumerated by CDCR, including Schizophrenia, Delusional Disorder,

¹ How to File an Administrative Appeal (last updated October, 2015). Retrieved from <http://prisonlaw.com/wp-content/uploads/2015/09/AdminAppealsOct2015v3.pdf>.

Schizophreniform Disorder, Bipolar Disorders I and II, and other conditions.² To learn the specifics of accessibility of mental health care for a client, consult CDCR's Mental Health Program Guide, available online here: www.cdcr.ca.gov/DHCS/docs/Mental%20Health%20Program%20Guide.pdf.

→ **If your client is in county jail...** Consult the jail's website for contact information. Many California jails will provide telephone and/or email contact information for the jail's Mental Health Services manager or Correctional Health Services.

The law: Jail officials are required by law to transfer mentally ill individuals to outside facilities for treatment when necessary, and to develop written treatment plans for individuals treated by mental health staff while in jail.³ More information can be found in the California Board of State and Community Correction's Minimum Standards for Local Detention Facilities, accessible online at: [www.bscc.ca.gov/downloads/Adult Title 15 Strike Out Underline v2012-10_BSCC.pdf](http://www.bscc.ca.gov/downloads/Adult_Title_15_Strike_Out_Underline_v2012-10_BSCC.pdf).

Please note: This process can be difficult, time consuming, and may vary from county to county, depending on the resources available. For this reason, it is advisable to consult the particular jail facility for insight into its treatment of and resources for mental health needs.

→ **If your client is in federal prison...** The Federal Bureau of Prisons (BOP) provides mental health treatment by way of its Health Services Division. The BOP publishes its mental health procedures online: https://www.bop.gov/policy/progstat/5310_16.pdf. It may be in your client's benefit to search this document for your client's condition or symptoms to gain more clarity on their mental health options in federal prisons, and to contact the specific facility in which they are currently incarcerated for more information.

The law: California courts have interpreted the 8th Amendment to require the following six components as the Constitutional minimum requirements of mental health care in prison: 1) screening, 2) staffing, 3) recordkeeping, 4) medication, 5) suicide prevention, and 6) treatment programs that go beyond merely segregating and supervising mentally ill individuals.⁴ Violation of any of these requirements may be unconstitutional. That being said, mental health procedures vary between jails, state prisons, and federal prisons in California.

Client Seeking Access to Health Care Records

Your client must request copies of their health care records from the institution or hospital where they received care. The Health Insurance Portability and Accountability Act of 1996 (HIPAA) protects the privacy of an individual's health information, called "**protected health information**" (PHI). Upon request, the correctional institution, or a covered health care provider acting under the direction of the correctional institution, must produce medical records to your client **unless** obtaining such copy would jeopardize the health, safety, security, custody, or rehabilitation of the individual or of other inmates, or the safety of any officer, employee, or other person at the correctional institution or responsible for transporting your client.⁵

3. Other legal actions:

Certain actions by prison staff, when perpetrated against someone with a serious mental illness, may give rise to a legal claim. Consider contacting a civil rights or prisoners' rights attorney who can help you determine whether your client's rights have been violated.



HELPFUL LEGAL RESOURCES FOR CURRENTLY INCARCERATED PEOPLE:

1. PRISON LAW OFFICE: For more information about prisoners' rights, especially rights related to medical issues and health care, you may contact the **Prison Law Office (PLO)** by writing to: [Prison Law Office, General Delivery, San Quentin, CA 94964](mailto:Prison_Law_Office_General_Delivery_San_Quentin_CA_94964). PLO develops publications and fact sheets about prisoners' legal rights, and in a few cases, may help with a person's individual legal case. *PLO's publications about prisoners' rights include the following (among many others):*

- *California State Prisoners Handbook:* A comprehensive publication about the legal rights guaranteed to people incarcerated in California state prisons, including medical rights. Cost: \$40 for people in custody or on parole, and \$182 for anyone else. Write PLO at the address above for an order form.
- *Investigations of Staff Misconduct:* A free informational sheet that provides tips on starting an investigation on prison or jail staff, including medical neglect.

² See <<http://www.cdcr.ca.gov/DHCS/docs/Mental%20Health%20Program%20Guide.pdf>>

³ See <[http://www.bscc.ca.gov/downloads/Adult Title 15 Strike Out Underline v2012-10_BSCC.pdf](http://www.bscc.ca.gov/downloads/Adult_Title_15_Strike_Out_Underline_v2012-10_BSCC.pdf)>

⁴ See *Coleman v. Brown*, 938 F. Supp.2d 955, 970 (E.D. Cal 2013).

⁵ 45 CFR § 164.524 (a)(2)(ii).

- *Lawsuits for Money Damages Against Prison Officials*: A 39-page letter about suing California state prison officials to seek money damages for personal injuries.
- *State Habeas Manual*: A detailed guide that explains how to file a petition for writ of habeas corpus to challenge a conviction, sentence, or a denial of parole grant by the Board of Parole Hearings.
- *Administrative Appeals*: An information letter that explains how CA state prisoners can challenge an action taken by any employee of CDCR or any CDCR policy, procedure, or condition that affects them.

You can call or write **Root & Rebound** to request excerpts of PLO's materials. Call our Reentry Legal Hotline any Friday from 9 a.m. to 5 p.m. at [\(510\) 279-4662](tel:5102794662) (we accept collect calls), or write us legal mail at: Root & Rebound, 1730 Franklin St., Suite 300, Oakland CA 94612 (ATTN: Katherine Katcher, SBN: 295448).

2. THE JAILHOUSE LAWYER'S HANDBOOK: This is a *free* publication that provides information on filing lawsuits against prisons and prison staff that abuse people in custody or provide poor conditions. It is available digitally at <http://jailhousesaw.org>. You can print relevant chapters for your client.

important issues to keep in mind when helping your client (re)build relationships

This section discusses important issues to be aware of as a professional who intends to provide support to someone in reentry as they reintegrate and (re)build relationships. This section was developed in partnership with the Parent-Caregiver Advisory Group (PCAG) to the Alameda County Children of Incarcerated Parents Partnership (ACCIPP), a group of individuals with currently and formerly incarcerated loved ones. In addition to being impacted experts, many PCAG members have professional training on navigating the emotional and psychological challenges of incarceration and reentry, as well as its impact on the family.

1. What are some important issues to keep in mind when helping a client in reentry rebuild relationships?

→ **Understand the mental toll of incarceration and reentry:**

- The time away might have changed your client. They may have experienced a great deal of trauma, and may require an approach to healing that acknowledges this trauma.
- It can take some time for your client to readjust to discussing personal information, sharing their feelings, or having difficult conversations. Be patient and work on building a solid rapport with your client. Do not pry for details about their case.
- Your client might not be comfortable with large crowds, loud noises, or activities that involve physical closeness (see Understanding Triggers, below). Be aware that you may have to be flexible or make adjustments to accommodate your client's needs.

→ **Adjusting might take time:**

- It can take time for your client to adapt to life back in the community. The pace of life is faster and technology changes quickly. Offer to answer questions and help orient them to the digital world. Where appropriate, consider referring them to classes or other community programs that can help ease this transition. See pg. 18 for more information.
- Your client may feel disconnected from their family and friends. Consider whether enrollment in family therapy or support groups would be helpful.

→ **Foster a judgment-free zone:**

- Our society and our language often stigmatize people with records; and thus, many people expect you to judge them. Prove them wrong by remembering that no matter what your client did (or was accused of doing), it is your job to offer respect and support.
- Recognize your own privilege and biases. You may be making value judgments about your clients without even realizing it. Make an effort to challenge any assumptions you may have about working with clients in reentry, and seek supervision and support from colleagues when you run into challenges with this.



TIP FROM THE FIELD ON TRAINING AND SUPERVISING STAFF: If you supervise staff providing direct services, be thoughtful about how you train them to work with people in reentry from incarceration. Particularly if they have not worked with people in reentry before, it is important for staff to understand the specific kinds of trauma associated with incarceration, and the ways this trauma could manifest behaviorally. Encourage them to problem-solve without judgment, and to seek advice from supervisors or more experienced service providers.

understanding emotional responses in reentry

As a service provider working with vulnerable populations, you have likely heard of the concept of “triggers.” Because even that word can have a harmful effect, we refer here to “emotional responses”—which normalizes the emotions that people commonly experience after a period of incarceration. In the reentry context, reminders of traumatic experiences can cause your client to respond or react in harmful or unexpected ways. With time and support, people can learn to manage their emotional responses, but this may not come naturally. For this reason, it is important for you to be aware of circumstances that can lead to harmful or unexpected emotional responses.

Often when a client is reminded of past trauma, they may react in some of the following ways:

- Angry outbursts and/or violence
- Shutting down and withdrawal
- Turning to addiction or unhealthy habits (such as alcohol, food, drugs, gambling, sex, etc.)
- Verbally or emotionally abusive behavior

After incarceration, it may take some time for your client to respond positively to things like:

- Intimacy
- Hugs and touch
- Loud noises
- Crowded spaces
- Small (claustrophobic) spaces
- Large (wide open) spaces
- Sharing possessions and personal things
- Institutional settings (for example, being in court or law enforcement agencies)
- Sudden or quick movements
- People of certain genders/races/identities (segregation and gang-affiliation is a common survival tactic inside prison and jail)

It can be challenging for any of us to identify the things that cause us to have unexpected or harmful emotional reactions that are rooted in past trauma. Honest conversations with your client about their emotions and emotional reactions to specific circumstances or situations can help your client learn how to cope better. Being compassionate, patient and non-judgmental in your approach can lead to a positive discussion. It is important to remember that you are **not responsible** for healing the emotional reactions or trauma in others, but you can provide a space that is welcoming, non-judgmental, respectful, and builds trust for them to share their feelings and experiences.



TIPS FROM THE FIELD: Health care is critical in reentry, and it includes care for past or current trauma, mental health, and treatment for substance abuse, addiction, or overdose prevention. There are professionals who are trained to support clients with these issues. It is critical to be a good listener and ask questions that allow your client to safely open up about their needs. Then you are better able to make connections with professionals who have the appropriate training and experience to support them.

therapy & support

Because of the mental toll that incarceration and reentry can take on people, your client and/or their family may benefit from therapy. Show interest in working through any issues coming up with your client. And be patient. Many people are intimidated by the term therapy and have had negative experiences with mental health services.

1. Different Options for Therapy

There are many different mental health services you and your client can discuss and consider:

- **Individual Therapy:** In this space, your client can openly discuss anything they may be struggling with, including feelings and thoughts about what it’s like to be incarcerated, any pressure they may be experiencing due to their own or others’ expectations, or challenges adjusting to release. It may be helpful for clients to understand that licensed mental health professionals that are not connected to probation are legally bound to keeping what they say confidential, with a few exceptions (plans to harm oneself, to harm others, gravely disabled, child/elder abuse, child pornography).

- **Family Therapy:** Reentry can be hard for family members and clients, too. Family therapy offers support around any such challenges that may be present. It gives family members a chance to talk together with a therapist about problems that involve them, and can be particularly helpful when children are involved. Family therapy tends to look at the family as a system where everyone is affected and plays a part. A good therapist will create an environment where people aren't blamed, and one person isn't the focus of attention. *For groups that support individuals and family members impacted by incarceration, see Appendix B, pg. 94.*
- **Group Therapy & Support Groups:** Group therapy and support groups are judgment-free spaces where your client can gain insight and support from people facing similar issues. Some examples of support groups are: anger management, parenting, teen, and recovery.



Mental Health Hotlines for Adults and Children

(These hotlines are not accessible to currently incarcerated people.)

- Teen Help Adolescent Resources (800) 840-5704
- National Alliance on Mental Illnesses (916) 567-0163
- National Domestic Violence/Child Abuse/Sexual Abuse 800-799-SAFE (7233)
- National Suicide Prevention Lifeline 800-273-TALK (8255)
- National Youth Crisis Hotline 800-442-HOPE (4673)

2. Reentry Organizations that Offer Support

There are many organizations that specifically provide services and support to individuals and families impacted by incarceration. Some are specific to certain populations or regions, while others are more widely available across the state. See a full list of groups supporting individuals and families impacted by incarceration in Appendix B, page 94. You may wish to talk your client about whether they could benefit from connecting to these larger networks of support.

3. Resources for Substance Abuse & Recovery

If your client has struggled with substance abuse or addiction, it is essential to their recovery that resources are in place to avoid relapse. Support them by discussing potential resources and relapse prevention strategies, such as avoiding people, places, or things that might threaten their recovery.

What is relapse prevention planning?

Relapse prevention planning helps those in recovery to anticipate that they will want to use again. It is normal to want to use when in recovery. Trained professionals can help clients plan on how they will resist this urge. If a client has used opiates in the past, a trained professional can also discuss how tolerance changes during incarceration, and connect the client with a medical professional who can help the individual reduce the risk of overdose.

Important questions in relapse prevention planning include things like: *What supports do you need in place? What are the situations that make you want to use, and what can/will you do when these situations happen? Who can you call for support?*



ACTION STEP! Create a relapse prevention plan with your client, or connect them with a professional who is equipped to do this. Discuss options and support if they are worried about relapsing. You and your client can also identify specific emotions, situations, or events that might lead to relapse, and brainstorm ways to manage them in a healthy, productive way.

Abstinence Only Model vs. Harm-Reduction Approach

Consider the need(s) of your client by talking with them **before** planning a strategy. Are they on probation or parole and must submit to random drug and/or alcohol tests? This information can better inform you of your client's needs rather than assume, for example, that they are planning on being abstinent.

There are two main models that address different needs:

- The **abstinence-only model** relies on methods for addiction treatment.
- The **harm-reduction approach** focuses on self-accountability in an attempt to *reduce* usage.

You can call ahead to discuss with various substance abuse and recovery service providers about their differing models to help guide a client to the support that fits their needs, legal requirements, and broader goals.



Resources for Addressing Substance Abuse and Addiction

- Alcohol Hotline 800-331-2900
- Al-Anon for Families of Alcoholics 800-344-2666
- Alcohol and Drug Helpline 800-821-4357
- Alcohol Treatment Referral Hotline 800-252-6465
- Narcotics Anonymous 818-773-9999
- Harm Reduction, <http://harmreduction.org/connect-locally/>
- Center for Harm Reduction Therapy, <http://harmreductiontherapy.org/community-services/>
- HealthRIGHT 360 provides primary medical, mental health, substance abuse treatment and reentry services. To learn more, visit: <https://www.healthright360.org/our-mission>



TIP FROM THE FIELD: It is good practice to follow up and check in with clients who have not been in touch. Keep in mind, however, that it is ultimately the client's choice whether they want to pursue or receive services at all – unless the law or court mandates the services. The best practice is to convey your opinion that they would benefit from continued support, but let them decide whether to take advantage of it. If your organization uses punitive measures to ensure continued engagement, consider moving away from that model towards one with more flexibility. Because your client's circumstances and availability may change frequently, engagement may not always be consistent. Fluctuation in their level of engagement over time is completely normal.

4. How You Can Help Identify a Potential Crisis

As a service provider, you may have specialized training, or even general training, that helps you to be aware of the subtleties of your client's actions, indicating they may be suffering a mental health crisis. Or, mental health crises may be out of the scope of the services you provide. The following information may be useful to keep in mind as you work with your client during reentry.

Suicide Warning Signs:

These signs mean your client is at risk for suicide. Risk is greater if a behavior is new or has increased and if it seems related to a painful event, loss or change:

- Talking about wanting to die or to kill oneself.
- Looking for a way to kill oneself, such as searching online or buying a gun.
- Talking about feeling hopeless or having no reason to live.
- Talking about feeling trapped or in unbearable pain.
- Talking about being a burden to others.
- Increasing the use of alcohol or drugs.
- Acting anxious or agitated.
- Putting themselves in dangerous situations, like walking in front of cars, etc.
- Sleeping too little or too much.
- Withdrawing or feeling isolated.
- Showing rage or talking about seeking revenge.
- Displaying extreme mood swings.
- Noticeable calm after extreme distress - often when people decide to commit suicide there is a noticeable shift in their mood. They may appear calm and more relaxed.
- Saying "goodbye" to family members and friends.
- Giving away their belongings.



IMPORTANT! What you can do if you are concerned about your client's mental health or risk of suicide:

- If it is an emergency, call 911, or take your client to the emergency room to be assessed. If a person is at risk, but not life-threatening or imminent risk, call the National Suicide Prevention Lifeline at 1-800-273-TALK (1-800-273-8255). People who answer the hotline can perform a suicide assessment over the phone.
- If your client is exhibiting any behavior that seems out of the ordinary, and you are not an expert, refer them to a professional for help.

Conclusion

Part 1 covered general information and tips about reentry planning, with a focus on know-your-rights resources for incarcerated people, issues to keep in mind when re-building relationships with family and loved ones in the early days out, and general information and resources concerning mental health. Having a strong **reentry plan** helps your client to focus on specific needs and next steps after incarceration. We hope Part 1 provided some useful general advice on helping your client ease some of the transition from incarceration to the community outside.

part 2.

GETTING OFFICIAL ID AND OTHER USEFUL ITEMS FOR THE EARLY DAYS OUT

SUMMARY

Part 2 provides:

- **Information** on how your client can get government-issued identification (ID) and other useful items for the early days out;
- **Helpful lists** that describe the basic items and resources that your client may need during reentry; and
- **Timelines and checklists** to guide your client in getting the ID and other items they need.

FLAGGING POTENTIAL LEGAL ISSUES

CLIENT ISSUE	WHAT YOU CAN DO TO SUPPORT
<i>If your client needs a birth certificate...</i>	You can help your client get an application, fill it out, and send it in. If your client is homeless, they may be able to get a fee waiver. If your client is incarcerated, they should still be able to keep a copy of their birth certificate in their file. If your client was not born in the United States, they may need the help of a lawyer or immigration expert. Learn more on pg. 21.
<i>If your client needs California state ID card (or driver's license, if possible)...</i>	If your client is incarcerated, you or your client can check with their institution to see if it has the Cal-ID program and determine your client's eligibility. In state prison, eligibility should be checked 4-7 months before release. Learn more on pg. 22.
<i>If your client needs a Social Security card/number...</i>	If your client is incarcerated, you or your client can check with their institution to see if they have an MOU agreement the Social Security Administration (SSA). If not, you may still be able to help your client get a copy of their Social Security card and/or number if they already had one in the past, and they fill out form SSA-1696-U4 to authorize you to act as their representative with the SSA. For more information, see pg. 22.
<i>If your client is facing legal barriers to getting ID due to court-ordered debt...</i>	The most important thing to do is contact a legal aid attorney (see a starting list in Appendix A, pg. 91). There may also be ways you can help—for example, assisting your client in filing court forms to dispute an illegal driver's license suspension or to ask the judge to pause or reduce their court debt. Learn more on pg. 23.
<i>If your client needs other basic items for their release...</i>	See the chart on pg. 24 for a list of items and actions that you can take to help ease your client's transition back into the community and gather useful items and necessities.

getting official identification documents (ID)

Identification documents (ID) are critical to successful reentry: they are needed to apply for jobs, get a driver's license, register to vote, open a bank account, and apply for health care, housing, and public benefits. Particularly if your client was incarcerated for a long time, they may have lost ID, had their ID taken away, or their ID may have expired. Not having ID may stunt their ability to move forward. Therefore, as soon as possible, or after release, you and your client should work on getting their ID.

The three most important forms of ID for someone to obtain in reentry are their: (1) birth certificate, (2) Social Security Number/Card, and (3), state ID or driver's license.

KNOW YOUR CLIENT'S RIGHTS TO GETTING ID!

- **People incarcerated in a California state prison have the right to keep a copy of their Birth Certificate in their cell. If incarcerated in federal prison, they should be able to keep their birth certificate in their Central File at Receiving & Releasing.** A birth certificate is very helpful for an individual to prove their identity for getting their Social Security Card/Number (SSN).
- **People incarcerated in a California state prison have the right to receive a valid CA state ID card for free through the CAL-ID program if they meet the following requirements:** **1)** They have a set release date and that date is 120-210 days away; **2)** they previously had a CA state ID or CA driver's license in the past 10 years; **3)** they do not owe any DMV fees for their previous state ID or driver's license; **4)** they have a photo on file with the DMV from the past 10 years; **5)** they don't have any active felony holds, warrants, or detainers that could cause them to go back to prison or jail after release; **6)** they do not have an active Immigration and Customs enforcement (ICE) hold that would cause them to be deported after release; **7)** they can provide an address where they will live after release; **AND 8)** they provide the following information, and the DMV can make sure it is true: full name, date of birth, valid SSN, legal presence in the U.S. (*note: if you do not know this information, CDCR should have some of this information on file*). Your client should talk with their correctional counselor (also called "CC I") to apply for the Cal-ID program.
- **If your client is currently incarcerated, they may be able to take steps to get other forms of ID before release:**
 - They can apply for a birth certificate while incarcerated (see pg. 21 for more information).
 - In some cases, they can apply for a SSN if they had one previously (see pg. 22 for more information).
- **Individuals can sometimes get a fee waiver for certain types of ID.** These fee waivers depend on the type of ID they are seeking. Individuals will usually qualify if they are receiving public benefits or can show that they are low-income. They should always ask if there are fee waivers available before they pay full price for an ID card!

starter questions

Below is a list of the most important types of identification documents (ID)--and information about which ones your client can get while incarcerated.



ACTION STEP! Fill out the "STARTER QUESTIONS" below—To determine what ID your client has or needs, and what ID your client can get before release, you can work together to fill out the "STARTER QUESTIONS" checklist below. Even if you don't use the checklist, we suggest having a **conversation** about ID needs with your client early on!

STARTER QUESTIONS: GETTING ID

Ask your client whether he or she has the following forms of ID and draw a checkmark in the appropriate boxes. Make sure to check that the ID is still valid and has not expired!

- Birth Certificate** – *Client should get while incarcerated or soon after release.*
 - **IF INCARCERATED:** Your client should be allowed to keep a copy of their birth certificate (either in

their cell or in their Central File, depending on the facility). To order, they will need to get an application (YOU or their counselor can assist them), pay a \$25 fee, and request a **certified copy**, which requires a notarized sworn statement.

- *FOR ALL OTHERS:* Your client can go to the Vital Records office in their birth county to request a birth certificate (the cost varies). They can also visit www.cdph.ca.gov to download, complete, and mail in their request along with the fee.
- *A NOTE IF YOUR CLIENT IS HOMELESS:* There are vouchers for free CA birth certificates if your client is homeless. To get a fee waiver for a CA birth certificate the applicant must get a “homeless services provider” to sign an affidavit certifying the applicant’s homeless status. “Homeless services provider” is defined pretty broadly and includes government agencies and government-funded nonprofits that assist homeless clients, as well as attorneys, and law enforcement. Find it online at cdph.gov (search “birth certificate affidavit of homeless status”).

■ **Social Security Number (SSN)** – *Client should get while incarcerated (if possible) or soon after release.*

- *IF INCARCERATED:* If your client has never had a SSN, they will have to wait until they get out to apply for an “original” Social Security card. However, if your client was given an SSN at some point in the past and they need a replacement card, they can request one if their facility has a Memorandum of Understanding (“OU”) with the Social Security Administration (“SSA”). *If your client’s facility does not have an MOU with the SSA,* they can ask their correctional counselor, you, or a supporter on the outside to help them mail an SS-5 application to their local or regional Social Security office. Your client can do this by calling SSA’s automated service, toll-free, at 1-800-772-1213 or at its TTY number, 1-800-325-0778, if they’re deaf or hard of hearing. Or, if they have access to the Internet they may be able to apply for a replacement card by setting up an account at <https://www.ssa.gov/myaccount/>. If your client cannot reach the SSA by phone or get online (which is common in prison), they could mail in Form SSA-1696-U4 to appoint you or a family member as their representative (See: <https://www.ssa.gov/forms/ssa-1696.pdf>)
- *FOR ALL OTHERS:* To get their Social Security card, your client can request an application form (Form SS-5) by calling 1-800-772-1213 or by writing to their local Field Office or Regional Office. Write to the Regional Office serving California at: SSA, Regional Public Affairs Office, P.O. Box 4201, Richmond, CA 94804. If needed, they could also appoint you as their representative (see the point above).
- *NOTE:* Once your client has their Birth Certificate and Social Security Number, they should be able to get a California State ID and possibly a Driver’s License.

■ **California State ID Card or Driver’s License** – *Client should get a state ID card while incarcerated through the CAL-ID program (if possible) or soon after release.*

- *IF INCARCERATED:* *If your client is in state prison...* they should talk to a correctional counselor about applying to the CAL-ID program pre-release for a free California state ID card (learn more about the requirements on pg. 21 above). *If they’re in county jail;* some jails are starting programs similar to CAL-ID, so your client should ask jail staff if they have a program to help them get a California state ID card.
- *FOR ALL OTHERS:* The Department of Motor Vehicles (DMV) issues both CA State ID cards and CA Driver’s Licenses. Find a local DMV office here: dmv.ca.gov/portal/dmv/detail/fo/offices/toc_fo.
- *IMPORTANT NOTE:* Your client cannot apply for a CA driver’s license while incarcerated; they will have to wait until they are **released** to apply. However, your client can sometimes take steps while incarcerated to make getting their license back easier after release. For example, they can request a DL114 form (“request for dismissal of failure to appear” form) if their license was suspended due to a “failure to appear” while they were in jail on a pending non-felony case.
- *NOTE:* If your client’s driver’s license was suspended due to unpaid traffic court fees, see the “barriers to getting ID” section directly below (#2 is about unpaid traffic fees).

■ **U.S. Passport** – *Less Urgent—most likely something to think about getting after release, if possible.* To find a passport-issuing office, visit: <https://travel.state.gov/content/passports/en/passports/information/where-to-apply.html>.

■ **Library Card** – *Less Urgent—something to get after release, if needed.* A library card gives your client access to free books, computers, and Internet at a local public library. They can get a card at *any* local library. To find the closest library, visit: <http://www.publiclibraries.com/california.htm>.

legal barriers to getting ID

It's important to be aware of some of the key barriers that people in the reentry process or people with arrest, conviction, or other court records might face in getting critical forms of ID needed to drive, work, go to school, or access other services.

1. Child Support Debt as a Barrier to Obtaining a Driver's License:

If your client's driver's license was suspended due to unpaid child support and they cannot pay the amount required, they can ask the court that issued their child support order to reinstate their license temporarily.

If your client is not currently incarcerated and has internet access, they can get a Notice of Motion for Judicial Review of License Denial (Form FL-670), *OR* you can get it for them, available online at www.courts.ca.gov/forms.htm.

This form asks the judge of that court to consider giving your client back their driver's license so that they can go to work and earn money. The judge, not the local child support agency (LCSA), will make the final decision. To file:

- Complete the FL-670 form; the case number is the same as their child support case number and case title.
- Make two copies of the form (one for them, the other for the Department of Child Support Services). The original is for the court file.
- Go to the nearest court clerk's office and request a hearing date. At the hearing, your client may tell the judge why they should get their license back. A filing fee of \$25 will be charged unless your client has a current fee waiver on file with the court. If they do not have a fee waiver and are unable to pay the fee, your client should ask the clerk for an Application for a Fee Waiver packet.
- Serve the papers on the County Department of Child Support Services that had their license suspended.
- Get ready for the hearing. On the date of the hearing, your client may need to wait in the courtroom for their case to be called. They should NOT bring children to the courtroom.

If your client is currently incarcerated and they have a release date, your client can still fill out Form FL-670 but they must file it in person after release. You and/or your client should also check with the family court that ordered child support to make sure it is PAUSED during their incarceration (this is supposed to be automatic these days, but for people with old child support orders, they may need to proactively tell the court they are incarcerated and request the pause.)

2. Unpaid Fees Should Not Result in Your Client Losing Their License:

As of the passage of AB-103 in June 2017, an individual's license can no longer be suspended for *unpaid fines*.

However, it can still be suspended *for a failure to appear in court*. Additionally, a court *can no longer* report a failure to pay fines and/or bail to the DMV, no matter the reason(s)! Before June 2017, the DMV would suspend licenses upon receiving these reports from courts -- under new law, this practice should have ended statewide!

3. Special Types of ID for Undocumented People in California:

If your client is an undocumented person living in California, they cannot get official ID that works for all government purposes. However, your client may be able to get special types of ID that can be used in some limited circumstances. The following forms of ID may benefit them:

- **California AB 60 "Undocumented Person" driver's license:** If you meet the requirements to drive legally but are an undocumented person, you may be eligible for an AB 60 driver's license. In order to obtain one of these licenses, you must submit proof that you currently live in California (such as a rental agreement, mortgage bill, school or medical documents, or other information) and proof of your identity (such as a California Identification Card, valid foreign passport, or some other forms of ID).



WARNING! While state police cannot discriminate against individuals driving with an AB 60 "undocumented person" license in California, federal agents in California and all law enforcement outside of California can! For this reason, you should NOT use this form of ID outside of California, or in any federal facilities (**including airports and customs**).

- **Municipal ID:** Some cities have begun issuing municipal or "city ID" cards for their residents (not available while incarcerated). These are usually photo ID cards that can be used to receive city services and benefits, and sometimes offer a prepaid debit card banking function. These forms of ID **do not** usually require proof of citizenship or legal presence in the United States. Search online (google.com) for your city's name followed by city "ID." *A few city ID programs include:*
 - *San Francisco ID Card:* Call 3-1-1 (if in SF) or 415-701-2311 (from outside SF) to learn more.
 - *Oakland City ID Prepaid Mastercard:* Call 1-888-997-3522 to learn more.
 - *Richmond City ID Card:* Call 1-888-997-3522 to learn more.

- **Consular Identification Card (CID):** Some governments issue this form of ID to identify their citizens who are living in foreign countries. Some consulates offer the option to apply by mail, but most require you to apply in person. If possible, your client can look online for their country’s nearest Consulate, and call them to ask about whether a CID would be available.



WARNING! A CID can help your client open a bank account, and get a driver’s license in California. However, it does not grant them legal presence in the United States, so they should NOT share it with an ICE agent or other federal worker. The same is true for Passports or Expired Visas--never share these with an ICE agent or other federal worker. Please see the ID section of this *Toolkit* on pg. 23 for more information about forms of ID that undocumented Californians may be able to use.



CONSULT AN ATTORNEY: A lawyer may be able to help your client get their ID or driver’s license back. Has your client’s license been suspended or revoked due to their conviction? If your client needs extra support, there may be legal aid lawyers who can help. See Appendix A, pg. 91 for a starting list of legal aid organizations across California who may be able to help OR call Root & Rebound’s weekly Reentry Legal Hotline, any Friday, 9 a.m. – 5 p.m. PST, at (510) 279-4662 (we accept collect calls).

common needs & useful items in the early days after release

In addition to ID, there are other items and basics that are critical to people in their early days of transition after release from incarceration. Once you assess your client’s needs, you can help them access the necessary services and resources. The **chart** below lists some common needs and useful items that many clients will need support accessing in the early days after release.⁶ The chart then suggests where you and your client can go for help. You can use this chart to begin a conversation about post-release plans with your client, even while they are still incarcerated, and to clarify which of these items you can (and cannot) help them gather.

COMMON NEEDS & USEFUL ITEMS IN THE FIRST DAYS AFTER RELEASE		
COMMON NEEDS	WHAT YOU NEED TO KNOW	WHERE TO GO FOR HELP
Food	<ul style="list-style-type: none"> • Your client can apply for CalFresh (sometimes called food benefits, food stamps, or EBT) <i>pre- or post-release</i>. • Local food banks & soup kitchens have free food for those in need. 	<ul style="list-style-type: none"> • See pg. 75 for more information on CalFresh. • Go to http://www.calfresh.ca.gov/PG839.htm to find your client’s local county social services office, where you can apply for CalFresh. • Go to www.cafoodbanks.org to find a local food bank. • Call 2-1-1 to for a referral to the closest food bank.
Immediate Housing/ Shelter	<ul style="list-style-type: none"> • Temporarily staying with family or friends can provide support and give your client time to find long-term housing • Your client’s parole/probation officer must approve housing (and can conduct unannounced home searches at any time). • <i>Protective court orders</i> and <i>no-contact orders</i> can impact who your client can stay with. • Local shelters offer a free, temporary place to sleep, eat, and shower. 	<ul style="list-style-type: none"> • Go to www.homelesshelterdirectory.org/california.html to search for local shelters. Or call 2-1-1 to ask where the closest shelter is. <i>Note: Shelters often require proof of a current TB test. 2-1-1 has information on this.</i> • Your client can ask their parole/probation officer for affordable housing referrals or subsidized housing options.
Clothing & Toiletries	<ul style="list-style-type: none"> • Organizations like Goodwill and the Salvation Army (and many others) provide clothes and basic toiletries (like toothpaste, toothbrushes, soap, and razors) to people in need. 	<ul style="list-style-type: none"> • Go to goodwill.org/locator/ to find a local Goodwill. • Go to salvationarmyusa.org/usn/contact to find a local Salvation Army. • Call 2-1-1 to ask for referrals to community-based organizations that offer toiletries and a place to shower.
Transportation or Public Transit Pass	<ul style="list-style-type: none"> • If your client is on parole, they must report to their parole officer on the first business day following release. CDCR does not provide transportation to parolees or others. • Your client might need help getting to social services offices, the DMV, medical appointments, and/or job interviews. 	<ul style="list-style-type: none"> • Call 2-1-1 to ask about free local transportation for seniors, people with disabilities, and people without personal transportation. • If your client is a veteran, visit va.gov/HEALTHBENEFITS/vtp/map.asp#California to find free transportation to VA health services.

⁶ This items listed in this chart were adapted from Defy Ventures (<https://defyventures.org>). Defy Ventures provides entrepreneurial skills training and education to formerly incarcerated people interested in starting their own businesses.

	<ul style="list-style-type: none"> • A public transportation pass or card can help your client inexpensively get to where they need to be. • If your client wants a Driver's License, they might be able to fill out DMV paperwork and applications online to save time. 	
Financial Help	<ul style="list-style-type: none"> • When released, your client is entitled to the money in their prison/jail trust account. • If leaving CA state prison, they are usually entitled to \$200 gate money (some exceptions). • If on parole, your client <i>might</i> be able to get emergency "financial assistance funds." Their parole office gets to decide whether to give them cash assistance. This is a loan that they must pay back. • General Assistance/General Relief (GA/GR) are county-run programs that offer cash assistance if they cannot receive most other public benefits. • SSI and SSDI are federal programs that assists low-income people and people with disabilities. 	<ul style="list-style-type: none"> • Call Root & Rebound's Reentry Legal Hotline for information on filing a CDCR Form 602 appeal if your client does not receive their gate money. • Your client can ask their parole/probation officer about financial assistance funds. • See Appendix A, pg. 91, to find a public benefits advocate or legal aid attorney who can help your client apply for public benefits. • Go to calfresh.ca.gov/PG839.htm to find a local county social services office, where your client can apply for GA/GR.
Cell Phone	<ul style="list-style-type: none"> • Cell phones are important to stay in contact with family members, parole or probation officers, and employers. Your client can get a pre-paid or temporary cell phone if subscribing to a service plan is too expensive. 	<ul style="list-style-type: none"> • California LifeLine (sometimes called "ObamaPhone") is a program that helps low-income households get free and discounted cell phones and/or landlines. To see if your client qualifies, visit www.cpuc.ca.gov/General.aspx?id=2752#qualify • To find a LifeLine provider in your client's area, visit: www.californialifeline.com/en/provider_search
Watch with an Alarm	<ul style="list-style-type: none"> • A basic digital watch with an alarm can help your client make sure they are on time for any important meetings, events, or job interviews. 	<ul style="list-style-type: none"> • Look for an affordable watch with an alarm at one of the following places: clothing bank, Goodwill or another thrift store, OR a big box store like Target or Wal-Mart. Amazon.com has affordable options as well. • There may also be reentry groups in your area that help people get these items through donations.
Pocket Calendar or Notebook	<ul style="list-style-type: none"> • An inexpensive pocket calendar or notepad can help your client stay organized and on time for any appointments, meetings, or job interviews. They can also write down important phone numbers, bus routes, or other information. 	<ul style="list-style-type: none"> • An individual can often pick up an affordable pocket notebook at any big-box store like Walgreens, Target or Wal-Mart, or at a paper/stationary store.
Email account (free)	<ul style="list-style-type: none"> • Having an email account is a free and easy way for your client to fill out job applications and communicate with potential employers. Gmail accounts are simple to use and up-to-date. • The email address chosen should be professional and appropriate for applying to jobs or school. 	<ul style="list-style-type: none"> • See pg. 44 for tips on creating a professional email account. • ACTION STEP! Computer Literacy: <i>Learn the basics of using a computer and e-mailing!</i> There are many free computer classes both online and in-person. Your client can search for free computer literacy classes on www.google.com or www.youtube.com.



CALL ROOT & REBOUND'S LEGAL TEAM: Remember that you can always call Root & Rebound's Reentry Legal Hotline any Friday at 510-279-4662 for a referral or more information about these procedures. We can speak with you or your client about things like connecting with local service providers, advocates, or provide more guidance on the process for things like getting public benefits or reinstating a license. Anything reentry-related, our team is here to help you and your client meet their needs!

Conclusion

Part 2 covered steps your client can take to get some of the most important ID and basic items in reentry. Although the process of gaining ID can be time-consuming, complex, and tiring, you can encourage your client to think of it as one of their earliest and most significant steps to reentry and reintegration. It may also be helpful to remind clients of the close connection between obtaining ID and being able to access employment, housing, education, and health care.

part 3.

VOTING RIGHTS

SUMMARY

Part 3 provides:

- **Information on the current law** and a **helpful chart** summarizing who can and cannot vote in California because of their incarceration or supervision status.

FLAGGING POTENTIAL LEGAL ISSUES

CLIENT ISSUE	WHAT YOU CAN DO TO SUPPORT
<i>Determine if your client is eligible to vote...</i>	Review the chart on pg. 28.
<i>If your client needs to (re)register to vote...</i>	If your client is incarcerated, they can request a voter registration application from their correctional facility staff. You can also get an application and mail it to them. If your client is not incarcerated, you can help them register online at https://registertovote.ca.gov/ , or help them fill out a voter registration application—available at the DMV or their local county elections office. Learn more on pg. 27.

voting rights

Voting is a way for your client to express their political voice. It is one way they can help change the current practices and laws related to the criminal justice system and people's rights in reentry. This section will explain clearly what the law currently says about voting rights, and how your client can re-register to vote.

KNOW YOUR CLIENT'S VOTING RIGHTS!

- **MYTH BUSTER:** *Very few Californians permanently lose their right to vote due to a criminal record. It is a big myth that once you have been convicted of a crime or incarcerated that you can never vote again. That is **false!***
- **Unless your client is (1) currently incarcerated in state or federal prison (or is in county jail awaiting transfer to state or federal prison), (2) on state parole, OR (3) involuntarily committed for mental health reasons, HE OR SHE HAS THE RIGHT TO VOTE!** Once an individual is no longer in prison, on state parole, or involuntarily committed, their voting rights are automatically restored. People on county probation, on PRCS, on federal probation, or serving a sentence in jail CAN VOTE in California!
- **If your client is eligible to vote, he or she has the right to take paid time off work to vote.** Remind your client to make arrangements with their employer at least *two working days* in advance. BUT NOTE: If your client is an independent contractor, this rule does not apply.
- **If your client is disabled, he or she has the right to reasonable accommodations to access voting locations AND use a voting machine that is accessible.**⁷ If your client is unable to read or has other physical difficulties submitting their vote, they have the right to select up to two people to assist them in the booth—so long as these people aren't affiliated with their employer. This means that you, as a service provider, may be able to perform these duties for your client.
- **Your client must register to vote at least 15 days before the next election to be able to vote in it.** If your client is able to register to vote online, she or he must do so before midnight on the deadline date (that is, by 11:59 PM 15 days before the election). If your client registers using a paper form, it must be postmarked or hand-delivered to their county elections office at least 15 days before the election.

The **box** below explains some key information for registering (or re-registering) to vote!

registering to vote

The deadline for registering to vote is **15 days before the next local, state, or federal election**. To register, your client will need to fill out a voter registration form and send it to their **county elections office**. They can either do this by filling out the online registration at <http://registertovote.ca.gov> or by filling out a paper form. Paper forms are available at any county elections office, public library, DMV, or U.S. Post Office. If your client is in jail and have the right to vote, they should ask the jail staff to provide them with a registration form.

Call the **California Secretary of State's toll-free voter hotline** with any questions: 1-800-345-VOTE (English), 1-800-232-VOTA (Spanish), 1-800-339-2857 (Chinese), or 1-800-833-8683 (TTY/TTD). If your client is incarcerated and cannot call these numbers, call **Root & Rebound's reentry legal hotline** any Friday, 9 a.m. – 5 p.m. PST, for information and support.


Even if your client registered previously, they will likely need to **re-register** to vote if any of the following is true:

- They've since changed their permanent address, legal name, or political party; OR
- They've completed a felony prison sentence **AND** they're off of state parole.

⁷ See Disability Rights California, *Voters with Disabilities* (July 2016) at p. 14 (Retrieved from: <http://www.disabilityrightsca.org/pubs/541201.pdf>).
Page 27 of 108

This chart summarizes the specific reentry conditions that can affect your client’s voting rights in California.

CALIFORNIA: VOTING RIGHTS WITH A RECORD	
People with <u>State</u> Convictions	
SUPERVISION STATUS	CAN I VOTE? <i>(Note: You must also be age 18 or older by the next election day, a U.S. citizen, and a California resident)</i>
Currently incarcerated in California state prison	NO
On California state parole	NO
On probation (informal or formal)	YES
Under post-release community supervision (PRCS)	YES
Under mandatory supervision	YES
Currently incarcerated in county jail	<p>IT DEPENDS –</p> <ul style="list-style-type: none"> • Because jail time is a condition of your probation: YES • Because you were sentenced to serve time in jail (not as part of a “split sentence”): YES • Because of a felony sentence with a “split sentence” that combines jail and probation time on Mandatory Supervision: YES • Because of an “AB 109” felony conviction with PRCS supervision to follow: YES • Because of a parole violation: NO • Because you have been convicted and sentenced of a felony and are awaiting to be transferred to federal or state prison: NO
Pending felony charge(s) (meaning you’re charged, but not yet convicted)	YES
Serving a sentence in jail or on probation due to a misdemeanor conviction.	YES. A misdemeanor never affects your right to vote in California.
People with <u>Federal</u> Convictions	
SUPERVISION STATUS	CAN I VOTE? <i>(Note: You must also be age 18 or older by the next election day, a U.S. citizen, and a California resident)</i>
Currently incarcerated in federal prison	NO
On federal probation	YES
On federal supervised release	YES
On federal parole (applies to very few people)	YES

 **IMPORTANT!** Once your client is off of state parole and no longer incarcerated, their right to vote is automatically restored in California for both state and federal elections. All they need to do is register (or re-register) to vote at least 15 days before the next election!

Conclusion

Part 3 covered your client’s eligibility to vote based on whether or not they are incarcerated or on state parole. Many people still believe they cannot vote if they have a felony or record—which is completely FALSE in California! One way to make space and empower your client to make their voice heard in society is by engaging them in their right to vote.

part 4.

CREATING A HOUSING PLAN

SUMMARY

Part 4 provides:

- **Guidance** on creating a housing plan with your client;
- **An overview** of different housing options;
- **Suggestions** for finding housing for clients with special needs; and
- **Important information** about your client’s housing rights, including how to challenge illegal denials to public and private housing.

FLAGGING POTENTIAL LEGAL ISSUES	
CLIENT ISSUE	WHAT YOU CAN DO TO SUPPORT
<i>If your client needs transitional housing...</i>	With the permission of your client, you can help them by researching and calling transitional housing programs, and by gathering documents that they will need to apply. Keep in mind your client’s specific needs so that the program will be a good fit. It helps to begin this process at least six months prior to release or as soon as possible.
<i>If your client will live with a loved one...</i>	You can help your client by reviewing their probation/parole conditions and checking for restrictions. You can also assist them with challenging an unfair denial by a loved one’s landlord. For more information on living with a family member or loved one, see pg. 35.
<i>If your client is a ‘lifer’...</i>	Your client likely needs to have set transitional housing plans and share them with the Board of Parole Hearings (BPH). You can help your client by reaching out to transitional housing programs in the county where they will parole. For a starting list of programs that accept applications from currently incarcerated people, see Appendix D on pg. 97.
<i>If your client is a 290 registrant....</i>	They will have to follow specific laws and rules to comply with their 290 registry requirement as well as special parole conditions (if on parole). These issues are not always straightforward and often require legal guidance due their complexities. Please reach out to any legal partners you or your organization may have; or for a list of legal aid organizations across California, see Appendix A on pg. 91 or call Root & Rebound’s Reentry Legal Hotline any Friday, 9 a.m. - 5 p.m. PST, at 510-279-4662.
<i>If your client is, or may be, homeless....</i>	You can call 2-1-1 (or 3-1-1 if in San Francisco) to find your client immediate shelter. Some programs, or shelters, require proof of homelessness; as a Service Provider Professional, you can provide a letter of proof. See pg. 32 for more information. Note: If your client is required to register under 290, they will have additional reporting requirements as a “transient” person. Learn more on pg. 33.
<i>If your client applies to housing with a ban on people with criminal records...</i>	If you and/or your client believe they have been illegally discriminated against, contact a housing attorney. Please reach out to any legal partners you or your organization may have, or for a list of legal aid organizations across California, see Appendix A on pg. 91 or call Root & Rebound’s reentry legal hotline any Friday, 9am-5pm PST, at 510-279-4662.
<i>If your client has a disability that they need a landlord/housing provider to accommodate...</i>	You can help your client research and apply to housing that provides accommodations if they are disabled or have past substance abuse history that may qualify as a disability, such as being paroled to a Sober Living Environment. For more information, see pg. 38. If your client needs legal assistance in getting reasonable accommodations from a landlord, reach out to any legal partners you or your organization may have, see Appendix A on pg. 91 for a list of legal aid organizations across California, or call Root & Rebound’s Reentry Legal Hotline any Friday, 9 a.m. - 5 p.m. PST, at 510-279-4662.

creating a housing plan

California has the highest number of homeless people in the country.⁸ With affordable housing becoming increasingly scarce, discrimination of housing applicants on the basis of a criminal record has become rampant. In addition to discrimination, people in reentry often face financial hurdles like debt, poor credit, and un/under-employment. Statewide prison reform has led to an unprecedented number of people being released on to county supervision (parole and probation); but in some counties, **one in five** people in reentry ends up homeless.⁹

With so many barriers present, housing access has become a major issue for people in reentry. And without stable housing, it can be hard for people to comply their conditions of community supervision—which can result in their reincarceration. Housing instability also threatens a person’s ability to find or keep a job, stay healthy, and maintain family bonds. For these reasons, it is important to prioritize housing security when working with a client in reentry.

KNOW YOUR CLIENT’S HOUSING RIGHTS!

- **Landlords could be violating state and federal law by discriminating against people with criminal records—especially if they are using overbroad, all-inclusive language (“blanket bans,” like saying ‘no one with a record need apply’) arbitrarily discriminating or screening people, or only checking the backgrounds of people in a protected group (like people of color, women, etc.).** Whether a housing provider is actually violating civil rights law when they discriminate against people with records depends on a variety of factors, including whether the housing in question is public or private and the landlord’s particular words or conduct. For more information on housing discrimination based on criminal records, see pg. 36, and consult a housing lawyer.
- **Your client has the right to certain protections when a landlord runs a background check (often called a “tenant report”).** For more information about what protections a landlord must provide, see pg. 37.
- **If your client’s public OR private housing application was denied because of information in a criminal background check, they have the right to know why and to dispute the accuracy of that information.** For more information about public housing denials, see pg. 37. For more information about private housing denials, see pg. 38.
- **If your client has a disability,** they have the right to request reasonable accommodations for their disability in transitional or public housing. This includes accommodations for mental disabilities and past (but not current) drug addiction.
- **If your client was denied public housing or federally-assisted housing (like a Section 8 voucher), they have the right to challenge that denial.** This includes the right to request a “review hearing” where your client can have an impartial hearing officer review the denial. For more information on challenging public housing denials, see pg. 37.

starter questions

Having a housing plan is often the first and most important step in reentry. Use the starter questions below to better understand your client’s housing needs, options, and potential barriers.



ACTION STEP! Fill out the “STARTER QUESTIONS” below— The goal of these questions is to help you assess your client’s needs and support them in creating a feasible housing plan. It is okay if your client doesn’t know the answers to all of these questions. What is most important is that your client appreciates the many factors involved in making housing decisions. These questions are designed for you to consider and then ask.

⁸ The U.S. Department of Housing and Urban Development, *The 2016 Annual Homeless Assessment Report (AHAR) to Congress* (Nov. 2016), at p. 12 (Retrieved from: <https://www.hudexchange.info/resources/documents/2016-AHAR-Part-1.pdf>).

⁹ Gale Holland, To tackle homelessness, look to jails, hospitals, foster homes, group says, Los Angeles Times, October 22, 2015, <http://www.latimes.com/local/california/la-me-1022-homeless-discharge-20151023-story.html> (last visited Nov 29, 2017) (“But speakers at a meeting of the county homeless initiative policy summit estimated that up to 20% of the 32,000 state prisoners discharged to Los Angeles County under realignment, and 10% of the 8,000 to 10,000 who leave county jails each month, end up in the streets.”).

STARTER QUESTIONS: HOUSING

- Where will your client live?**
- Who will live with your client?**
If your client will be living with other people (for example, family, friends, partners, or children), the host should make sure their landlord or public housing provider allows a person with a criminal record to live there. Learn more on page 35.
- How long will your client be able to stay there? Where does your client want to go when that time is up?**
- If your client has housing costs, where will that money come from?**
- Does your client have a back-up housing plan?**
- What is *most important* to your client when making housing decisions?**
- Is anyone else (family, friends, sponsors) helping your client with their housing search?**
- Does your client have a physical, mental, or other disability that will impact where they can live?**
If so, your client's disability may entitle them to a "Reasonable Accommodation" from a landlord, public housing authority, or to change a parole/probation condition under law. See pg. 38 for more information.
- Was your client's conviction the result of substance abuse issues?**
If so, their past substance abuse may qualify as a disability entitling them to a "reasonable accommodation" under law. See pg. 38 for more information.
- Was your client's conviction the result of a domestic violence charge involving a family member... and is there a protective or no-contact order in place that prevents your client from being in contact with that family member?**
If so, it is very important that they do not violate the protective or no-contact order, as this could result in their arrest and/or reincarceration.
- Is your client required by parole, probation, the Board of Parole Hearings (see note on Lifers, below), or some other correctional agency to have a housing plan before release? By when does your client need this plan?**



TIPS FROM THE FIELD: WORKING WITH LIFERS—It's important to know that people sentenced to prison for life with the possibility of parole ("lifers") must share their plans for reentry, including a housing plan, with the California Board of Parole Hearings (BPH) to be released. The BPH expects that most lifers will live in transitional housing for 6-12 months following their release. If your client is a lifer, you can support them by helping them find and apply to transitional housing programs in the area to which they will be paroled. (See the Action Step on pg. 34 to find out how.) Appendix D (pg. 97) has a list of transitional housing programs that may accept applications from currently incarcerated people. **NOTE:** There are certain parole conditions that restrict where a person can live. For example, former lifers usually cannot return to the county where any family of a victim of the crime lives.

short-term, transitional, and special needs housing

For many people in reentry, short-term, transitional, or special needs housing is necessary because long-term housing is not an immediate option. This is especially true for people who have been incarcerated for longer periods (usually in state prison), who cannot be approved for release without transitional housing secured, and/or who will be required by the rules of their community supervision (such as parole or probation conditions) to live in transitional housing before living on their own, with family, or in long-term housing.

1. Short Term Housing (Shelters):

Most shelters are free, and usually offer a bed and shower for one night or multiple nights. You can usually access a shelter immediately that offers immediate and emergency housing and usually don't require applications or waitlists. While they do not provide a permanent solution, shelters can be a critical resource when short-term housing is needed right away. Some shelters may require identification and/or proof of homelessness. Help your client by inquiring in advance about the documents necessary for admission, and offer to write a signed letter confirming your client's homeless status if needed.



ACTION STEP! If you are concerned your client is or will become homeless, it can be very important to have a list of local shelters that will accept him or her in right away. You can call Root & Rebound's Reentry Legal Hotline any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662, to request information about shelters in your area. If you have access to the Internet, both the **Department of Housing and Urban Development (HUD)** and the **National Coalition for the Homeless** have lists of shelters and emergency housing on their websites (search "homeless shelters California"). Calling **2-1-1** is another great resource (see below).



HELPFUL RESOURCE: Call 2-1-1. If your client is in need of immediate shelter (or other resources and referrals), try calling 2-1-1. 2-1-1 exists in most counties in California and provides free and confidential information and local referrals, including to organizations that offer shelter and housing (as well as food, employment, health care, and more). *Note: If in San Francisco, the number to call is 3-1-1.*

2. Transitional Housing:

Transitional housing can help people adjust to life outside of prison or jail. Most transitional housing programs last between 18 and 24 months. Many transitional housing programs provide programs and services, like counseling, money-saving plans, food, job training, and computer classes. Additionally, there are special options for people who need extra support, such as mental health services or substance abuse treatment.

If your client is currently incarcerated, there are some transitional housing programs that they can apply to before their release date. Please see Appendix D on pg. 97 for a starting list of places that accept applications from currently incarcerated people.

Your client's parole or probation conditions may also require them to live in transitional housing, and the Board of Parole Hearings (BPH) almost always requires it **for lifers to be found suitable for release onto state parole.** If your client is serving a federal prison sentence, they may be placed in a residential reentry center (RRC) for the last several months of their release. If your client is on federal probation or supervised release and still living in an RRC, the probation office will likely extend their stay there if they are unable to find another place to live. Your client is required to have a landline phone while on federal probation and probation conducts random home visits as part of their supervision so they are not allowed to be without an approved residence.



ACTION STEP: There are many ways to support your client in securing transitional housing. In addition to helping them determine the admissions criteria and put together applications, you can:

- Help them get the **necessary identification** (See Part 2 on pg. 20).
- Provide a signed letter stating that your client is homeless if the housing program requires **proof of homelessness.** The letter may include such details as how long your client has been homeless (time spent in jail or in the hospital usually does not count), where they have been staying, and why they would benefit from the housing.
- Provide a signed letter to serve as **proof of sobriety:** this may include information about their treatment history and, if appropriate, your professional assessment of their progress.



TIP FROM THE FIELD: Not all transitional housing programs are the same (some are more supportive to people in reentry than others). Plus, the process of finding transitional housing can be long and confusing. If your client is currently incarcerated, encourage them to call or write to potential programs *well in advance of their release date*, if possible. You can also call on their behalf (see action step directly above).

3. Special Needs Housing:

Some housing programs provide extra support to people with **special needs**. Such programs may offer short-term or long-term housing options, ask on behalf of your client! See Appendix D on pg. 97 for a starting list of housing options.

→ **For survivors of domestic violence:** There are more than 100 shelter-based domestic violence programs throughout California. Many of these offer both emergency housing (usually 30 to 60 days) or housing that is more long-term (six to 18 months). In addition to housing, these programs often offer services such as 24-hour hotlines, legal assistance, counseling, and referrals. Each program is different, but many do not conduct criminal background checks, or may be more willing to take the context of a domestic violence survivor's crime into account. To find a domestic violence shelter, contact the National Domestic Violence Hotline at 1-800-799-SAFE (7233). You can support your client by helping them locate, and determine the eligibility criteria for, specific programs.

→ **For currently or formerly incarcerated parents who wish to live with their children:** California has a few special housing programs that permit residents' children to live on-site. Many—but not all—of these programs focus on mothers. Each individual program has its own requirements; for example, some may require residents to be on some type of supervision, or may require simultaneous participation in a substance abuse recovery program. You can help your client by researching eligibility requirements and inquiring about waitlists.



HELPFUL RESOURCES: A few programs that permit parents in reentry to live with their children include: **Family Promise of Sacramento**, 1300 North C Street, Sacramento, CA, 95811, (916) 443-3107; **Female Offender Treatment and Employment Program (FOTEP)**, (916) 324-5041 - locations in Los Angeles, Merced, Riverside, Sacramento, San Francisco, San Diego; **GRIP Family Housing Program**, 165 22nd Street Richmond, California 94801, (510) 233-2141; **Love--a--Child Missions**, 2279 Willow Pass Road Bay Point, California 94565, (925) 458-5663; **MOMS program**, 1904 Franklin Street, Suite 418 Oakland, CA 94612, (415) 456-9980; **Residential Family Center - VOA**, 3434 Marconi Avenue, Sacramento, CA, 95821, (916) 443-4688

→ **For people in recovery:** Sober living environments (SLEs) are a great option for clients suffering from past addiction or alcoholism. The CDCR operates several transitional housing programs that focus on substance abuse treatment and/or sober living. If your client is on state parole, they may be eligible to receive funding assistance for this type of housing through CDCR's Substance Abuse Service Coordination Agencies (SASCA). Reach out to your client's parole officer for information.

→ **For veterans:**

- **If your client is still incarcerated...** they should get paired with a Reentry Specialist from the U.S. Department of Veteran Affairs (VA). The Reentry Specialist ensures they have all the resources they need—including housing—for a successful transition back into the community. Connect with their reentry specialist if you or your client have questions about navigating housing or other topics of reentry.
- **If your client is in the community...** you can help them reach out to a VA counselor at the National Call Center for Homeless Veterans. Their hotline is available 24/7 at 1-877-AID-Vet (424-3838). You can also help your client find their local VA office at <http://www.cacvso.org/county-contacts/>, or reach out to nonprofit recipients of the VA's Supportive Services for Veteran Families Grants at www.va.gov/homeless/ssvf.asp.

→ **For senior citizens:** There are very few housing programs created specifically for senior citizens in reentry. However, seniors may be eligible for housing based on factors such as disability, income, or veteran status.¹⁰

→ **For 290 Registrants:** If your client must register as a sex offender pursuant to Penal Code section 290, they may face restrictions on where they can live. These restrictions differ depending on the crime for which they were convicted, their supervision status, and any related conditions imposed onto them. Use the following guidelines to determine

¹⁰ If your client is located in the Bay Area, consider looking into Bayview Senior Services' Senior Ex-Offender Program, located in San Francisco. It provides two transitional housing facilities for seniors in reentry.

what limitations, if any, your client may face as a 290 registrant, and remember your client can be arrested and possibly returned to jail if they fail to comply.

- **If your client is on state parole...** they CAN'T live in a single-family house with another 290 registrant unless they are legally related by birth, marriage, or adoption. They also must comply with any other residency restrictions CDCR places on them as a condition of parole.
- **If your client committed a crime against a minor...** they CAN'T live near a child day care facility, residential facility, or foster family home. Violation of this law is a misdemeanor.
- **If your client is on state parole, committed a crime against a minor listed under Penal Code sections 288 or 288.5, and CDCR has labeled them a "high risk parolee"...** they CAN'T live within half a mile of any K-12 school or park where children regularly gather. Please note that parole *could* impose a greater distance from K-12 schools or parks; the half-mile is just the *minimum* distance they must impose.
- **If any of the above restrictions apply but your client is homeless...** they MAY be able to live within half a mile of any K-12 school or park so long as they keep their parole agent informed of their location.
- **If any of the above restrictions apply but your client is mentally ill and living in a licensed mental health facility...** they may be temporarily excused from their residency restrictions during the course of their treatment. Be sure to check in with their parole agent.



WARNING: Some cities and counties (municipalities) have additional restrictions on where registrants can live or be present at. It is important that your client ask about and follow these rules. (Note: Municipal restrictions are not permitted under the California constitution, but may still be illegally enforced.) If your client encounters a local/municipal restriction, or have other legal questions related to 290 registration, you or your client may wish to contact **Alliance for Constitutional Sex Offense Laws (ACSOL)**, an organization that advocates on behalf of 290 registrants. Their website is all4consolaws.org. Their contact information is: *Address:* Alliance for Constitutional Sex Offense Laws, ACLU Building, 1313 W. 8th St., Los Angeles, CA 90017. *Phone Number:* (818) 305-5984



ACTION STEP! Research and contact transitional housing programs to make strong referrals for your client. Transitional housing programs can be hard to get in touch with and are often full or have long waiting lists. With your client's permission, you can help by researching and calling potential programs and by gathering required application documents on their behalf. Keep in mind that many transitional housing programs will *not* let people fill out applications until *after* they are released. Still, it is worth contacting programs early to see what the client will need to show and to decide if the housing will be a good fit for their needs.

When calling transitional housing programs, be sure to ask about:

- What are your eligibility requirements?
- What documents are needed to apply?
- Can a client apply while incarcerated as they prepare for release?
- Is there a waitlist to get into the program?
- How is the housing funded?
- How long does the housing program last?
- Does the client need a referral from an outside organization or agency?

In addition to searching online, you or your client can try the following:

- Ask local reentry organizations about which housing providers they would recommend.
- Call 2-1-1 for referrals.
- Ask your client's parole or probation officer if they would have funding for transitional housing or can recommend housing for your client, keeping in mind any special needs, disabilities, or accommodations.



CONSULT A LAWYER: You can call Root & Rebound's **Reentry Legal Hotline** any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662 for a starting referral list of housing providers by county. We can also speak with your client about things like disability accommodations for housing, fair housing practices, flagging illegal or discriminatory housing practices, and legal guidance for 290 registrants.

long-term, permanent housing

Some people in reentry, especially those with shorter periods of incarceration in county jail, may be able to skip over short-term and transitional housing altogether. Others may have completed a stay in short-term or transitional housing and are looking for a permanent solution. No matter where they are in the reentry process, your client must inevitably determine which type of long-term housing is the best fit. This section provides an overview of long-term or permanent housing options.

1. Different Types of Long-Term Housing: **Public (Government-funded) vs. Private Housing**

It is very important to know the difference between public (government-funded) and private housing because your client’s rights will be different depending on which type of housing they live in.

- **Government-funded housing** refers to any housing program or landlord that receives funding from the federal government, including programs through the Public Housing Authority (PHA) and landlords who accept “Section 8” Housing Choice vouchers. Government-funded housing programs are designed to help low-income individuals.
- **Private housing** refers to the large category of housing that is owned and run by private landlords with no financial contribution from the federal government.

See pg. 37 below for more information on protections against discrimination in public and private housing.

2. Living with family or friends:

Many people in reentry find it convenient to live with friends or family after release. Whether your client plans on doing so temporarily or permanently, encourage them to keep the following things in mind:

- **If the home is a rental...** review the home’s rental agreement/lease to know the rules—especially any guest or visitor policies and policies about adding someone to the lease. Under California law, a tenant can ask their landlord for a copy of their lease once every calendar year. The landlord must then provide it within 15 days.
- **If the home is government-assisted housing...** your client should review the local Public Housing Authority (PHA)’s rules. Help your client look online the PHA’s website or call the local PHA if they are not sure where to find those rules. To join someone else’s government-assisted (meaning government subsidized) housing, your client will likely have to go through a full criminal history background check. *For more information on background checks for public housing, see pg. 36.*
- **If your client has parole or probation conditions that restrict where they can live...** for example, if your client must follow rules that require them to live in a specific county OR live a certain distance from schools and parks, as a service provider you can make sure their housing is approved in advance by the parole or probation office. If the housing is not approved, your client will be vulnerable to violating their conditions of supervision, which could lead to re-incarceration in some cases.

The chart **below** offers some considerations as your client decides whether or not to stay with a loved one after release.

LIVING WITH FAMILY OR LOVED ONES AFTER RELEASE (Benefits & Challenges)	
There are benefits...	There are challenges...
Your client will have an immediate place to stay.	If your client is under community supervision, your client’s parole or probation officer must approve the host’s housing situation.
Your client might be able to better support and collaborate with their loved ones.	Home visits and searches by parole and probation officers can impact the entire household.
A few days or weeks staying with loved ones can give your client enough time to find employment, health care services, public benefits, and/or a long-term housing plan.	If your client’s family member or loved one is a renter, allowing a guest (your client) to stay with them for a lengthy period of time may violate their property’s guest policy and can lead to eviction.
Your client can save up money while staying with loved ones.	Your client and their loved ones may need time to get used to physical closeness and your client being back home.

→ **Important information if your client’s loved ones are renting:**

If your client is moving in with a loved one and **their loved one rents their home or apartment**, they should be aware of any policies or restrictions that their landlord or public housing authority (PHA) has regarding guests/visitors as well as adding permanent residents with criminal records. Additionally, private landlords *may* and PHAs *must* run criminal background checks before someone is allowed to move in. It is critical to find out this information as soon as possible!



WARNING! Your client’s loved one could get evicted from their apartment if they fail to follow the rules in their lease or the landlord’s/housing provider’s policies.

criminal record bans and housing discrimination

As your client weighs their short- and long-term housing options, it is important to understand the impact their criminal record may have on their eligibility for certain housing programs and their rights more generally. This section will also help you understand the situations where your client has protection against discrimination by public housing providers and private landlords.

1. Criminal Record Bans in Public (Government-Assisted) Housing:

If your client can meet the income and eligibility requirements, government-assisted housing can be a long-term housing option. The following section describes the ways in which having a criminal record can serve as a barrier to getting public housing. Knowing your client's rights can help you spot legal issues and address them promptly!

→ **Background checks for public (government-assisted) housing:**

The Public Housing Authority ("PHA") typically conducts criminal background checks on all public housing applicants and residents. Each government-assisted housing program has its own set of criteria for acceptance, so you should help your client determine whether any laws or program policies could make them ineligible based on their record. In some cases, your client may be completely banned from government-assisted housing due to their criminal record. This may seem unfair, but it is not always illegal. The following bans may be permissible.

→ **Mandatory bans:**

There are a few **mandatory lifetime bans** in for housing that receives federal subsidy, like the public housing and section 8 programs. **Note:** Low-Income Housing Tax Credit (LIHTC) properties and Rural Development (RD) housing are *not* required to deny admission to a lifetime registered sex offender - they have discretion. People with the following convictions are banned from government-assisted housing:

- Methamphetamine production on federally-assisted property (mandatory lifetime ban)
- Sex offense requiring lifetime 290 registration (mandatory lifetime ban)
- Past drug conviction that resulted in eviction from federally-assisted rentals (mandatory ban of at least 3 years)
- Current illegal drug use (mandatory ban while drug use is "current;" please note that there has been legal debate about what is considered "current"). See pg. 39 below for more information on this point. If you have a question about this point, please contact Root & Rebound any Friday between the hours of 9am and 5pm at 510-279-4662.

→ **Discretionary or "catch-all" bans:**

Bans that are not required by law but are still permissible are called discretionary or "catch-all" bans.

The local PHA or private owner receiving government subsidies has the legal authority to decide whether or not to impose certain discretionary bans. We call these "catch-all" bans because SO MANY PEOPLE end up being denied by discretionary bans, not mandatory ones. While this is concerning in terms of who can or cannot access government-subsidized housing, it means local advocacy CAN be effective. PHAs are allowed to ban people for the following:

- Criminal activity that is "**reasonably recent**" and poses a threat to other property residents' health, safety, or peace. There is no exact definition of what is reasonable, so the time period that a PHA uses will likely depend on the nature of the offense.
- This rule can sometimes apply to people who were merely **arrested for** (but not convicted of) a crime—but only if the housing owner has proof that the conduct underlying the arrest actually occurred.



WARNING: ILLEGAL DISCRIMINATION TO LOOK OUT FOR!

Though some bans on people with criminal records may be allowed, your client is also protected from certain types of discrimination. Unfortunately, landlords often discriminate against rental applicants with criminal records, so it is important for you and your client to know their rights in case this happens.

There are legal protections against:

- **Blanket bans like "no felons allowed here" or "no violent felonies"**—These are called "blanket bans" and could violate the Fair Housing Act and other state laws where there is an unfair impact on black and Latino/a people who are arrested, convicted, and incarcerated at much higher rates than white people.
- **Unfair treatment**—For example, running background checks on black applicants but not requiring the same of white applicants.
- **Illegal PHA policies**—if a PHA improperly denies your client based on their arrest record alone (without underlying proof that the activity occurred), denies them based on a very old conviction, or

denies them without sufficiently considering mitigating circumstances and proof of rehabilitation, your client can challenge the PHA's decision at a **review hearing** (you can assist, if possible).

- **Discrimination based on past addiction or mental health issues that caused the past offense**—Several federal and state laws protect people on the basis of disabilities. Your client can argue that a past addiction or mental health issue caused the past offense and cannot be used as a basis for denying housing; your client would need to ask for a “Reasonable Accommodation” to be made to allow the person with a disability to live there despite the criminal records policy. As a service provider, you may be able to offer a unique perspective about your client’s mental health or substance abuse history.
- **Discrimination based on criminal records for survivors of domestic violence where the conviction was tied to their abuse history**—The Violence Against Women Act offers protection for survivors of domestic violence in government-assisted housing.

→ **Challenging Illegal Discrimination in Public Housing**

Knowing the steps for challenging illegal public-housing discrimination can put you and your client in a stronger position to identify and address unlawful behavior.

Filing a Legal Claim: Your client has the right to receive a *detailed* notice listing the PHA’s reasons for denying them. If any of the reasons listed on the notice appear to be illegal or discriminatory—whether based on your client’s criminal background, disability, or the PHA’s reliance on false information— your client should submit **a written request for a review hearing** as soon as they receive the denial. The notice will provide instructions on the procedure for challenging a denial, including important deadlines, so go over the notice with your client carefully.



ACTION STEP! REVIEW HEARING ADVOCACY: You don’t have to be a lawyer to represent someone at a review hearing. As a service provider with intimate knowledge of your client, you are in a great position to advocate for them in front of the hearing officer. The goal of the hearing is to clearly explain what the PHA missed or got wrong and, in the event your client was denied because of their criminal history, to show evidence of rehabilitation.

It may also be helpful to reach out to your local housing rights committee to get a sense of what you are up against before meeting with a hearing officer. A housing rights committee is an organization that can provide information about renter’s rights in a particular area, typically a county or neighborhood. Sometimes they know the local players well, and can warn you or give you recommendations on how to proceed depending on who you’re scheduled to see.

2. Criminal Record Bans in Private Housing:

Private housing offers your client fewer protections when it comes to criminal-record based housing denials. Nonetheless, it is important for them to be aware of the protections that do exist for individuals with criminal records exploring private housing options.

→ **Background checks for private housing:**

Most private landlords will run a background check on applicants, and have broad discretion to deny applicants based on their past criminal involvement. Your client has the right to receive a copy of the background check report and the landlord **MUST** tell them if their criminal history is the reason they are not getting approved as a renter. The landlord must also give your client a copy of the Federal Trade Commission Summary of Rights and give them an opportunity to clear up any inaccuracies in their background report.



WARNING! THERE ARE LIMITS ON BACKGROUND CHECKS RUN BY PRIVATE LANDLORDS:

Although private landlords are allowed to run background checks on rental applicants, the following information cannot show up on a private background check in California:

- Records that are over 7 years old, including:
 - Lawsuits or judgments
 - Criminal convictions
 - Information about arrests or formal charges
 - Paid tax liens
 - Accounts placed in collections
 - Other negative information such as repossessions, foreclosures, check verification reports,

motor vehicle reports, or drug test results

- Criminal convictions that have been fully pardoned, dismissed, expunged, eradicated, or sealed under court order
- Information about arrests or formal charges that did not result in a conviction (unless your judgment is pending)
- Information about referrals to or participation in any pre-trial or post-trial diversion programs
- Bankruptcies from more than 10 years ago
- Eviction actions (“unlawful detainers”) that you won or resolved with a settlement agreement

If there is an **error** in your client’s background check report, learn more about their options on pg. 67.

→ ***Protections Against Illegal Discrimination in Private Housing:***

Although private landlords are specifically forbidden from discriminating based on race, color, national origin, ancestry, sex, gender, gender identity, gender expression, sexual orientation, religion, disability, marital status, family status, genetic information, and source of income, there are no such protections based on past criminal involvement. There are, however, some situations where your client might have legal protection if a private landlord is discriminating against them based on their criminal record, including:

- **Blanket Bans:** In the view of the federal Department of Housing and Urban Development (HUD), it is unlawful to refuse to rent or sell to *any* person with a criminal record on that basis alone, for example by advertising that “felons need not apply.”
- **Arbitrary Discrimination:** According to HUD, a ban on renting or selling to people with specific types of criminal convictions *may* violate federal law if the ban does not serve a legitimate purpose (or is ‘arbitrary’). This means that policies that don’t acknowledge how much time has passed since your conviction, or that don’t acknowledge the seriousness or nature of the crime, may be illegal. That being said, policies aimed at preventing harm to residents’ safety and/or property may be sufficient to overcome claims of discrimination.
- **Unfair Treatment (or Discriminatory Treatment):** Private landlords must apply the same standards for screening applicants. For example, a landlord can’t reject a black applicant based on their criminal record, but then accept a white applicant with a similar criminal record. Similarly, if a private landlord conducts a background check on an applicant, she or he must conduct the same background check on all other applicants.
- **Unfair Impact (or Disparate Impact or Discriminatory Effect):** The Fair Housing Act is the federal law prohibiting unlawful housing discrimination. In 2015, the United States Supreme Court held that a housing policy that affects people of color more than others may violate the Fair Housing Act if the policy is not supported by a legally acceptable reason. This decision was meant to prevent more general factors from being used as a stand-in for race-based discrimination.
- **Using Information from the Megan’s Law Website:** A landlord cannot use information they got through the Megan’s Law website to deny you housing. However, they can use information about your registration status that they got elsewhere - such as on a background check.



CONSULT A LAWYER: A housing rights attorney can help you determine whether your client has experienced illegal housing discrimination. See Appendix A, pg. 91, for a starting list of legal aid organizations that service low-income people in California.

3. Disability Protections in Public & Private Housing:

Under the Americans with Disabilities Act (ADA) and California Fair Employment and Housing Act, if your client is an individual with a disability, they have protections against discrimination by home sellers, landlords and housing service providers. Your client has the right to **“reasonable accommodations”** to use and enjoy their housing and are allowed, at their own expense, to make reasonable modifications to their housing to give them equal access and enjoyment. Reasonable accommodations can take the form of ***a change in rules, policies, or practices***.

Although public housing providers, sellers, and private landlords¹¹ must follow federal and state fair housing laws, this does not mean that your client will automatically receive whatever accommodation they ask for. The requested accommodations cannot create an *unreasonable* financial or administrative burden on the housing provider.

To make a request for reasonable accommodation your client should:

- Explain that they have a disability to the landlord/housing provider,
- Describe the nature of the requested accommodation, and
- Provide an explanation of how the accommodation will help them.

¹¹ There are some exceptions for landlords who live in and rent out one room of their single-family home. If this situation applies to you, contact a housing rights lawyer to better understand your legal rights and options.

You can assist your client in making this request if their disability makes it difficult to advocate on their own behalf.

→ ***Disability based on past drug addiction:***

Past drug addiction can qualify as a disability under state and federal law. However, this only applies if your client is no longer engaged in illegal drug use, no longer abusing alcohol in a way that interferes with others' health, safety, or peaceful enjoyment of a property, and no longer pose a serious threat to others that cannot be controlled by a reasonable accommodation. It is important to keep in mind the difficulty of proving that past drug use qualifies as a disability. There is no hard and fast definition of "current" illegal drug use, which makes proving that you have stopped using illegal drugs difficult.

Conclusion

Part 4 covered different options for both **short-term** and **long-term** housing in reentry, and information to empower you with knowledge about your client's **legal rights** applying for housing with an arrest or conviction record. Although the housing search can be a challenging process that requires a lot of support, research, calling around, and time, if your client takes it **one step at a time** and are aware of their **rights and options**, they will have a better chance of finding the right housing situation for them. The goal is for your client's housing search to lead to safe and permanent housing!

part 5.

CREATING AN EMPLOYMENT PLAN

SUMMARY

Part 5 provides:

- **Information** on what your client will need to find a job;
- **Tips** for how you can help your client prepare for job applications, interviews, and questions about their records;
- **A summary of your client's rights** during the job application process; and
- **Lists of programs and resources** for formerly incarcerated people looking for work.

FLAGGING POTENTIAL LEGAL ISSUES	
CLIENT ISSUE	WHAT YOU CAN DO TO SUPPORT
<i>If your client lacks ID to apply for jobs....</i>	You can help your client to gather the ID they will need when applying when to jobs. For more information, see pg. 42.
<i>If your client is applying for a job that will require a background check...</i>	<p>First, if there is time, help your client request a copy of their RAP sheet, and set up an appointment with a clean slate clinic to get record-cleaning help, which can hide parts of a person's record from many employers. You or your client can also call Root & Rebound's reentry legal hotline any Friday, 9am-5pm at 510-279-4662 to get legal advice about what parts of their record will show up to employers, and what parts will not (the answer depends on a lot of factors, including the type of job and whether the employer has the right under law to see more of a record than a typical private employer).</p> <p>By connecting a client to record-cleaning support and having increased knowledge of employment background check rules, your clients will be more empowered going into job interviews and better equipped to present their efforts at rehabilitation to a potential employer.</p>
<i>Preparing for employment...</i>	You can help your client prepare for employment by: creating a professional email, practicing interview questions, and creating a resume. You can also help them create a plan around transportation and child care.
<i>If your client's job offer was rescinded after interviewing...</i>	<p>You can help your client to prepare a response to an employer taking back a job offer. See pg. 46 for a sample response.</p> <p>You can also review the interview and hiring process with your client and gather any information that may suggest a violation of the ban the box law, or illegal discrimination. For more information, see pg. 46.</p>
<i>If you or your client believe they were illegally discriminated against...</i>	You can reach out to any legal partners that your organization may have, or see Appendix A on pg. 91 for a list of legal resources across California, or call Root & Rebound's Reentry Legal Hotline any Friday, 9 a.m. - 5 p.m. PST, at 510-279-4662.

creating an employment plan

Employment helps a person maintain financial security and quality of life and support themselves and their family. Sometimes a person's parole or probation conditions also require that they be employed. It is important for your client to begin laying the groundwork for employment as soon as they can. This section covers such topics as identifying client's employment needs, helping them get work-ready, and identifying discriminatory hiring practices that might be holding your client back.

KNOW YOUR CLIENT'S EMPLOYMENT RIGHTS!

On January 1, 2018, the Fair Chance Act (also called "Ban the Box") became the law statewide in California. Under this law, both private and public (government) employers with 5 or more employees must follow these rules:

- Employers **CANNOT** ask about or consider an individual's criminal record until **after** they have given them a **conditional job offer**.
- Employers must make an **individualized assessment** of a person's record, considering **the nature of the offense, the time since the offense, and the nature of the job duties**. To take back their job offer, the employer must show that given these individual factors, the conviction(s) would **directly and negatively** impact the individual's ability to perform the job duties.
 - *Please note:* Some cities and counties offer additional legal protections. For example, a Los Angeles County law requires employers to **write down** the outcomes of their **individualized assessments**.
- Employers **CANNOT** have "**blanket bans**" that deny all applicants with criminal records or all applicants with a **certain category of offense** (for example, all people with felonies).
- Employers must notify a person of their rights to respond to what they found in the background check **before** they take back a conditional job offer.
- If an employer decides to take back an individual's job offer based on their criminal record, they must tell them the **specific conviction(s)** that led to their decision **AND** provide them with a copy of the criminal history information they used (such as a background check report or a website print-out). IN ADDITION, an employer must tell the person that they have at least **5 days to respond with any errors as well as evidence of rehabilitation** (for example, evidence that shows issues that were present at the time of their offense are resolved; evidence of training, education, volunteering, work experience; and any information that places their conviction history in a less negative light). **If the person responds within 5 days** to an employer's notice that they plan to take back the job offer, the individual then gets an **additional 5 days** to submit this evidence.

Your client also has rights with respect to employers using outside companies to run background checks:

- First, an employer must notify your client that a background check will be run, get their permission to run the check, tell them how to request a copy of the report, and give them information about their rights.
- Second, a background check company **CANNOT** report the following: arrests that never led to a conviction (unless the arrest is pending); dismissed, expunged, or sealed convictions; participation in court diversion programs; and certain minor marijuana convictions. *Learn more on pg. 43.*
- **If your client believes their rights have been violated, they can file a complaint with the California Department of Fair Employment and Housing.** Your client can learn more and file a complaint online at dfeh.ca.gov/complaint-process/file-a-complaint. Call Root & Rebound's reentry legal hotline any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662 for more information and referrals.

starter questions

Finding employment can be one of your client's biggest challenges. Using the questions below, you can get a better sense of your client's long-term goals and help them plan for their specific employment needs in a manageable, step-by-step way.

STARTER QUESTIONS: EMPLOYMENT

- Does your client have a history of regular employment prior to incarceration?

- Was your client employed at the time they went to prison or jail? If so, what was that job?
- Does your client have a positive relationship with any previous employer?
- Did your client receive, or are they receiving, any vocational training while incarcerated?
- Is your client interested in furthering your education or vocational training?
- Is your client currently required to attend special rehabilitative programs during typical work hours? *If so, see the Reentry Planning Tip on pg. 43.*
- Is any of the jobs your client is interested in have restrictions based on their criminal record? *If so, learn whether any record-cleaning options might reduce the impact of their record and remove that barrier. For more information on record cleaning, see pg. 64.*
- What is your client's long-term career interests? Do they require any specific occupational licenses, education, training, or other requirements?



TIP FROM THE FIELD: Encourage your client to pursue work that may lead to a fulfilling career, but make sure they understand that they are unlikely to land their dream job immediately—particularly if they are entering the workforce after a long period of incarceration. Assure them that this is okay—they have plenty of time to lay the foundation for professional success. Help them lay this foundation by brainstorming feasible short- and long-term goals.

gathering employment documents

To apply for jobs, your client will need to gather identification documents and fill out an I-9 authorization to work when they start a new job. We also recommend that your client request a copy of their RAP Sheet—just for them and any reentry/clean slate lawyers who are helping them to review it. Most employers CANNOT ask for or see your client's full RAP sheet.

What documents should my client get before applying for jobs?

1. Identification Documents: Before starting a new job, your client should begin the process of getting government-issued photo ID. Ask whether your client has the following:

- A California State ID, A California State Driver's License, or a Valid U.S. Passport
- Either their Security Number (SSN) or Birth Certificate

Learn more about important types of ID, including how to get ID documents you need (whether you are incarcerated or back in the community), starting on pg. 20.

2. Authorization to Work: By law, your client must show that they are authorized to work in the United States (an employer is supposed to give your client an I-9 to fill out at the start of employment). If your client is a noncitizen they can use a Permanent Resident Card or Alien Registration Receipt Card (Form I-551) or an Employment Authorization Document Card (Form I-766) in place of a valid U.S. Passport. See a full list of the types of ID that may be used here: www.uscis.gov/i-9-central/acceptable-documents. See Appendix C on pg. 96 for immigration support referrals.



ACTION STEP! Help your client gather their documents and get these forms of official ID as soon as possible. See the discussion in Part 2 of this Toolkit starting on pg. 20.

3. RAP sheet (a government-issued copy of their criminal record): It is also a good idea for your client to get an official government-issued copy of their criminal record (a “RAP” Sheet) for themselves. A RAP sheet is **NOT** something most employers can see (in fact it's against the law for most employers to even ask to see a RAP sheet)... but a RAP sheet can be helpful for your client to:

- Figure out which parts of their record employers **can** and **cannot** see;
- Figure out if they can get parts of their record “cleaned up” at a free “clean slate” or “expungement” clinic;
- Feel prepared to answer questions about their history and address a potential employers' concerns; and
- Make sure that all information on the RAP Sheet is accurate (and if it is not accurate, make time to correct any

errors before applying to jobs). *Learn more about RAP sheets, how to errors, and expungement on pg. 64.*

NOTE: Most private employers **cannot** access your client’s RAP sheet. Your client **does not** (and **should not**) have to provide most employers with a copy of their RAP sheet. Private employers rely on commercial background checks instead, which must exclude some information (like arrests that never led to conviction and more). Many RAP sheets frequently contain mistakes and **are not** official government records.



HELPFUL RESOURCE: Root & Rebound has a toolkit *just for employers* that explains these rules. It is online for free at: <http://www.rootandrebound.org/ca-fair-chance-toolkit>. Please note, this toolkit will be updated for 2018 because of AB 1008, which expands “Ban-the-Box” to public and private employers statewide, with some exceptions.

different types of background checks

Many jobs require some kind of background check during the hiring process. There are important differences between various types of background checks (e.g., private vs. in-house background checks vs. a Live Scan), as each one may implicate your client’s rights in different ways. All employers can run a private background check if they wish, but some employers must run a FBI or California Department of Justice background check—this usually requires the applicant be fingerprinted through a “Live Scan” machine. Live Scan fingerprints produce government-issued RAP sheets, which will have more information about your history than any other form of background check.

→ **Private Background Check:**

A background check assembled by a private company, which draws from sources like court records, police, correctional, and CDCR records, other public records, Internet searches, and communication with people who know your client. **A PRIVATE background check report CANNOT include the following information:**

- Negative information, including records of convictions, that are older than 7 years
- Arrests not leading to conviction
- Expunged/dismissed/sealed convictions
- Court diversion program participation
- Certain minor marijuana convictions
- Credit report
- Full “RAP Sheet”

→ **In-house Background Check:**

An “in-house background check” is when an employer draws information about your client’s criminal history from public records, interviews with people who know them, and online searches.

→ **RAP Sheet:**

A RAP Sheet stands for **R**ecord of **A**rrests and **P**rosecutions. It is the government’s official record of your client’s interactions with law enforcement and the criminal justice system including arrests, juvenile adjudications (juvenile crimes that had a finding of guilt), adult convictions (adult crimes that had a finding of guilt), acquittals, dismissals, and sentences. RAP sheets are kept by our county, state, and federal governments! A **county RAP sheet** lists contact with the criminal justice system in that county only; a **California Department of Justice (DOJ) RAP sheet** lists any contact with the criminal justice system within California; and an **FBI RAP sheet** lists all contact with the criminal justice system in all 50 states or with the federal criminal justice system.

If your client only has an arrest or conviction history in California, it’s usually best for them to request a copy of their **state DOJ RAP sheet**. At a DOJ-approved Live Scan location, they will be fingerprinted and submit an application for a RAP Sheet. Your client could also be required to submit to a Live Scan fingerprint for certain government jobs, jobs requiring security clearance, or as one part of an application for an occupational license. *For more information on how to get a RAP sheet, see pg. 66.*



TIP FROM THE FIELD: If your client is currently on some type of community supervision, you can help them manage employers’ expectations around scheduling. Reach out to job placement agencies and employers with whom you have a relationship; make sure they understand that mandatory programming—such as counseling, substance abuse support meetings, and parenting classes—and meetings with parole agents or probation officers may disrupt your client’s ability to keep regular work hours. Having a service provider normalize and legitimize the need for flexibility as an aspect of working with people in reentry takes pressure off of the individual and removes some tension between compliance with work schedules and conditions of supervision.

preparing for job applications & interviews

Now that we've discussed what identification and key documents are necessary to apply to jobs, and useful items and resources to meet your client's immediate needs, the following **checklist** gives other suggestions for helping your client prepare for their job search. Some of these your client can do, and you can help, before their release date: look for the *.

EMPLOYMENT-READY CHECKLIST

- Change all voicemail greetings, email addresses, and social media profiles to be professional and appropriate for work.**
- Create a professional email address.** Write it here: _____
- Volunteer.** While it is not necessary to volunteer before applying for jobs, volunteering can be a great way to learn new skills, gain job references, and find out about local job opportunities.
- *Complete School.** Whether it's getting a GED or a college degree, completing school can show determination, responsibility, and can help your client gain necessary skills for a better job in reentry. Some facilities offer school programs while incarcerated. For more information and resources for going back to school, see pg. 49.
- *Participate in a reentry program or a workforce development/job readiness program.** A workforce development program helps individuals (including people who are formerly incarcerated) to prepare to enter the job market, search for employment, learn job-interviewing skills, write resumes, learn networking techniques, learn job related technical skills, and find mentorship and support.
- *Learn basic computer skills to fill out job applications online.** Some prisons and jails offer computer and Microsoft office classes—your client should ask the staff at their facility if available!
- *Practice answering “mock” interview questions.**
- *Prepare a response to an employer that tries to take back a conditional job offer due to a record.** Call Root & Rebound's reentry legal hotline any Friday, 9 a.m. – 5 p.m. PST, at (510) 279-4662 for support.
- *Create a resume that is up-to-date with professional and volunteer experiences, skills, and a list of references.** As your client prepares to apply for jobs, a resume is a great way to help them stand out to potential employers.
- *Plan how to get to and from work.**
- *[If applicable] Arrange for childcare.**
- *[If applicable] Attend any required schooling, classes or vocational training for a desired job.**
- Clean up their criminal record, where possible.** Record-cleaning can include reducing certain felonies to misdemeanors; dismissing certain convictions; correcting errors in your “RAP sheet”; and (for former state prisoners) seeking a Certificate of Rehabilitation later in reentry. To learn more about record-cleaning options in California, see pg. 67.



REENTRY PLANNING TIP: Workforce development (“job-readiness”) programs vary by county. To find one in a nearby area, visit the America's Job Center website at americasjobcenter.ca.gov. America's Job Centers (also called One-Stop Career Centers) are run by the CA Employment Development Department (EDD) and provide free job placement resources and services across the state. There are also nonprofit workforce development organizations that support people in reentry with job readiness. Call Root & Rebound's free Reentry Legal Hotline any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662, for referrals.


Below you will find additional information about job readiness.

→ **Creating a Professional Email Address:** During the hiring process, first impressions are key. Many employers post job applications online and communicate with applicants by email. Having a professional email address can show that your client is focused, business-oriented, and responsible.

We suggest setting up a free email account with gmail.com because many employers and organizations are now using Google-based accounts and emails. Professional email addresses typically include a person's first and last names. We recommend that your client insert a period (“.”) between their first and last name so it is clear where their first name ends and last name begins. If an email address is already taken, your client can create a variation by inserting underscores (“_”), adding a middle initial, or adding numbers. For example, if their name is “Darcy Albany” and the email address “darcy.albany@gmail.com” is taken, they can see if “darcy.t.albany@gmail.com” is available.


Once your client has created their email account, they will be prompted to create a password to log in and access their email. Write down the password in a safe place and **do not share it with anyone.**


→ **Searching for Job Opportunities:** There are many ways to find out about job opportunities, including the Internet, job fairs, and through your client’s own network and personal connections. There are search engine sites, such as indeed.com, craigslist.com or 70millionjobs.com that list open positions.

 **REENTRY PLANNING TIPS--WORKFORCE DEVELOPMENT PROGRAMS:**


- **Nonprofit workforce development organizations** offer great job-readiness programs to help your client gain professional skills, experience, and contacts with employers. They help with things like: on-the-job training, assessing your skills and talents, finding job opportunities, preparing a resume, and much more. Call Root & Rebound’s reentry legal hotline any Friday, 9 a.m. – 5 p.m. PST at 510-279-4662 for a list of organizations nearby. Your client can also try their nearest America’s Job Center by visiting www.americasjobcenter.ca.gov or attend a job fair in their area (see below).
- **Job fairs** invite employers with current job openings as well as organizations that provide resources to people seeking employment to meet and speak with your client. To find job fairs nearby, visit http://www.edd.ca.gov/jobs_and_training. Your client can also contact their local community college and/or their county’s Workforce Development Department about job fairs they are hosting.
- **You can help.** You, as a service provider, may be able to help your client connect with workforce development programs and/or employers. You often have a better understanding of their probation or parole requirements and programming, and can help them find opportunities that will allow for a more flexible and functional work environment as your client works on their reentry goals.

→ **Keep in Mind the Job Qualifications and Potential Barriers:** Many jobs can require specific educational credentials, vocational training, or occupational licenses. Most job postings will state the educational requirements. For some positions, the job listing may not include information on whether an occupational license is required. Your client should make sure they meet the educational and credential requirements before applying to a job, or explain to the employer why they are applying for the position even though they do not have the listed job qualifications.

 **WARNING! OCCUPATIONAL LICENSING BARRIERS:** Roughly 200 occupations require a person to get a license or certification from the state of California. These are called occupational or professional licenses. To get licensed jobs, a person must complete any necessary schooling and submit an application to the appropriate state licensing board. The licensing board is legally allowed to consider an applicant’s whole criminal record but cannot deny *everyone* with a criminal record. The record typically must be “substantially related” to the licensed job in order to serve as the basis of a denial. If your client is considering a career that requires an occupational license or are currently going through the licensing application process before a board, we highly recommend that they talk to a reentry lawyer for advice. Call Root & Rebound’s **reentry legal hotline** any Friday, 9am-5pm PST, at 510-279-4662 for more information.

 **ACTION STEP! Contact a Clean Slate Lawyer**— You can help your client set up an appointment with a free clean slate or reentry attorney—call Root & Rebound’s free, weekly Reentry Legal Hotline for more information and referrals.

→ **Building a Resume:** Your client can create a resume by listing past education, work experience, training, languages spoken other than English (if relevant), any relevant skills with technology (like Microsoft Office or Excel), and professional references. **Your client can build a resume while they are still incarcerated.** You can help your client by saving their resume information in a digital form for their future job searches. Having this information saved and easily accessible in a Word Document or email draft can streamline the process of filling out online job applications.

 **ACTION STEP! BUILDING A RESUME**— You can help your client build a resume by working together to type up a Word Document that lists past education, work experience, training, languages spoken other than English (if relevant), any relevant skills with technology (like Microsoft Office or Excel), and professional references. You can help your client build a resume while they are still incarcerated. Having this information saved and easily accessible in a Word Document or email draft can streamline the process of filling out online job applications.

Your client should ask permission from individuals to list them as references and inform these references of their job plans. The reference they list should be able to speak to their ability to perform the duties of the job and work ethic. Please note that California law now makes it illegal to ask what a person made in their previous jobs.

→ **Preparing for an Interview:** To prepare for job interviews, you can have a “mock interview” with your client using the following questions. Make sure your client connects the answers to these questions to the specific job they are applying to, meaning that their answers will and should change from interview to interview.



ACTION STEP! Practice a “mock interview” with your client— To prepare your client for job interviews, you can have a practice or “mock” interview together using the following questions. Make sure your client connects the answers to these questions to the specific job they are applying to, meaning that their answers will and should change from interview to interview.

Here are some mock interview questions you can use to practice:

- Tell me about yourself.
- Why are you interested in this job?
- How would you describe your work ethic?
- What are your strengths or best qualities?
- Give an example of a time you contributed to a team or where you worked on a team project.
- What’s your biggest weakness?
- Where do you see yourself in three years? ¹² Five years? Ten years?



TIPS FROM THE FIELD: Employers with 5+ employees CANNOT ask your client about their conviction history on a job application form or during a job interview and MUST WAIT until a conditional offer of employment is made before they ask about conviction history or run a background check. Because of this law (called The Fair Chance Act), your client does not need to prepare an answer about their conviction history for the interview process. Instead, they will want to prepare a response to an employer’s letter stating that they intend to take back a job offer based on a criminal background check. If you or your client believe their rights have been violated, contact Root & Rebound’s reentry legal hotline any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662.

→ **Preparing a Response to an Employer Taking Back a Conditional Job Offer because of a Conviction History:** An employer with 5 or more employees cannot ask about your client’s conviction history or run a background check until after giving your client a “conditional offer.” A conditional offer is an offer for the job that depends on a criminal background check.

Your client should be prepared to provide information in response to an employer’s notice that they intend to take back the job offer based on their conviction history. This response should acknowledge your client’s history while focusing on how they are well-suited for the job and their rehabilitation.

An example response could be: “In 2012, I was convicted of grand theft and sentenced to 3 years in prison. During my incarceration, I realized how my actions hurt other people and learned how to overcome the urge for instant gratification. I dedicated my time to reflection, self-improvement and ultimately discovered my passion for learning and technology. After taking all of the available classes on computers and engineering, I am grateful to have received extensive training in this field. Also, I worked as a mechanic for 18 months and was proud of being promoted after a year of hard work. I am excited by this job and the opportunity to work for you.”



TIPS FROM THE FIELD: TIP FROM THE FIELD: Make sure your client is being realistic about their work capacity (they may instead qualify for SSI benefits, see more on pg. 71.). As a service provider, your goal is to guide clients towards making informed choices that will be sustainable in the long run. If your client seems inclined to take on too much, caution them to slow down and avoid burning out. On the other end of the spectrum, if your client is too overwhelmed to put forth a real effort, suggest that they take things one day at a time.

employment bans & discrimination

The job application process can be more challenging for people with records--so it’s very important to know what rights your client does have. This section answers questions like: When can an employer see or ask about my client’s record? How are they allowed to consider it? What can my client do if their rights have been violated?

¹² STEP HEAD., *Answering Interview Questions*, MINN. STATE COLL. & UNIV., <https://www.careerwise.mnscu.edu/exoffenders/find-job/answering-interview-questions.html> (last visited Nov. 7, 2016).

→ ***Blanket Bans in Employment:*** In most cases, it is illegal for employers to have “blanket bans” that exclude all applicants with criminal records, or all applicants with a particular type of conviction (for example, an employer is likely violating the law if they say: ‘anyone with a serious felony is banned from employment at my company’ or ‘felons need not apply’). Instead, employers **MUST** do an **individual assessment** of any candidate with a criminal record that takes into account: (1) the nature and seriousness of the conviction; (2) how much time has passed since the conviction; and (3) the duties and responsibilities of the job.

There are also some jobs that may have **legal restrictions** for people with certain convictions -- these are usually jobs where employees have access to private or sensitive information (like financial records), vulnerable people (like children or the elderly), or high-security places (like airports). Even where an employer might be legally barred from hiring your client for a particular position based on their conviction history, there still may be other jobs at that organization that your client could be hired for.

→ ***Your Client’s Rights if an Employer Runs a Background Check:***

Assuming your client did not apply to a job for which the employer is legally required to disqualify them based on their conviction, keep the following questions in mind if you or your client feel they may have been denied a job because of their record...

If the answer to one of these questions is **no, the employer **may have violated** your client’s legal rights:**

1. If the employer ran a background check, did they first extend a conditional offer of employment to your client?
2. If the employer ran a background check, did they get your client’s permission to do so? Did the employer offer them a copy of the report or records they obtained?
3. If the employer’s background check report included errors, did the background check company correct those errors and notify the employer afterward?
4. Did the employer evaluate your client’s individual circumstances, including their age at the time of the offense, employment history, and efforts at rehabilitation?
5. Did the employer comply with all statewide and, if applicable, your client’s county or city’s “Ban the Box” laws? (See Reentry Planning Tip above on pg. 46.)
6. Did the background check report properly exclude negative information, including convictions, that is more than seven years old?

→ ***Your Client’s Rights if an Employer Denies Them a Job Based on Their Background Check:***

If the answer to one of these questions is **yes**, the employer **may have violated** your client’s legal rights:

1. Did the employer ask about an old arrest that never led to a conviction? Did the employer ask about a conviction that was dismissed, expunged, or sealed?
2. Did the employer ask about your client’s criminal record before giving them a conditional job offer?
3. In its job notice or application, did the employer mention a complete ban on all people with criminal records (i.e. stating “felons need not apply”)?
4. Does it seem like the employer gave your client’s criminal history more weight than it otherwise would based on their race, color, religion, sex, or national origin?

→ ***Challenging Illegal Employment Discrimination:*** If you or your client believe that an employer has violated their rights, it is very important that your client gather all of their job application materials and any other evidence that supports their claim. Information that can be helpful may include: job postings, application materials, employer written policies, or handbooks that say the employer will not hire people with certain criminal records. If the employer tells your client anything verbally, have them write those statements down as close as they remember them.



IMPORTANT! FILE A DISCRIMINATION COMPLAINT: Before a lawsuit can be filed in court, your client must first file a *discrimination complaint* with the federal U.S. Equal Employment Opportunity Commission (EEOC) or the California Department of Fair Employment and Housing (DFEH). **In California, you must report employment discrimination within 300 days to the EEOC and/or within 1 year to the DFEH.**



CONSULT A LAWYER: If you or your client suspect that an employer discriminated against them, it may be a good idea to contact a legal aid organization (see pg. 91 for a statewide list) or a plaintiff’s employment attorney (visit <http://cela.org/find-a-member/> for a searchable list of employment attorneys in California). As a first step, you or your client can call Root & Rebound’s Reentry Legal Hotline, any Friday, 9 a.m. – 5 p.m. PST, at (510) 279-4662 with any questions or concerns about employment discrimination.

Conclusion

Part 5 covered important information about your client’s rights in the hiring process, and tips to prepare for

employment and interviews. Unfortunately, job applicants with records run into a lot of roadblocks, and many employers still don't follow the law. It's important to remember that finding a career that is right for your client is a *process*: the most important thing is to not give up and that they ask for help! You can be instrumental in supporting your client through this process—so that your client feels that they don't have to go at this totally alone!

part 6.

CONTINUING EDUCATION IN REENTRY

SUMMARY

Part 6 provides:

- **Information** on different educational programs for all levels;
- **Tips** for incarcerated individuals interested in going back to school; and
- **Information** on how a criminal record could impact your client’s ability to receive financial aid.

FLAGGING POTENTIAL LEGAL ISSUES	
CLIENT ISSUE	WHAT YOU CAN DO TO SUPPORT
<i>Determine the level of education that your client has achieved...</i>	For both clients who are incarcerated and those in the community, you can help determine if they need an educational assessment and identify available educational programs for them. While incarcerated, the person often needs to submit an educational request, and you can help be their advocate in this process.
<i>If your client is interested in a career field that will require them to obtain an occupational license or certificate...</i>	You can help your client set up an appointment to speak with a reentry or legal aid lawyer who can help them understand their options and potential barriers, and discuss strategies for navigating those barriers. See Appendix A on pg. 91 for a starting list of legal aid organizations, and call Root & Rebound’s Reentry Legal Hotline any Friday, 9 a.m. - 5 p.m. PST, at 510-279-4662 for advice around the occupational licensing application and appeals processes. Please note that it is best for people to get legally screened for occupational licensing barriers <i>before</i> spending a lot of money on a vocational, CTE or graduate program that will require a license or certificate afterwards to practice in that trade or profession!
<i>If your client will need to apply for financial aid...</i>	You can help your client apply for different forms of financial aid. For more information, see pg. 52.
<i>If your client’s transitional housing is taking money out of their financial aid...</i>	Call a legal aid lawyer or Root & Rebound’s Reentry Legal Hotline any Friday, 9 a.m. - 5 p.m. PST, at 510-279-4662 to have an attorney help you and your client advocate against this practice.

continuing education in reentry

Your clients probably possess a broad range of educational backgrounds. Some may not have finished high school, while others may have earned advanced degrees prior to or during incarceration. Either way, continuing education can give your clients opportunities to learn new skills and refine old ones—particularly if they have been incarcerated for a significant period. It can also expand their knowledge base and make them more employable. This chapter outlines various educational options and includes information about financial aid.

KNOW YOUR CLIENT'S EDUCATION RIGHTS!

- **Your client's parole or probation officer should be supportive of their efforts to get an education.** If your client is not getting the support they need and/or their conditions of supervision are too restrictive to allow for education, this might be a violation of your client's rights.
- **Impact of a criminal record on federal financial aid: It is a common MYTH that people with felony records can't get financial aid--this is false!** Even if your client is on parole or probation, their criminal record doesn't prevent them from applying for federal financial aid (using the FAFSA) unless one of the following applies to them:
 - 1) If your client was convicted of a felony drug offense while they were receiving financial aid in the past, their conviction may affect their financial aid eligibility; but this is not a permanent ban.
 - 2) If your client was sent to involuntary civil commitment after prison due to a conviction for a sex offense, they cannot receive Federal Pell Grants. However, they may still be eligible for *other types* of federal financial aid.

Federal and state financial aid is available to many applicants on parole or probation, and some forms of financial aid are available to people who are incarcerated. If your client is discouraged about moving forward with their education for financial reasons, seek advice from an expert.

- **Get legal support if needed:** If your client's transitional housing provider is trying to take money out of their financial aid for school, please call us. Call Root & Rebound's Reentry Legal Hotline any Friday, 9 a.m. - 5 p.m. PST, at 510-279-4662 to learn more about your client's educational rights and other resources.
- **Selective Service registration:** All men between the ages of 18 and 25 who live in the U.S. must register for the Selective Service before their 26th birthday. If your client can't show proof of registration, they may be denied financial aid—unless they can meet an exception. If your client was prevented from registering because they were incarcerated between their 18th and 26th birthdays, they may be able to get a "Status Information Letter" that exempts them from the registration requirement. Learn more at <https://www.sss.gov/Registration/Status-Information-Letter> or call Root & Rebound's reentry legal hotline any Friday, 9 a.m. - 5 p.m. PST, at 510-379-4662, for support with the process.
- **Disability accommodations:** If your client has a disability, they have a legal right to extra learning support in school. Accommodations often include things like extra time to take tests, using a calculator, help with reading or writing, and receiving notes from other students.



HELPFUL RESOURCE! You can learn more about your client's education rights in Root & Rebound's Education Toolkit, **MY EDUCATION, MY FREEDOM: A Toolkit for Formerly Incarcerated and System-Impacted Students to Pursue Your Education in California**. For more information on this Toolkit, please call Root & Rebound at (510) 279-4662 or visit rootandrebound.org/roadmap.



ACTION STEP! Fill out the "STARTER QUESTIONS" with your client—The goal is to assess your client's goals and help them consider whether continuing education should be part of their reentry plan. It is okay if your client doesn't know the answers to all of these questions. It is more important for your client to think critically about their educational and professional goals.

starter questions

Below are some starter questions that you can ask your client to help them consider what educational pathway might make most sense for them.

STARTER QUESTIONS: EDUCATION

1. What level of education/schooling has your client completed?

2. **Did your client receive any education or career training while incarcerated?**
3. **Is your client interested in furthering their education?**
4. **What academic subjects or career fields is your client interested in learning more about?**
5. **Does your client's career goals require special training, degrees or licenses?** *If the jobs your client wants will require professional licenses or certifications, it would be smart to talk with a reentry lawyer as soon as possible about how their arrest or conviction history may impact their ability to get those licenses or certifications.*
6. **Will your client need financial aid to help pay for school?** *If so, there are financial aid resources and scholarships that exist. See pg. 52 for more information.*
7. **How much time does your client have to dedicate to school each week?** *Depending on the answer, either full-time or part-time programs may make more sense for them.*
8. **Does your client have to register as a sex offender?** *If so, your client will also have to register with campus police and be aware of other rules and requirements.*

educational options & pathways

The educational path your client would like to pursue will depend on what education they have already completed as well as their personal interests and career goals. Additionally, because the specifics of your client's conviction history might affect what jobs and professions they can pursue, it can be very helpful to get advice from a reentry lawyer before they choose a final career path in school. Learn more below.

Different Levels and Types of Education:

- **Adult Basic Education (ABE) & English as a Second Language (ESL):** ABE is geared towards adults who would like to build their skills in basic English, reading, writing, and math. ESL is for students who are looking to improve their English as a native speaker of a different language. There are many free and low-cost ABE and ESL programs in California. *Call Root & Rebound any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662 for referrals.*
- **High school credentials (like a GED or diploma):** A high school equivalency certificate (like the GED) or high school diploma is a minimum requirement for many jobs and college programs. If your client is an adult and did not get very far in high school, they may want to look into preparing for a high school equivalency exam like the GED. There are many free and low-cost GED programs in California. *Call Root & Rebound any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662 for referrals.*
- **Career Technical Education (CTE):** CTE is usually short-term, career-focused programs and can be good options for people who have a specific professional goal in mind but lack the technical knowledge or expertise required. Many of these programs can be completed in one year, and sometimes lead to certificates or applications for professional/occupational licenses. Because certain professional licenses and certificates deny applicants with particular conviction histories, it can be very helpful to talk to a lawyer. *Call Root & Rebound's free Reentry Legal Hotline any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662 for support.*
- **College Degree:** Two- and four-year college degrees are a good option for people with broader professional or academic interests who want to learn a wide variety of general skills. Associate or Bachelor's degrees are often required for entry-level jobs in certain fields.
- **Graduate/Professional School:** If your client already has a college degree, they may want to look into advanced education—particularly if they are interested in becoming an expert in their particular field or want to become professionally licensed in fields like social work, law, or nursing/medicine. Again, because many professional schools require a person to apply for a state license to do the job for which they are trained, it can be very helpful to talk to a lawyer: *call Root & Rebound's free Reentry Legal Hotline any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662 for legal support and information.*



TIPS FROM THE FIELD: You can support your client by helping them evaluate the quality of various school programs. This might include looking into the school or program's accreditation, researching the school's gainful employment disclosure, and mining your contacts (especially employers from that field!) for feedback on how they perceive graduates from that program.

resources for currently incarcerated students

The quality of education for incarcerated people varies considerably depending on the type of facility and the location. In general, the following options are available:

- **If your client is in county jail...** they should check with their facility to see what educational programs are available, as the quantity and quality of programs differs by county.
- **If your client is in California state prison...** CDCR provides free access to assessment testing, ABE classes (including literacy and ESL), GED programs, high school diploma programs, CTE and job readiness programs, occupational licensing, library services, and tutoring support programs.
- **If your client is in federal prison...** they should have free access to assessment testing, ABE classes (including literacy and ESL), GED programs, CTE and job readiness programs, and correspondence courses by mail.

resources for formerly incarcerated students

There are also resources available to assist those looking to further (or get back-on-track with) their education by providing financial help, mentoring, and other needs:

- **Five Keys:** Free school that offers educational assessments, adult basic education (ABE), and GED/High School Equivalency test preparation. Visit <https://www.fivekeyscharter.org/> for a list of areas that they serve.
- **Campus Groups for Formerly Incarcerated Students:** Many community colleges and an increasing number of four-year colleges and universities in California have formed groups specifically for system-impacted and formerly incarcerated students on campus. For a complete list of these programs, visit the website: www.correctionstocollegeca.org.
- **EOPS, EOP, The Puente Project:** Offered on some California public college campuses, these programs provide students from disadvantaged backgrounds additional resources, mentorship, academic counseling, and financial assistance in some cases. Ask a school counselor if this program is on your client's campus.
- The **Way-Pass program** serves formerly incarcerated women attending City College of San Francisco. It serves as a bridge for women transitioning from incarceration to education and strives to increase retention and educational completion rates among formerly incarcerated women at CCSF. For more information please call 415-452-4889 or email waypass@gmail.com.
- **Project Rebound:** Project Rebound is a special admissions program that helps formerly incarcerated individuals enter the California State University (CSU) system, and receive ongoing support as enrolled students. It is currently available at the following CSUs: SFSU, Cal State LA, San Bernardino, Bakersfield, Fullerton, Pomona, Sacramento, Fresno, and San Diego. Visit <http://www.preexpanded.org/> for more information.
- **Find other college programs that specifically support formerly incarcerated and system-impacted students online at** <http://correctionstocollegeca.org/>.

financial aid

In California, there are both state and federal financial aid opportunities your client can apply to, including:

- **The California College Promise Grant (formerly the California Board of Governor's Fee Waiver):** This grant waives enrollment fees at any California community college for qualifying low-income students. If your client qualifies for this waiver, their community college tuition **is free**. For more information and to apply, visit: <https://home.cccapply.org/money/california-college-promise-grant>.
- **Cal Grants:** People who recently graduated high school or got their GED are eligible to apply for Cal Grants from the State of California. For more information, visit: <https://mygrantinfo.csac.ca.gov/>.
- **Chafee Grant:** People who are or were in foster care can apply for this grant. For more information and to apply, visit: <https://mygrantinfo.csac.ca.gov/>.
- **California Dream Act:** The Dream Act allows eligible undocumented and nonresident documented students to apply for scholarships and community college fee waivers. For more information and to apply, visit: dream.csac.ca.gov/.

Before your client applies, go online to learn more about the requirements for these different types of financial aid. They often have a VERY strict deadline by which a person must apply, and usually the applications are entirely online.

If your client is **currently incarcerated** in an adult institution, they may be eligible for some forms of financial aid:

- **Federal Pell Grants:** Under the “Second Chance Pell Pilot Program” launched in 2015, a few prisons are now able to offer Pell Grants for incarcerated students to pursue college. In California, this is available at CSP-LA, CIW, Sierra Conservation Camp (SCC), and RJD Correctional Facility. Even if federal aid isn’t offered at their prison, your client can still submit the application so they are prepared to receive funding when they get out.
 - **State Financial Aid:** Your client may still be able to get some forms of state aid while incarcerated (like the California College Promise Grant if you do “distance learning” or a “correspondence course” with one of California’s community colleges).
-

Conclusion

Educational opportunities and financial aid are likely more accessible than your client may think! If they are actively pursuing their education or strongly thinking about going back to school in their reentry, we encourage you and your client to read Root & Rebound’s toolkit: *My Education, My Freedom: A Toolkit for Formerly Incarcerated and System-impacted Students Pursuing Education in California*. To request a copy, call us at (510) 279-4662 or visit rootandrebounds.org/roadmap.

part 7.

ADJUSTING TO LIFE ON COMMUNITY SUPERVISION (*parole, probation, and federal supervision*)

SUMMARY

Part 7 provides:

- **Starter questions** for understanding what your client’s time on community supervision will require;
- **Tips** for success on community supervision;
- **Information** on your client’s rights on supervision; and
- **A summary of the process** for challenging conditions of supervision.

FLAGGING POTENTIAL LEGAL ISSUES

CLIENT ISSUE	WHAT YOU CAN DO TO SUPPORT
<i>If your client is on community supervision and is not sure about their requirements....</i>	Your client will need to check with either: the county court that sentenced them, or their probation/parole officer. With your client’s permission, you can help by requesting a copy of their terms and conditions from the parole/probation officer.
<i>If your client must register, or has registered, as a sex offender...</i>	You can help your client understand any additional rules/conditions, registration requirements, and situations that may be unique to them as a 290 registrant. There are also special rules for homeless people on the registry—and having an advocate help people understand these can be critical to their success. For more information, see pg. 57.
<i>If your client wants to challenge what they think is an unfair or unlawful probation/parole condition...</i>	You can help your client by helping them write up their concerns and filing a grievance or appeal with parole/probation (whichever is the supervising agency). Many people will also need a lawyer if parole or probation will not listen to their concerns—you can call Root & Rebound’s Reentry Legal Hotline any Friday, 9 a.m. - 5 p.m. PST, at 510-279-4662. Learn more about challenging conditions on pg. 58.
<i>If your client is having a hard time complying with their conditions...</i>	You can help your client by using your skills and training to determine the root of their issue. You may want to use your position as a service provider to reach out to the parole or probation office in an effort to find appropriate solutions collaboratively. For more information about disability rights on supervision, see pg. 60. If you need a lawyer to support, call Root & Rebound at 510-279-4662.
<i>If your client wants to transfer his or her probation to another county or state....</i>	You can help your client by understanding the process of applying for a transfer and obtaining any paperwork they need such as letters showing they have secured housing or employment in the receiving county, and/or have strong family support there. If incarcerated, your client should start this transfer request process at least six months to 1 year prior to their release.

adjusting to life on community supervision

There are many types of community supervision in California—state parole, county probation, PRCS, mandatory supervision, federal probation, and federal supervised release. The rules (called “terms and conditions”) of supervision can be confusing. It is important that your client get to know their conditions very well, because they can impact where your client can live and who they can be around. Supervision conditions can impact all areas of life—employment, housing, school, and community reintegration. Familiarize yourself with your client’s conditions of supervision, and issue-spot specific areas for which you can provide support.

KNOW YOUR CLIENT’S RIGHTS ON COMMUNITY SUPERVISION

- **If your client is being released on parole or PRCS**, they should receive a written document of their supervision conditions (a “Form 1515”) at least 45 days before release. **If your client is being released on any type of probation or mandatory supervision**, they *should* have a written document of their conditions after sentencing or be able to request a document of their conditions from the court that sentenced them.
- **Your client can challenge certain conditions of their parole or probation.** Your client has the right to challenge *certain conditions* of parole or probation that are unlawful.
- **Your client can request a transfer to another county or District—while they are incarcerated and/or after they are released.** Your client has the right to request a transfer of their parole or probation to another county—but they usually have to prove a strong reason and show evidence: for example, they are transferring for a new job, stable housing, or to live closer to family members and other reentry support.
- **Your client has the right to receive reasonable accommodations for physical and/or developmental disabilities** impacting their community supervision (see more on pg. 60).

starter questions

One of the big reasons that people go back to prison and jail is because of parole or probation violations, not always new crimes. It is critical that your client understand what to expect on community supervision (parole or probation) so that they are able to comply with their conditions, advocate for their self against unlawful ones, and complete their supervision with as few obstacles as possible.



ACTION STEP! Start by filling out the “CONTACT INFORMATION” and “STARTER QUESTIONS” with your client—The goal is to understand your client’s supervision status so you can determine how to best support them. If your client doesn’t know some of the answers, consider requesting court documents or contacting their parole agent or probation officer, if applicable.

IMPORTANT CONTACT INFORMATION

It is also very important to keep contact information for your client’s parole or probation office and agent in one place. You can write that information here:

- Your client will be supervised in the following **county** (if on county probation or state parole) or **federal district** (if on federal probation or supervised release): _____
- The office address where they have to report is: _____
- The name of my client’s supervising officer is: _____
- My client’s supervising officer’s contact info is:
_____ (office phone) _____ (cell phone) _____ (email)
- Other important information to remember: _____

STARTER QUESTIONS: LIFE ON COMMUNITY SUPERVISION

Do your best to answer the following questions about your client’s supervision (parole or probation). If your client does not know some of the answers, it may help to call Root & Rebound’s reentry legal hotline, any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662 to talk to one of our reentry lawyers.

What type of supervision is my client on or will be on?

- State Parole (supervised by a state parole agent)
- Formal Probation (supervised by a county probation officer)
- Informal Probation (required to check in with court, but only if their address changes, if they are arrested, or to submit proof of completion of assigned classes or programs)
- Post-Release Community Supervision (PRCS) (supervised by a county probation officer)
- Mandatory Supervision (supervised by county probation officer)
- Federal Probation (supervised by federal probation officer)
- Federal Parole (very rare) (supervised by federal probation officer)

Length of Supervision:

- How long will my client be on supervision? _____
- On what date is my client expected to get off supervision? _____
- Is there an opportunity for them to get **early discharge** (from parole, probation, or other type of supervision)?



IMPORTANT NOTE: People on state parole usually have a minimum and maximum amount of time they will spend on supervision, set by law. People on county probation can usually ask to get off early (after completing at least half of the probation time ordered).

Supervision Conditions:

- What are my client's **general (or standard) conditions** of supervision?
 - The **search and seizure rules** that apply to my client include:
 - The search laws could also affect the people my client will live with in the following ways:
- What are my client's **"special" (or extra) conditions** of supervision?

HELPFUL HINT: What are special conditions? Special or discretionary conditions are added when people are convicted of certain offenses (e.g., a person convicted of drug possession being required to attend outpatient rehabilitation and Narcotics Anonymous meetings); or any requirement beyond the general conditions that everyone has to follow.

Does my client have registration requirements? Yes or No (Circle one.) If yes, they are:

HELPFUL HINT: What are registration requirements? In California, people convicted of certain crimes must register—adding their names and identifying information to databases that inform local law enforcement about their general whereabouts. There are four registries in California: Sex Offender Registration, Arsonist Registration, Narcotic Offender Registration, and Gang Member Registration. Note: In addition to registering with local and school police, people who must register with California's Sex Offender Registration will also have their photos, offense type, and other identifying information publicly available online.

Victim-Related Restrictions:

Does my client have a "no contact" order with a victim in their case? Yes or No (Circle one.)

If yes, what steps can my client take to make sure they comply with the no contact order?

Does my client have to stay away from a certain area, or stay a certain distance away? Yes or No (Circle one.)

If yes, what steps can my client take to make sure they comply with this requirement?

tips for success on supervision

If your client is under community supervision, below are some tips to keep in mind.

- Your client will have to check in with their supervising officer on the **first business day after release** if they are on parole.
- If your client is on PRCS or Mandatory Supervision, they must check in with their supervising officer **within two business days of their release**.
- If your client is on federal probation, they must check in with their supervising officer **within 72 hours of their release**, unless a judge orders that they do so more quickly than that.
- If your client is on informal probation, they will have to check in with county court to determine what their conditions will be as soon as possible. If your client is on formal probation, they should report to their probation officer as soon as possible after release. If your client is not sure how long they have to check in, they should consult with their corrections counselor before release.
- Your client will have to follow certain **rules**, called “**terms and conditions**,” of supervision.
- These rules can include:
 - When and where they are allowed to go and where they can live;
 - Who they can be around or contact;
 - Whether they must have a job;
 - How they must report and communicate with their parole or probation officer; and more.
- People on supervision can usually have their homes, belongings, and selves searched at any time by law enforcement, even without a warrant. These conditions **impact the people your client lives with**.
 - For example, if your client lives with family or loved ones, their parole or probation officer or any police officer can search their family or loved one’s home.
- These conditions **can also impact any children involved**.
 - For example, your client could have a no-contact order from the criminal court, a civil family court, or from the rules of their supervision—and this could apply to children, partners, or other family members.



WARNING: If your client must register as a sex offender, they will have to follow additional conditions and rules. Most of these are required by law and cannot be challenged, depending on their conviction. These conditions may include restrictions on living with or near children, using social media, visiting school grounds, and more. There is more information for 290 registrants below.

→ Special Rules for 290 Registrants on State Parole in California

If your client is on state parole and on the 290 registry, they must:

- Report to their parole officer **within one working day after their release**;
- Register with the local chief or police or sheriff’s department, or risk being charged with a new crime of “failing to register” (see more information below);
- Attend a sex offender treatment program for at least one year;
- Participate in a polygraph examination if told to do so by parole;
- Give up the right not to incriminate their self for interviews, polygraphs and other tests; and
- Give up the right to confidentiality between them and state-funded psychotherapists.

GPS Requirement: By law, if your client went to prison for a felony sex offense, they are also required to wear a GPS monitor for the rest of their life—whether or not they are still on supervision. However, this requirement is currently being challenged in court.

Registration Requirement: In addition, your client will need to follow their registration requirements. “Failure to register” is a new crime (sometimes a felony) that can result in your client’s re-incarceration. This is a lifetime requirement. Your client has **5 working days to register after release** at the sheriff’s office or police department of the county they will be residing in. From that point, your client must re-register every year **within 5 days of their birthday**; they will be required to register more frequently in addition to this if they fall into the following categories:

- If they have ever been found to be a Sexually Violent Predator (“SVP”), they must register every 90 days.
- If they are homeless (“transient”) they must register every 30 days.
- If they change their name, they are required to notify law enforcement within 5 days of the change and within 5 days of their birthday each year.
- If they have a home but become homeless, they must notify law enforcement within 5 days. If they are staying at a shelter they must use that address.

Additionally, your client's name, date of birth, photograph, physical description and ZIP code will be published on the "**Megan's Law**" website. It is illegal for your client to look up their own information on the Megan's Law website. There are very few exceptions that allow someone to remove their information from Megan's Law.



HELPFUL RESOURCE: Sex Law and Policy Center is a national nonprofit that advocates for people on the sex offender registry. They publish the *Registering with Dignity* guide and other resources to advise registrants of their rights and provide emotional and social support. Visit sexlawandpolicy.org, or write to: Sex Law and Policy Center, 507 Jersey Ave, Ste. 2, Jersey City, NJ 07302.

challenging supervision conditions

If you or your client believe one or more conditions of their supervision is violating their rights, the way to challenge those conditions will depend on what type of supervision your client is on. Learn more below.

CHALLENGING STATE PAROLE CONDITIONS

The process for challenging state parole or PRCS conditions depends on which government agency imposed it: either the Department of Adult Parole Operations (DAPO or "Parole") or the California Board of Parole Hearings (BPH).

→ **If Parole imposed the unfair condition...** Look into filing a "602" administrative appeal. The 602 appeal process has three levels, each of which has its own time limits. If this is something your client wants to pursue, make sure they act quickly or they lose their right to appeal. Your client can get the necessary forms (CDCR Forms 22 and 602) by speaking with their parole officer. The following is a general timeline for challenging parole or probation conditions imposed by Parole:

- **Step 1:** Get a copy of the Notice & Conditions of Parole form (CDCR Form 1515), which has a list of all your client's parole conditions. Your client should sign this form, even if they have problems with it, and challenge conditions they believe are illegal through the administrative appeals process.
- **Step 2:** Get a Request for Interview, Item or Service form (CDCR Form 22), which is used to notify your client's parole officer they have an issue they wish to discuss. Fill out the form and deliver it to their local parole officer by mail or in person.
- **Step 3:** Get an administrative appeal form (CDCR Form 602) from their parole agent, and gather supporting documents listed on the form. Your client must submit a Form 602 and supporting documents to the Regional Appeals Coordinator. Supporting documents include copies of both the signed CDCR Form 1515 (Step One) and completed Form 22 (Step Two).
- **Step 4:** Your client receives a response from Parole to their Form 22 within three working days. If Parole decides to change the unfair condition, there is no need to continue beyond this step.
- **Step 5:** Your client receives a response from CDCR to their 602 appeal within 30 working days. If CDCR grants their appeal, there is no need to continue beyond this step. If CDCR denies the appeal, they have 30 working days to submit an appeal at the second level (Step Six).
- **Step 6:** File a second-level appeal to CDCR. If CDCR grants their appeal, there is no need to continue beyond this step. If CDCR denies the appeal, they have 30 calendar days to submit an appeal at the third level (Step 7).
- **Step 7:** Your client files a third-level appeal to CDCR. If CDCR grants the appeal, there is no need to continue beyond this step. If CDCR denies the appeal, they must file a writ of habeas corpus in the county superior court. For more information on how to file a habeas corpus petition, consult the Prison Law Office's website at prisonlaw.com.

→ **If the Board of Parole Hearings (BPH) imposed the unfair condition...** Your client can immediately file a **petition for writ of habeas corpus** with the superior court in the county of parole. For more information on how to file a habeas corpus petition, visit the Prison Law Office's website at www.prisonlaw.com.

CHALLENGING COUNTY PROBATION CONDITIONS

→ **If your client is on county-level probation (including formal or informal/court/summary probation, or mandatory supervision)** and believe one of their conditions is unfair, they can request a **modification of the terms** of their probation by following these steps:

- **Step 1:** Your client can contact the Court Clerk of the local county superior court where they were convicted. Ask the Clerk if there is a local form to challenge probation conditions. If so, your client should fill out that form according to its instructions. If not, continue to Step 2.
- **Step 2:** Your client should find a lawyer who can draft, file, and argue a motion to change probation conditions. If they were originally represented by a public defender, the Public Defender's office may be able to assist with this motion. Otherwise, your client can call their county bar association or call Root & Rebound's Reentry Legal Hotline, any Friday, 9 a.m. – 5 p.m. PST, at (510) 279-4662 for possible referrals.

→ **If your client is on PRCS** and believe one of their conditions is unfair, their remedies depend on whether the probation department (“Probation”) or the court placed the conditions on them.

- **If the condition was set by Probation**, they will have to challenge the condition through the Probation grievance process, through all levels of administrative review. If your client has reached the last level of review and were denied, they may file a state petition for writ of habeas corpus in court.
- **If the condition was set by the court**, they must file a notice of appeal with the court within 60 days.

CHALLENGING FEDERAL SUPERVISION CONDITIONS

If your client is on federal probation or supervised release and believe one of their conditions of supervision is unlawful, they can file a **Notice of Appeal** with the Clerk of the Court, then reach out to the Federal Public Defender’s Office in their district for assistance. For a list of Federal Public Defender’s Offices in California, visit:

<http://www.fd.org/docs/defender-contacts/federal-public-and-community-defender-directory.pdf?sfvrsn=9>.



TIPS FROM THE FIELD: If your client’s conditions of supervision are not unlawful, but they are having a hard time complying, use your skills and training to determine the root of their issue. It may be that your client is not being properly accommodated for a physical or developmental disability (See below), or that adjusting to life on supervision is taking a toll on their mental health. You may want to use your position as a service provider to reach out to the parole or probation office in an effort to find appropriate solutions collaboratively.

transferring locations on supervision

This section explains how your client can apply to transfer their supervision to a different location. The process depends on what type of supervision your client is on, and whether they are trying to move to a different county or district in California, or to a different state.

TRANSFERRING COUNTIES ON STATE PAROLE

Your client can request transfer of state parole before or after release. Below is a summary of how to do so.

- **If your client is incarcerated...** they must ask their correctional counselor for a Transfer Investigation Request (TIR) form. On that form, your client can explain why transferring counties would benefit their rehabilitation. Your client should include documents that support their claim, including letters from potential employers, housing providers, and family or friends who commit to supporting them.
- **If your client is back in the community...** they must ask their parole agent about the transfer, either in person or in a dated letter. Your client should explain why transferring counties would benefit their rehabilitation. If your client opts to write a letter, be sure to also include supporting documents.

TRANSFERRING COUNTIES ON COUNTY-LEVEL PROBATION

The California Superior Court of the county where your client was convicted of a crime has jurisdiction over their county-to-county probation transfer. A judge will decide whether your client’s transfer is appropriate, and will look at:

- Whether the county they would like to transfer to is their permanent residence;
- Whether local programs are available for them in the transfer county; and
- Whether there are open restitution orders and victim issues.
- If your client has to register as a sex offender, they will face additional restrictions.

TRANSFERRING STATES WHILE UNDER ANY TYPE OF COMMUNITY SUPERVISION

The Interstate Compact for Adult Offender Supervision (ICAOS) applies in all 50 states, Puerto Rico and the U.S. Virgin Islands. It sets out the requirements for requesting transfer to a different state while under community supervision. Learn more about the ICAOS rules online at: <https://www.interstatecompact.org/step-by-step>.

- **If your client is currently incarcerated**, the earliest California can send an interstate transfer request for them is 120 days before their expected release date (ERD). The receiving state should respond within 45 days of receiving the transfer request, though the process can be sped up in an emergency.
- **If your client is formerly incarcerated**, they can request to transfer your supervision if they meet the following requirements:
 - At the time their application is submitted, they must have at least 90 days left to serve on supervision;
 - Your client must have a valid supervision plan;
 - Your client must have never had their supervision revoked nor any pending revocation charges;
 - Your client must *either* be a resident of the receiving state *or* they must have family there who is willing to assist them as well as a way to support their self there (such as an employment offer); and
- **If your client is on state parole:** They must have paid off all of their restitution (unless they are able to post a bond for the amount OR a judge finds the transfer to be “in the interest of justice”).

Once your client's parole or probation agent confirms that they meet the eligibility requirements, their request will be sent to CDCR's **Interstate Compact Unit** in Sacramento, CA. If CDCR approves the request, it then sends the transfer request to *the receiving state*. The receiving state will then decide whether to approve your client's transfer request.

TRANSFERRING DISTRICTS ON FEDERAL SUPERVISION (SUPERVISED RELEASE OR FEDERAL PROBATION)

Transferring location on federal supervision is different than state supervision because the relevant regions are not states or counties. The federal supervision system is split into districts. Generally, districts are larger than most counties but smaller than most states.

- ***If your client is currently incarcerated*** and trying to transfer, they can submit a request to their BOP Case Manager.
- ***If your client is formerly incarcerated*** and trying to transfer districts, they can ask their probation officer for a "courtesy supervision," which technically keeps their case in the original district but allows them to live in the new district. It is much easier to transfer officially once your client is on courtesy supervision.
- ***If your client is denied courtesy supervision***, it's still possible to go straight to requesting a formal transfer through their probation officer.

The same factors used in determining if a state transfer can be approved are considered in a determination for federal transfer, such as stable housing, family connections, employment, and other evidence that your client would be better off in the new district.

disability rights on supervision

State and federal law protect your client from discrimination on the basis of a disability. If your client is on community supervision (parole, probation, or federal supervision), they generally have rights to the following disability accommodations:

1. **Accommodations** designed to help them understand all information that is communicated with them. This includes sign language interpretation, reading written materials out loud, and simplifying information according to their education or language skills;
2. **Accessible locations** for meetings and mandatory programming;
3. **Allowing the use of medical appliances**, such as wheelchairs, canes, and prosthetics;
4. **Accessible transportation** in the event that parole or probation must transport them somewhere; and
5. **In the event of an arrest**, consideration of disability when putting on physical restraints, such as handcuffs.

If your client is not receiving proper accommodations, they have options to advocate their self, or with your help. Below is a summary of what they can do:

- ***If county-level probation is not accommodating your client's disability***, they can contact their county probation officer. Although each county addresses disability issues differently, explaining their situation to the probation officer may be enough to initiate change. If your client's probation officer doesn't provide the accommodations, they can bring it to a judge. Each county has its own procedures for disability grievances.
- ***If state parole is not accommodating your client's disability***, they can fill out CDCR Form 1824, "Request for Modification or Reasonable Accommodation." This form should be available at all parole offices.
- ***If federal probation is not accommodating your client's disability***, they can contact their federal probation officer. Although there is no formal process for seeking disability accommodations, it may be helpful for them to approach their probation officer with a letter or other documentation verifying their disability. If your client has a doctor or therapist who can write this letter on their behalf, it will help them show proof of their disability.

Conclusion

Part 7 covered key issues that come up on community supervision (parole or probation). Following all the rules and requirements of supervision is a vital part of your client staying free in reentry. You and your client knowing their rights *before release* can prevent misunderstanding from turning into a crisis (like a violation and revocations). Part 7 also covered some legal procedures and tools your client can use to advocate for their self if they are having difficulties on supervision.

part 8.

MANAGING COURT-ORDERED DEBT (restitution, fines & fees)

SUMMARY

Part 8 provides:

- **Information** on your client’s rights around court-ordered debt;
- **Definitions** of the various types of court-ordered debt;
- **Instructions** on how to determine the debt your client owes; and
- **Tips** if your client is struggling to pay their court-ordered debt.

FLAGGING POTENTIAL LEGAL ISSUES

CLIENT ISSUE	WHAT YOU CAN DO TO SUPPORT
<i>If your client is trying to figure out how much court-ordered debt they owe...</i>	You can help your client by filling out the starter questions below and assisting them where you can with getting more information from government agencies (e.g., calling the court, the fines and fees division in the county, and/or identifying which debt collection agency is trying to collect on their court debt). For more information, see pg. 62.
<i>If your client’s driver’s license was suspended due to court ordered debt (traffic court fines/fees)...</i>	Your client’s driver’s license should not be suspended based solely on traffic fines and fees <i>if the suspension occurred after June of 2017</i> . See pg. 23 in the “Getting ID” section for more information on how to help them release the suspension on their driver’s license.
<i>If your client needs to request a more manageable payment plan for their debt or wants to request that it be reduced...</i>	You and/or your client can contact the court (or collecting agency) to see where debt can be reduced, forgiven, or where they may set up payment plans. Do so as soon as possible, since court-ordered debt can be crippling and create other unexpected barriers for many people in reentry/with records trying to get back on their feet. If you believe that there are illegal collections practices being used against your client, contact a lawyer – see a list of legal aid organizations in Appendix A, pg. 91, and ask to speak to a <i>consumer rights</i> attorney.

key information about court-ordered fines & fees

If your client had some kind of interaction with the criminal justice system—even if they were not convicted of a crime—the court probably ordered them to pay money to one or more entities. This could be the court itself, a government agency, or the victim(s). Taking control of court-ordered debt requires an understanding of what kind of debt it is and to whom it is owed. This section provides an overview of the different types of debt and options for repayment.

KNOW YOUR CLIENT’S RIGHTS REGARDING COURT-ORDERED DEBT (RESTITUTION, FINES AND FEES)

- Your client can almost always **set up a monthly payment plan** to reduce monthly debt owed.
- With the exception of victim’s restitution, your client can ask a judge to **reduce or waive most fines and fees** due to financial hardship/inability to pay. They can also **request community service** in exchange for reduced fines and fees.
- **Traffic court debt can sometimes be exchanged for traffic school or through fee waivers on a county-by-county basis.**
- **As of 2018, driver’s licenses cannot be suspended for traffic debt**, but this new law is not retroactive! If you have questions about your client getting their driver’s license, go to pg. 23.



ACTION STEP! Start by filling out the “STARTER QUESTIONS” with your client—The goal is to understand the extent and status of your client’s court-ordered debt so you can determine how to best support them. If your client doesn’t know some of the answers, consider requesting court documents (see pg. 62) or contacting their parole agent or probation officer, if possible.

STARTER QUESTIONS: COURT-ORDERED DEBT

Does my client owe restitution, court fines, and fees? Yes or No (circle one)

If yes, my client has the following amounts of court-ordered debt:

- **Restitution:** \$ _____
- **Court fines** (e.g., drug program fine, alcohol education fine, domestic violence fine): \$ _____
- **Criminal court fees** (e.g., jail booking fee, public defender fee): \$ _____
- **Traffic court fines and fees:** \$ _____

What government agency or collections company is collecting/demanding the debt from my client?

- **Restitution:** _____
- **Court fines:** _____
- **Criminal court fees:** _____
- **Traffic court fines and fees:** _____

Has any of my client’s debt gone to “collections” (meaning it is being demanded by a private collections company and not a government agency)? Yes or No (Circle one.) If yes, write down below any details about the: name of the agency; reason for the debt (if given); amount owed; case or account numbers; phone number and address of the agency, and any other related information here:

finding out how much court-ordered debt your client owes

Determining how much court-ordered debt your client has, and to whom it is owed, is a matter of understanding which types of debt are involved. Court-ordered debt generally falls into three categories:

- **Restitution**—money paid to the victim(s) to compensate them for harm cause (this is called “victim’s restitution” and might be owed to an individual who was harmed, their family, or even to a business or government entity that suffered losses) **OR** money paid to California’s Victim’s Compensation Fund that is ordered as a symbolic debt to society (“restitution fines”);
- **Fines and penalties**—financial punishment for the act committed; and
- **Administrative fees**—costs of running the court and related agencies.

The court usually orders these payments at *sentencing* (the judge will say into the court record any **fin**es or **fee**s your client will be required to pay as part of their sentence). Your client can usually find more information about what type of court-ordered debts they owe by looking at their court records. The exact terminology used in court records can differ by county. If your client still cannot determine what type of debt they have, the public defender or lawyer who represented them may be able to help.

- **If your client owes restitution:**
 - **...and are incarcerated:** they should be able to get a copy of their balance sheet from their prison or jail.
 - **...and are out on parole, probation, or community supervision:** their parole agent or probation officer should be able to give them a copy of their balance sheet.
 - **...and are not on any form of supervision:** Once your client is off state parole, CDCR will refer their debt to the Franchise Tax Board (FTB). Your client can also call the CDCR Office of Victim & Survivor Rights & Services Restitution Unit at (877) 256-6877 even once they are no longer on parole. If your client’s restitution is related to probation, they can contact the debt office in the county where their case took place. The FTB has a webpage. that lists the debt information contact for each county: https://www.ftb.ca.gov/online/Court_Ordered_Debt/contact.shtml.
- **If your client owes other court-ordered fines, penalties, or administrative fees related to their criminal case or supervision:** They can call the criminal court in the county where they were arrested or convicted to learn more about other fines, penalties, and administrative fees. The clerk should be able to explain how much your client owes and whether their debt has been sent to collections. If your client’s debt has been sent to collections, the clerk should also know which collection agency took charge of their debt.
- **If your client owes traffic fines and fees:** Their license should not be suspended based solely on traffic fines and fees *if the suspension occurred after June of 2017*. See pg. 23 in the ID section for more information.
- **Please note:** For information about your client’s rights and options related to **child support debt**, please see pg. 83 in the family and children section of this Toolkit.

managing and reducing payments

The **chart** below offers helpful information about managing different types of court-ordered debt--especially important if your client is having trouble making payments.

Victim’s Restitution	Court Fines & Fees
<p>Reducing amount owed:</p> <ul style="list-style-type: none"> ● Victim’s restitution can almost never be reduced or waived. It doesn’t go away in bankruptcy either. ● If your client wants to dispute the amount owed, they should contact the criminal court and ask for the contact information for its debt collection agency. Your client can then contact the collection agency directly about the disputed amount. <p>Payment plans: Your client can set up a payment plan (or ask to lower their monthly installment amounts) by calling the California Franchise Tax Board at (916) 845-4064. <i>Note:</i> A payment plan cannot reduce the total amount of restitution owed, but it can make it easier to pay off the debt in smaller amounts over time.</p>	<p>Reducing amount owed:</p> <ul style="list-style-type: none"> ● Your client can always request to have their fines and fees be lowered. To do this, your client should contact their parole/probation officer or the court where they were convicted. ● The judge can decide to lower or waive fines and fees due to financial hardship. The judge can also order your client to do community service in exchange for reduced fines or fees. <p>Payment plans: Your client can contact their parole/probation officer or the court of conviction to set up a payment plan or request to lower installment amounts.</p>

Conclusion

Part 8 covered the three main categories of debt ordered by criminal courts, as well as some options for managing or reducing these debts. Even small reductions or smaller monthly payment plans might make a huge difference, and can be a powerful factor in helping your client to secure their financial future.

part 9.

RECORD CLEANING

SUMMARY

Part 9 provides:

- **Information** on requesting and understanding a RAP sheet;
- **Summaries** of different record-cleaning options; and
- **Criteria** your client must meet to be eligible for various record-cleaning options.

FLAGGING POTENTIAL LEGAL ISSUES

CLIENT ISSUE	WHAT YOU CAN DO TO SUPPORT
<i>If your client needs to get a copy of their RAP sheet...</i>	You can help your client by going through the necessary steps with them to order their RAP sheet from the California Department of Justice (or from the county court if their convictions/arrests were all in one county only). Please note that due to the highly sensitive nature of one's history with the justice system, you should NOT ask to see your client's RAP sheet unless you are authorized to do so. Best bet is to help a client order the RAP sheet, and then put them in touch with a clean slate clinic/reentry attorney. Learn more on pg. 66.
<i>If your client wants to pursue record-cleaning remedies...</i>	Using the chart on pg. 67, have your client determine what options may be available to them, and reach out to a pro bono record cleaning attorney or clean slate clinic in their area. Call Root & Rebound's Reentry Legal Hotline any Friday, 9 a.m. - 5 p.m. PST, at 510-279-4662 for a referral to a free record-cleaning legal clinic.

record-cleaning options in california

There are many different ways by which people can **change or “clean up” their criminal records** (often referred to as **expungement**). Your client’s record-cleaning options will depend on their conviction history and individual situation. The best thing for them to do is to talk to a **reentry lawyer** through a free “clean slate” legal clinic or local public defender’s office. Record-cleaning now includes a lot of different legal options including: reducing a felony to a misdemeanor; having a conviction dismissed; getting a certificate of rehabilitation; and sealing a juvenile adjudication.

If your client’s record has ever prevented them from getting a job, housing, or public benefits, in some cases record-cleaning can hide their conviction from certain people (like private employers or landlords) and restore certain legal rights. Record-cleaning can be time-consuming, but it can also improve your client’s job and housing prospects and sometimes gives them the chance to prove their rehabilitation to a court.

KNOW YOUR CLIENT’S RECORD-CLEANING RIGHTS!

- **Your client has the right to see their own RAP sheet.** This can help them determine which types of record remedies they might be eligible for.
- **If your client determines that their RAP sheet contains errors, they have the right to challenge those errors with the Department of Justice (DOJ).** If the DOJ disagrees with your client’s claim, they have the right to request an administrative hearing.
- **You client has the right to have a lawyer help them with a Certificate of Rehabilitation.** If your client can’t afford a lawyer, the court is required to assign a public defender or other lawyer to help. A public defender may also be able to help with other forms of expungement.
- *Please note: If your client’s local public defender’s office does not provide support for record-cleaning and expungement, please contact Root & Rebound’s **Reentry Legal Hotline** at any Friday, 9 a.m. - 5 p.m. PST, at 510-279-4662 for more information about your legal options and referrals.*



CONSULT A LAWYER: With the laws related to record-cleaning changing almost every year in California, it is incredibly helpful for your client to talk to a reentry lawyer (or a local public defender if they offer help with record-cleaning) about their options. As a start, you or your client can call Root & Rebound’s Reentry Legal Hotline, any Friday, 9 a.m. – 5 p.m. PST, at (510) 279-4662 (we accept collect calls), to learn more.

starter questions

Below are some starter questions that will help your client gather and organize the information they will need to understand which record-cleaning options might be available to them.



IMPORTANT! Your client should be aware that a clean slate lawyer will ask these “STARTER QUESTIONS” — Your client can also call Root & Rebound’s Legal Reentry Hotline at (510) 279-4662 from 9 a.m. to 5 p.m. on any Friday to be screened for record-cleaning remedies, and for support and referrals.

STARTER QUESTIONS TO PURSUE RECORD-CLEANING

When your client meets with a reentry lawyer or public defender at a clean slate/expungement/record-cleaning clinic, they will likely have to answer the following questions. Advise them to bring their California DOJ RAP sheet and/or all the paperwork they have!

- **Are you a citizen of the United States?**
- **For what offense or offenses were you convicted? In which county did the offense(s) occur?**
- **If you were *not* convicted, for what offense were you arrested?**
- **Was the conviction for a felony or a misdemeanor?**
- **What sentence did you receive (for example, time in jail, time in prison, time on supervision, and/or any fines and fees)?**
- **Did you serve your sentence in prison or county jail?**
- **If you were sentenced to probation, did you successfully finish your probation?**
- **Do you still owe any fines or fees?**
- **Do you have any pending (ongoing) arrests or criminal cases?**
- **Are you currently on parole or probation? If so, how much longer will you be on it? (Note: In some cases, you or a lawyer representing you can request early discharge.)**

understanding & ordering a RAP sheet

A **RAP sheet**, or “Record of Arrests and Prosecutions,” is a fundamental government document that covers every encounter a person has had with law enforcement. RAP sheets are the most complete criminal record a person has, and contains misdemeanor and felony convictions; convictions that have been dismissed, reduced or expunged; arrests that did not lead to prosecution or conviction; parole and probation violations; juvenile records; and diversion programs.

A RAP sheet is a confidential document between an individual and government bodies; though most government entities, such as law enforcement, licensing boards and court judges can see it, a private employer or landlord cannot.

*To clean up a record, it is important to know exactly what is on it. Your client can request a **RAP sheet** from the county, the California Department of Justice (DOJ), and/or the Federal Bureau of Investigation (FBI). If your client only has convictions in the state of California (and no federal convictions), then the DOJ RAP sheet is the most complete. Below are steps your client can take to get and read their California state DOJ RAP sheet.*

- **Step 1—The Form:** Print out a copy of the DOJ’s Request for Live Scan Service form. It is available for download on the DOJ website at: https://oag.ca.gov/sites/all/files/agweb/pdfs/fingerprints/forms/BCIA_8016.pdf. If your client is unable to access the website, contact Root & Rebound for assistance. If your client is homeless, they will need to find a reliable address to provide to the Department of Justice.



REENTRY PLANNING TIP: California Department of Justice RAP Sheet Fee Waiver: If your client receives public benefits, they likely qualify for a RAP Sheet request **fee waiver**. Your client can use this fee waiver to get a copy of their RAP Sheet for a reduced cost. You or your client can contact Root & Rebound for more information about DOJ Fee Waivers. **To get a fee waiver** (NOTE: your client must still pay the fingerprint fee): 1) fill out the “Application and Declaration for Waiver of Fee for Obtaining Criminal History Record Waiver”; 2) attach proof of income; 3) prepare a brief letter addressed to California Department of Justice (DOJ), Record Review Unit, P. O. Box 903417, Sacramento, CA 94203-4170 stating they are requesting a copy of their Rap Sheet because they want to expunge their convictions; and 4) fax this request to fax no. (916) 227-1964. If the Fee Waiver is approved, the DOJ will send your client a preprinted “Request for Live Scan Service” about 2 weeks later.

- **Step 2—The Fingerprints:** Find a list of Live Scan providers in their area. If your client is having trouble locating this information, Root & Rebound can help them find the closest and cheapest provider. Contact this provider for more information about scheduling a fingerprint rolling. Live Scan operators can set their own fingerprint-rolling fees, which can range from \$15 to more than \$100. The DOJ website lists Live Scan operators and their fees, organized by county. Visit <https://oag.ca.gov/fingerprints/locations> to learn more.
- **Step 3—The Document:** In 2 to 8 weeks, your client should receive a copy of their RAP sheet in the mail. Once they have received this document, your client should get in touch with a Clean Slate attorney who can review their RAP sheet and provide them with information about record cleaning remedies they may be eligible for. Many public defender offices have Clean Slate departments that handle record-cleaning/expungement cases, so your client may want to call their county’s public defender for more information. You or your client can also call Root & Rebound’s Reentry Legal Hotline any Friday, 9 a.m. – 5 p.m. PST, at (510) 279 - 4662 for referrals to clean slate legal clinics.

Be aware most record-cleaning remedies require a **court order**, and the court process can take several weeks to many months and may require that individual to appear in person at the courthouse. However, for many people, record-clearing is a way to open up more opportunities for employment and housing, show rehabilitation to the courts, and reduce barriers to reuniting with children. As one woman said upon having her felonies dismissed, “now the court sees me instead of my criminal record.”

options for record-cleaning relief in california

The following **chart** provides a brief summary of different record-cleaning options that are available in California. This information provides a general sense of whether your client is eligible to seek record-cleaning relief and how these options could benefit them. Though we did our best to summarize legal options in this chart, please keep in mind that record-cleaning laws can be very complex (even for lawyers!), so we recommend that your client get in touch with a “clean slate” or “expungement” clinic and reentry lawyers to discuss their options further.

SUMMARY OF LEGAL OPTIONS FOR CLEANING UP CRIMINAL RECORDS IN CALIFORNIA				
LEGAL REMEDY	ELIGIBILITY CRITERIA	TIME RESTRICTIONS	WHAT THE REMEDY DOES	WHAT THE REMEDY DOES <u>NOT</u> DO
Fix errors on RAP sheet	NONE – Your client has the right to request their RAP sheet and challenge any errors at any time.	NONE	Ensures that your client’s RAP sheet accurately reflects their criminal history.	This is not “cleaning up” anything that is <i>accurately showing up</i> on their RAP sheet .
Dismissal	<p>A conviction may be eligible for a dismissal if <u>all</u> of these conditions are met:</p> <ul style="list-style-type: none"> ● No time spent in prison for the offense; ● Not on probation or parole for the offense; and ● Not currently charged with, serving a sentence for, or on parole or probation for any other offense. 	Certain convictions will require your client to wait one or two years before applying.	<p>Most private employers, private landlords, insurance companies, creditors, and other people will NOT be able to see an expunged conviction if they run a background check on you.</p> <p>Most private employers CANNOT ask about or consider a conviction that has been expunged.</p>	<p>Does not remove the conviction from public record or delete it from your client’s RAP sheet.</p> <p>Does not remove the burdens that come with certain convictions (registries, restriction on jury service, restriction of gun rights, etc.).</p>
Reduce felony to a misdemeanor under Cal. Penal Code section 17(b)	<p><i>Your client may be eligible if <u>all</u> of these conditions are met:</i></p> <ul style="list-style-type: none"> ● Conviction was for a felony “wobbler;” ● NOT sentenced to state prison or county jail under Realignment; ● Sentenced to probation. 	None, but your client will have a much better chance if they wait until they are at least half-way done with their probation term	<p>Allows your client to lawfully say they were never convicted of a <u>felony</u>.</p> <p>If they have not already been restored, this would restore your client’s rights to vote and sit on a jury; and may also restore gun rights.</p> <p>Removes some barriers to employment (for example, some employers ask about felonies but not misdemeanors).</p>	<p>If the conviction was for a <u>serious or violent felony</u>, it will still count as a “strike.”</p> <p>Does not remove sex offender registration requirements.</p> <p>May not restore gun rights.</p> <p>Conviction may still be considered a felony for certain state licensing purposes.</p>
Reduce felony to a misdemeanor under Prop. 47	<p>Your client is eligible if their conviction is for one of the following offenses:</p> <ul style="list-style-type: none"> ● Second degree burglary ● Forgery ● Grand Theft ● Receiving stolen property ● Petty theft w prior ● Simple drug possession (including of meth) 	Must file a petition before November 2022.	<p><i>If they are currently serving a sentence for the conviction in question (including community supervision):</i></p> <ul style="list-style-type: none"> ● Reduces felony to misdemeanor; ● Reduces sentence or term of supervision; ● Offers immediate release if incarcerated; ● Removes legal barriers 	<p>Does not restore gun rights if your client lost them due to their particular conviction.</p> <p>Does not remove the conviction from their record, just reduces it to a lower offense.</p> <p>Does not give your client the right to be compensated for time</p>

	<p>They must <u>also</u> meet the following criteria:</p> <ul style="list-style-type: none"> ● No conviction for a “super strike” felony; ● No conviction requiring sex offender registration. 		<p>and restores most rights lost due to felony conviction.</p> <p><i>If they have already served their sentence:</i></p> <ul style="list-style-type: none"> ● Changes felony to misdemeanor; ● Removes legal barriers and restores most rights lost due to felony conviction. 	<p>served in excess of what they would have served for a misdemeanor.</p>
<p>Reduce felony to a misdemeanor OR dismiss conviction under Prop. 64</p>	<p>Your client is eligible if their conviction is for one of the following offenses:</p> <ul style="list-style-type: none"> ● Possession of marijuana; ● Cultivation of marijuana; ● Possession with intent to sell marijuana; ● Sales or transport of marijuana. <p>Your client can usually still get this relief if they have a “super strike” felony conviction or if they have to register as a sex offender.</p>	<p>NONE.</p>	<p>Legalizes certain marijuana offenses related to personal use where the individual is 21 or older.</p> <p>Reduces penalties for certain marijuana offenses to wobblers, misdemeanors, or infractions.</p> <p>In some circumstances, restores all civil rights denied due to a felony conviction.</p> <p>Client may be relieved of duty to register.</p>	<p>Does not allow your client to seek compensation for time spent in custody under outdated laws.</p>
<p>Certificate of Rehabilitation</p>	<p><i>Your client may be eligible if the following conditions are met:</i></p> <ul style="list-style-type: none"> ● Convicted of felony and served a state prison sentence for it OR convicted of a sex offense that was later expunged; ● No recent history of incarceration; ● Not on formal probation; ● Residency in California for last five years. <p><i>Your client may NOT be eligible if ANY of the following conditions apply:</i></p> <ul style="list-style-type: none"> ● Conviction for certain serious sex offenses; ● Received the death penalty; ● On mandatory lifetime probation; ● Are in the military ● No longer a California resident. 	<p>Your client must wait 7 to 12 years (depending on the conviction offense) from the date of release from incarceration</p> <p><i>[Note: You can request a COR before the end of your waiting period, but it must be “in the interests of justice” to grant it early.]</i></p>	<p>Serves as official proof of rehabilitation.</p> <p>May remove sex offender registration requirement. Serves as automatic application for governor’s pardon.</p>	<p>Does not erase or seal a record of conviction.</p> <p>Does not prevent the offense from being considered a prior if your client is convicted of a new offense.</p> <p>If convicted of a felony, does not enable client to tell employers he/she has no felony record.</p> <p>Does not restore gun rights.</p>

<p>CA Governor's Pardon</p>	<p>Your client is eligible if they were convicted of a felony in California.</p>	<p>If your client applied for a COR, their application for a pardon is automatic.</p> <p>Otherwise, 10-year waiting period for direct application.</p> <p>If your client is incarcerated, can be recommended for pardon by Board of Parole Hearings (BPH).</p>	<p>May restore your client's gun rights.</p> <p>Restores the right to vote and sit on a jury.</p> <p>Removes sex offender registration requirement.</p> <p>Allows your client to work as parole agent or probation officer.</p> <p>Restores the right to hold public office.</p>	<p>Does not seal or erase the record of conviction</p> <p>Does not prevent the offense from being considered a prior if your client is convicted of a new offense.</p> <p>Does not enable client to tell employers he/she has no felony record.</p> <p>Does not restore gun rights if conviction involved use of a dangerous weapon.</p> <p>Does not pardon convictions from other states or federal convictions.</p> <p>May not prevent deportation.</p> <p>See pg. 86 for more information about the immigration consequences of having a criminal record</p>
<p>Sealing adult arrest records</p>	<p><i>As of January 1, 2018, your client is automatically eligible if <u>any</u> of the following conditions are met (with certain exceptions):</i></p> <ul style="list-style-type: none"> ● No criminal charges were filed ● Criminal charges were filed but later dismissed, ● They were found "not guilty" in a jury trial, ● Their conviction was vacated or overturned on appeal ● They successfully completed a pretrial diversion or pre-sentencing program. 	<p>Your client should apply as soon as possible, although no time limit has been established.</p>	<p>All records related to arrest and criminal proceedings are sealed and destroyed.</p>	<p>Note that this relief is not automatic, but may be granted by a judge in the interests of justice, if your client has a history of arrests and/or convictions for domestic abuse, elder abuse, or child abuse.</p>
<p>Sealing juvenile records</p>	<p><i>Your client may be eligible if <u>all</u> of the following conditions are met:</i></p> <ul style="list-style-type: none"> ● Case started and ended in juvenile court; ● No adult conviction for felony or misdemeanor involving "moral turpitude;" ● No open civil lawsuit stemming from juvenile offense. 	<p>Should apply as soon as they turn 18 years old;</p> <p>OR</p> <p>after five years have passed since your client's last arrest or discharge from probation.</p>	<p>All court, law enforcement, and other records are sealed and destroyed.</p>	

	<p><i>Your client is NOT eligible if <u>all</u> of the following conditions apply:</i></p> <ul style="list-style-type: none"> • Juvenile adjudication was for certain violent offenses; • Over 14 years old at time of offense. 			
Federal expungement or dismissal	<p><i>Your client may be eligible if <u>all</u> of the following conditions are met:</i></p> <ul style="list-style-type: none"> • Convicted of “simple” possession of certain drugs under federal law; • No more than one drug-related conviction (state or federal); • Successfully completed probation without violating. 	Your client should file as soon as they complete probation.	<p><i>If they were less than 21 years at time of offense:</i></p> <ul style="list-style-type: none"> • All records of conviction, arrest, and criminal proceedings are <u>destroyed</u>. <p><i>If they were 21 years or older at time of offense:</i></p> <ul style="list-style-type: none"> • All records of conviction, arrest, and criminal proceedings are <u>sealed</u> but not <u>destroyed</u>. 	
Presidential pardon	<p><i>Your client may be eligible if <u>all</u> of the following conditions are met:</i></p> <ul style="list-style-type: none"> • Convicted of a federal offense; • Sentence (including parole or probation) is complete. 	Your client must wait at least five years from the date of release (or the date of conviction if never incarcerated).	Restores any civil rights lost due to federal conviction, including gun rights.	Does not restore rights lost due to state convictions.



TIPS FROM THE FIELD: Depending on the type of relief sought, your client may want to submit letters of support along with their petition. You can help them determine who would be a good candidate for a letter of support. The goal is to get a detailed letter from someone who knows them intimately and who can attest to their growth and rehabilitation in the time since they were convicted. If you are close with your client and can speak to these things, you can submit a letter on their behalf as well.

Conclusion

Part 9 covered different options for record-cleaning in California. Record-cleaning is one of the legal tools that California law provides to prove that your client has been successful in reentry. It can help open doors to greater employment and housing opportunities. Though a record in California never disappears entirely, going to a reentry lawyer to help pursue record-cleaning options can remove some of the barriers that a conviction creates. Now that you have an idea of what options may be available to your client, we encourage you to have them pursue record-cleaning with the assistance of legal aid lawyer or a public defender and unlock some of the doors that have been closed to them.

part 10.

SETTING UP PUBLIC BENEFITS & HEALTH CARE

SUMMARY

Part 10 provides:

- **A list** of key public benefits programs;
- **Information** on whether your client can apply for public benefits;
- **Tips** for ensuring your client has access to health care after release;
- **Suggestions** for planning your client’s immediate medical needs; and
- **A summary of your client’s rights** when applying for public benefits.

FLAGGING POTENTIAL LEGAL ISSUES

CLIENT ISSUE	WHAT YOU CAN DO TO SUPPORT
<i>If your client does not know where to start in accessing public benefits...</i>	Ask your client the starter questions below to determine what benefits they received in the past, and which ones they may need now. You can then connect them to public benefits specialists at the appropriate agency. If they are concerned about their eligibility, you may also want to connect them to a public benefits attorney at a legal aid organization—see a starting list in Appendix A, pg. 91.
<i>If your client wants to know whether their criminal record will impact their eligibility to get benefits...</i>	You and your client can review the chart on pg. 74 to determine what benefits are available to them and how their record may have an impact on eligibility.
<i>If your client needs benefits or healthcare, but has trouble navigating the online or phone systems...</i>	You or a family member can “interview” on your client’s behalf when applying for certain public benefits. If your client needs health records, with their written permission, in some circumstances you can request it for them as well. You can also help your client fill out paper or online benefits applications. For more information, see pg. 76.
<i>If your client has an unanswered warrant...</i>	This may become a major barrier in getting public benefits. Find out more information from your client about the warrant they think exists, and contact the public defender in the county where the issues is to see if a warrant really exists and what steps can be taken to address it.
<i>If you or your client feel like they have been wrongfully denied public benefits...</i>	Your client has a right to appeal a denial of benefits. Since there are very tight timelines, contact a legal aid attorney right away. For a starting list of legal aid organizations, see Appendix A on pg. 91, or call Root & Rebound’s Reentry Legal Hotline any Friday, 9 a.m. - 5 p.m. PST, at 510-279-4662 for a referral.

setting up public benefits & health care

This section describes how a criminal record can affect access to public benefits and health care. It will also provide information on whether your client can apply for public benefits while incarcerated.

KNOW YOUR CLIENT'S PUBLIC BENEFITS RIGHTS!

- Generally, your client's criminal record will **not** automatically prevent them from receiving public benefits. As of 2015, California no longer bans people with past drug-related felony convictions from receiving CalWORKS and CalFresh. If your client was denied in the past, they should consider re-applying under the new rules!
- Your client can apply for certain benefits before they are released from prison/jail. (See the chart on pg. 74 below.)
- Your client is required to get 30 days of medication if they are leaving state or federal prison. If your client is leaving county jail, they are entitled to a pharmacy prescription (at the very least) so they can refill their medication.
- Your client can appeal a denial of public benefits—but there are time limits. If your client is denied, they should talk to a legal aid attorney as soon as possible.



ACTION STEP! Start by filling out the "STARTER QUESTIONS" with your client — These questions help them to keep track of what benefits they have received in the past and how their record *may* impact their ability to receive certain public benefits. **We recommend you complete this checklist with your client while incarcerated** (at least six months before their release), or **immediately after release.**

STARTER QUESTIONS: PUBLIC BENEFITS AND HEALTH CARE

My client received the following public benefits in the past:

- CalWORKS
- CalFresh
- General Assistance or General Relief (GA/GR)
- Medi-Cal
- Medicare
- Tribal/Native American benefits ("settlement checks")
- Tribal Temporary Assistance for Needy Families (TANF)
- Social Security Income (SSI)
- Supplemental Security Disability Income (SSDI)
- Social Security (SS) retirement benefits
- Veteran's benefits (VA)
- LifeLine Phone
- Benefits from the local city government (fill in program name here):

- My client was receiving public benefits in the past, but doesn't know which ones.*
- My client was not receiving any benefits before incarceration.*

Is your client currently receiving treatment for a health-related diagnosis or condition? Yes or No (Circle one.)

Write more information here:

Is your client currently taking medications? Yes / No (Circle one.)

If yes, add more information about your client's medication and prescription below:

Medications taken: _____

Pharmacy Name: _____ Pharmacy phone number: _____

Pharmacy address: _____

Does your client have health insurance? Yes or No (Circle one.)

If yes, fill in the information below. If they are on MediCal or Social Security, make notes about that here:

Provider name: _____
 Plan number: _____
 Provider customer service number: _____
 Provider appointment number: _____

Was your client's conviction drug-related? Yes or No (Circle one.) If yes, see chart on pg. 74.

Has your client been violated on parole or probation in the past? Yes or No (Circle one.) If yes, see chart on pg. 74.

Does your client (or might they) have an outstanding warrant? Yes or No (Circle one.)
 If yes, see chart on pg. 74. If your client is unsure, you may be able to get information about any warrants by calling the county court or public defender's office in the county where there is a concern. If your client has any outstanding warrants when they come home from prison or jail, it can affect their eligibility for public benefits. If your client doesn't know if they have a warrant and are currently incarcerated, they can request a legal status summary from their corrections counselor. Additionally, after release your client can contact the county court where the warrant may have been issued - but be aware that if they go in person, it may result in their immediate arrest. It may also be possible to have the local public defender's office run a search for them.

Does your client owe any court-ordered debt? Yes or No (Circle one.)
 If yes, the court may order a "garnishment," meaning money will be taken out of certain benefits, including Social Security checks (except SSI). The government agency providing the benefit can garnish a maximum of 25 percent of your client's monthly benefit amount. For more information about court-ordered debt, see pg. 61.

health care providers: contact information



ACTION STEP! Once your client's health benefits are set up, you can use the chart below to keep track of their doctors' contact information and upcoming appointments.

Doctor's Name:	Appointment Information:
General practitioner (primary care doctor):	Address: Phone number: Appointment time:
Optometrist (vision):	Address: Phone number: Appointment time:
Dentist:	Address: Phone number: Appointment time:
Gynecologist:	Address: Phone number: Appointment time:
Specialists:	Address: Phone number: Appointment time:
Therapist/ Psychiatrist:	Address: Phone number: Appointment time:
Other: _____	Address: Phone number: Appointment time:

accessing prison or jail health care records

If your client has any sort of medical issues, it's important to get a copy of their healthcare records so they can receive continuing care when they're released. Having documentation of any medical conditions, diagnoses, surgical procedures or prescriptions they've had can be important for receiving medication, receiving ongoing treatment, and proving if they're disabled for the purposes of Social Security benefits.

In order for your client to get their health care record, they must request copies from the institution or hospital where they received care. The Health Insurance Portability and Accountability Act of 1996 (HIPAA) protects the privacy of an individual's health information, called "**protected health information**" (PHI). Upon request, the correctional institution, or a covered health care provider acting under the direction of the correctional institution, must provide your client their medical records to them **unless** giving them those records would risk their health, safety, security, custody, or rehabilitation, or that of other inmates, or the safety of anyone at the correctional institution or responsible for transporting them.¹³

→ If your client is or was incarcerated in a California state prison: To request a copy of their medical records from a **CDCR facility**, your client will need to send a request for their records with their name, date of birth, CDCR number and the "scope of request" (a fairly detailed description of what records they want). If your client is unable to send the request their self, you can send one on their behalf, but your client will need to include a HIPAA release authorizing you to receive the information alongside all the information they would need to send.

- If incarcerated, send request to: Health Records Center, PO Box 942883, Sacramento, CA 94283.
- If out of prison, send request to: CDCR Departmental Archives, 2015 Aerojet Rd., Rancho Cordova, CA 95742.

→ If your client is or was incarcerated in a federal prison: To request a copy of their records from a **Federal prison**, your client must fill out a BP-AO148 Form (Inmate Request to Staff) and provide it to the prison staff, which will allow them to view their medical records. **Your client will not be allowed to keep a copy of their records for their self; however, if they authorize it in writing, they can send a copy to YOU, a friend, or family member.** The BOP will not release records if they determine there is a safety risk to your client or others if they release them.

→ If your client is or was incarcerated in a county jail: To request a copy of their records from a **county jail**, your client must find out which policies the county jail has in place, as they are all different. They are entitled to see their medical records, but not entitled to a copy of them. Some jails will provide copies and some will not. Many jails will offer the option to forward a copy to a third party so long as your client requests and authorizes it in writing.

types of public benefits in california

*Below is a **chart** on how your client's public benefits may be impacted by their record. Use this chart as a reference guide. Call Root & Rebound's **Reentry Legal Hotline** any Friday, 9 a.m. – 5 p.m. PST, at (510) 279-4662 for support.*

IMPACT OF A CRIMINAL RECORD ON PUBLIC BENEFITS			
Benefit Type	What is it?	Can my client apply while incarcerated?	Will my client's criminal record affect their benefits?
Medi-Cal	Offers free or low-cost health care coverage for low-income California residents.	Yes.	No.
Medicare	A federal health care program for people who are elderly and people who have disabilities.	Yes.	No.

¹³ 45 CFR § 164.524 (a)(2)(ii).

General Assistance (GA) or General Relief (GR)	Cash assistance for adults who have little money, no sources of support, and are not currently receiving any other public benefits. (Each county in CA runs its own version of the program.)	No. However, your client can call the county social services agency to determine whether they will be eligible for GA/ GR (note: special rules may apply if they will be on house arrest).	Maybe. The county may have special rules restricting who can get this benefit. If one of the following describes your client's situation, they should contact the local welfare agency to ask about its policy: <ul style="list-style-type: none"> • Have drug-related conviction(s); • Have an outstanding warrant; or • Violated parole or probation.
CalWORKS	Monthly cash assistance, access to food and health care benefits, and other services for low-income families with children.	No. Your client can only apply for CalWORKS once they have been released from prison or jail AND have active custody of a child as parent or caretaker.	Maybe. The county may have special rules restricting who can get this benefit. If one of the following describes your client's situation, they should contact the local welfare agency to ask about its policy: <ul style="list-style-type: none"> • Have a conviction for intentional program violation ("welfare fraud"); • Have an outstanding warrant; or • Violated parole or probation. <i>NOTE: As of 2015, drug felonies are no longer a bar to receiving CalWORKS.</i>
CalFresh	Money for low-income adults and their families to buy food.	Yes.	Maybe. The county may have special rules restricting who can get this benefit. If one of the following describes your client's situation, they should contact the local welfare agency to ask about its policy: <ul style="list-style-type: none"> • Have a conviction for intentional program violation ("welfare fraud"); • Have an outstanding warrant; or • Violated parole or probation. <i>NOTE: As of 2015, drug felonies are no longer a bar to receiving CalFresh.</i>
Social Security retirement benefits	Retirement money and other benefits that are paid out of money collected from Social Security taxes on individual worker's paychecks.	Yes.	Maybe – but this might be temporary. Your client's monthly benefits may be temporarily suspended if any of these circumstances apply: <ul style="list-style-type: none"> • Have an outstanding warrant on a <u>felony charge</u>; • Violated parole or probation; or • Incarcerated for at least 30 days in a row.
Social Security Disability Income (SSDI)	Cash assistance for individuals who can no longer work due to a disability, paid out of money collected from Social Security taxes on individual worker's paychecks.	Yes.	Maybe – but this might be temporary. Your client's monthly benefits may be temporarily suspended if any of these circumstances apply: <ul style="list-style-type: none"> • Have an outstanding warrant on a <u>felony charge</u>; • Violated parole or probation; or • Incarcerated for at least 30 days in a row.
Supplemental Security Income (SSI)	Cash assistance for low-income people who are 65 years old or older and/or have a disability.	Yes.	Maybe – but this might be temporary. Your client's monthly benefits may be temporarily suspended if any of these circumstances apply: <ul style="list-style-type: none"> • Have an outstanding warrant on a <u>felony charge</u>; • Recently violated parole or probation; or • Incarcerated for at least 30 days in a row.
Veteran's Benefits	A broad range of programs and services provided by the Department of Veterans Affairs, available to people who were honorably discharged from the military.	Yes.	Yes. Some of your client's benefits may be permanently revoked if any of these circumstances apply: <ul style="list-style-type: none"> • Have an outstanding warrant on a <u>felony charge</u>; • Recently violated a parole or probation on a <u>felony charge</u>; • Discharged from the military due to a <u>felony conviction</u>; or • Incarcerated for 60 days or more for a <u>felony conviction</u>.

WIC	Nutritious food, nutrition education, breastfeeding support, and health service referrals for low-income women who are pregnant, postpartum or breastfeeding, and infants and children under age 5.	No.	No.
Tribal TANF (Temporary Assistance for Needy Families)	A range of benefits including cash assistance and educational and employment services available through Native American/American Indian Tribes for families with children.	No. Your client must have a minor child currently residing with them.	Maybe. Some of your client's benefits may be revoked, suspended or denied if any of these circumstances apply: <ul style="list-style-type: none"> • Have an outstanding warrant; • Recently violated parole or probation; • Have a recent drug conviction; or • Have a sex offense conviction involving a minor. As tribal TANF benefits are distributed and regulated by your client's tribe, they will need to check with their Tribal Office for any additional restrictions.
Food banks funded by the Emergency Food Assistance Program	A federal program that helps supplement the diets of low-income Americans, including elderly people, by providing them with emergency food and nutrition assistance at no cost.	No.	No.



WARNING: with the exception of some Veteran's Benefits, none of these benefits reach your client while they are incarcerated. Your client will begin to receive them once released. For some benefits, the time between release and activation of the benefits can take thirty days or more.



ACTION STEP! Make a plan for applying to public benefits—Using the charts above, determine which programs your client is eligible for and which programs they can apply for before their release.

The application process for public benefits can take time and may require assistance from you or other people in your client's life. Here are some tips to make the application process easier for your client so that they have a better chance to receive their benefits as soon as possible.

1. If your client is applying for **Medi-Cal, Medicare, CalWORKS, or CalFresh** while **currently incarcerated**, they can select YOU or any adult to serve as an **"Authorized Representative" (AR)** to apply and have the interview on their behalf. To find out how, your client can contact their county social services agency. If they are unsure, request that the person they want to have as their Authorized Representative look up their local public social services office here: <http://www.ladpss.org/dpss/maps/default.cfm>.
2. To apply for **Social Security benefits (including Social Security retirement benefits, SSDI, and SSI) while currently incarcerated**, your client's prison or jail must have an agreement (or "MOU") with a local Social Security Office, allowing a counselor at the facility to serve as their "Authorized Representative." If not, it will be decided on a case-by-case basis whether the local Social Security Office will process your client's application or not. They may have to go in person after release. For more information, call our Reentry Legal Hotline any Friday, 9 a.m. – 5 p.m. PST at phone number (510) 279-4662. Your client's potential Authorized Representative can find local Social Security offices here: <https://secure.ssa.gov/ICON/main.jsp#officeResults>.
3. **If your client needs help enrolling in Medi-Cal after release**, they can go to Covered California's website at <http://www.coveredca.com/get-help/local> to find a list of certified enrollers and community clinics that enroll people in Medi-Cal for free.
4. **2-1-1:** In most California counties, your client can call 2-1-1 for referrals and emergency help. 2-1-1 provides free and confidential information and county-specific referrals to organizations that provide food, housing, employment, health care, counseling, and more.

Appealing Public Benefits Denials:

If your client is denied public benefits or owe money for a previous "overpayment" (an overpayment is when the government agency sent too much money one month for benefits), they should talk to a legal aid lawyer as soon as

possible for advice. Your client has the **right to appeal** the denial or termination of public benefits. The appeals process is different for each benefit program. There is always **a set time period in which a person MUST file a “notice of appeal”**—usually less than 30 days—if they want to challenge the denial of benefits. For this reason, if your client believes that public benefits were wrongfully denied or ended, they should seek immediate legal advice.



CONSULT A LAWYER: To find a public benefits lawyer, see Appendix A on pg. 91 for a starting list of legal aid organizations across California that may be able to help your client. You or your client can also call Root & Rebound’s weekly Reentry Legal Hotline, any Friday, 9 a.m. – 5 p.m. PST, at (510) 279-4662 (we accept collect calls), for general legal information about your rights in reentry.

Conclusion

Part 10 covered key information about planning for your client’s health care and accessing public benefits if they are low income or have a disability. It is never too early for your client to begin gathering their health care records, learning about which benefits they can apply for, and getting the application forms they need. If you or your client believe their rights to public benefits have been violated, contact a legal aid lawyer (see a starting list of legal aid organizations across California in Appendix A, pg. 91). Having a plan for your client’s benefits and health care will go a long way in providing them a sense of security and early access to life-sustaining resources in reentry!

part 11.

FAMILY LAW ISSUES & CHILD REUNIFICATION

SUMMARY

Part 11 provides:

- **Tips** on helping your client stay connected with family or loved ones while incarcerated;
- **Steps** your client can take to reconnect with family or loved ones after release;
- **Information** that can help your client find out if they or their child is involved in any court orders or ongoing court cases; and
- **Basic information** on dealing with child support debt.

FLAGGING POTENTIAL LEGAL ISSUES

CLIENT ISSUE	WHAT YOU CAN DO TO SUPPORT
<i>If your client seeks advice on maintaining ties with family and children...</i>	You can help your client by sharing with them the various ways that they can communicate and <i>document</i> communication with their family members and children while incarcerated. For more information, see pg. 81. You can also connect your client to local services that will demonstrate their commitment to being a healthy and stable parent, as well as evidence of their rehabilitation (this could be programs completed during or after incarceration). Simply collecting and electronically scanning these documents in one place can be a significant way to support a client who has to present them to a judge!
<i>If your client needs help formally/lawfully reunifying with their children...</i>	You can help your client by first going over any existing court orders as well as their parole or probation conditions with them to see if they may have a “no contact” order with the child(ren) or the child’s caregiver. If not, there are a number of options and steps they can take and some of which you can help them with. For more information, see pg. 82.
<i>If your client is dealing with court ordered child support...</i>	A person’s child support payments should be automatically stopped when they become incarcerated. Help an incarcerated client call the family court and Local Child Support Agency (LCSA) to make sure this happened. If it did not, you may need to connect with a legal aid attorney—call Root & Rebound’s reentry legal hotline any Friday, 9am-5pm PST, at 510-279-4662 for support and advice. You can also help your client petition the court or LCSA to adjust their child support arrears to reflect their period of incarceration by downloading a request form and helping them to fill it out and file it. For more information, see pg. 83.

introduction to family & child reunification

When the criminal justice system becomes involved in a person's life in any way (even at the moment of arrest), it is very common for **family-related courts** to become a part of their family's life as well, especially if the person arrested is a parent or caregiver. If your client has children, they may be working through questions about where their child will stay and what their legal rights are during and after any time spent in custody. While this Toolkit cannot answer every individual question, this section provides a general overview of the steps required to reunify with family after incarceration.

KNOW THE RIGHTS OF PARENTS & CAREGIVERS!

- **Mothers:** If your client gave birth to a child, they have the automatic right to care for that child unless one of the following events have taken place: (1) they have voluntarily given up their parental rights through adoption OR (2) the state limited or took away their parental rights.
- **Fathers:** Contrary to popular belief, fathers have the exact same rights as mothers when it comes to the care and custody of their children. If your client has established paternity OR were married to the child's mother when the child was born, they have the automatic right to care for that child unless one of the following events have taken place: (1) they have voluntarily given up their parental rights through adoption OR (2) the state limited or took away their parental rights.
- **Both parents** have the right to be involved in every important aspect of their child's life, unless a court says otherwise. This includes the right to have frequent, regular contact with the child. Make sure your client's custody arrangement is written down in a **court order**. That way, if the other parent makes crucial decisions related to the child without your client's input or consent, they may have the right to pursue a contempt of court action. For more information, visit the California courts' family law website at <http://www.courts.ca.gov/selfhelp-family.htm>, or contact a lawyer who practices family law.
- **Grandparents:** Although, as a grandparent, your client does not have an automatic legal right to see or care for their grandchildren, they can make information arrangements to see or care for them and they can also ask the judge in court for custody or visitation if the child's parent(s) is incarcerated or unavailable.

The Rights of Incarcerated Parents:

- **If there is an open legal case relating to your client's child(ren), they have the right to:**
 - Be notified about the case (even while incarcerated);
 - Be sent copies of the court documents, (even while incarcerated);
 - Be notified if their parental rights might be ended ("terminated"); and
 - Have the right to respond in court if their parental rights could be ended at that court hearing.
- **As an incarcerated parent, your client has the right to request transportation to:**
 - A court hearing in a dependency case;
 - Any hearings that might affect their parental rights (such as cases about custody, visitation, divorce, paternity, guardianship, and child support); and
 - Request visitation (though it may be best for them to first attempt to informally come to a visitation agreement with the child's other parent).

starter questions

Family situations can be complicated when your client is returning from prison or jail, and the stakes can be very high when it comes to issues of child custody and visitation, restraining orders, child support debt and more. Understanding your situation early and setting reasonable goals is a key factor in handling what can be a very emotional part of the reentry process.



ACTION STEP! Fill out the "POST-RELEASE FAMILY REUNIFICATION" with your client—Before diving into basic information about family and child reunification in California, you should discuss the following questions with your client to determine how to best proceed. Go through these questions along with the Roadmap to Reentry Legal Guide, which provides detailed information about family & child reunification, custody & visitation, and protective orders.

STARTER QUESTIONS: FAMILY REUNIFICATION QUESTIONNAIRE

Is your client ready to rejoin their family?

How involved with their child(ren) does your client want to be, and how involved do the child(ren)'s caregiver(s) want your client to be?

Where are your client's children currently (for example, are they staying with a relative or in foster care)?

What is the current status of your client's parental rights?

Are there any court orders or parole/probation conditions in place that prevent your client from contacting certain family members of children? Yes or No (Circle one.)

If yes, you can write more details below:

• Criminal Court orders:

- Which court made the order (name and county of the court)? _____
- Who is the order *against*? _____
- Who does the order *protect*? (List names and relationship to your client) _____
- When does the order begin and end (any dates listed)? _____
- Any other information about the order you want to write down can go here: _____

• Civil restraining or DV (domestic violence) order:

- Which court made the order (name and county of the court)? _____
- Who is the order *against*? _____
- Who does the order *protect*? (List names and relationship to your client) _____
- When does the order begin and end (any dates listed)? _____
- Any other information about the order you want to write down can go here: _____

• Orders related to visitation or custody with your client's children:

- Which court made the order (name and county of the court)? _____
- Write down the rules of the custody and/or visitation order here: _____

• Parole or probation conditions related to your client's family or children:

- Write down any parole or probation rules your client must follow that are related to their family members or children here: _____

Are there any court cases involving your client's children (that they are aware of)?

Dependency Court Case (when there is CPS/Child & Family Services involvement):

- County case is in: _____
- Case number(s): _____
- Last hearing date: _____
- Information about my client's child(ren)'s current placement (For example: Is their child in foster care? Placed with a long-term guardian? Was your client's child adopted?): _____

Probate Court Guardianship Case:

- County case is in: _____

- Case number(s):
- Last hearing date:
- Information about the child(ren)'s current guardian: _____
- Does your client support this guardianship placement? Yes or No (Circle one.)
- Family Court Case:**
 - County case is in:
 - Case number(s):
 - Last hearing date:
 - Any custody or visitation orders? (Write down details here.): _____

My client is trying to find their child(ren).



IMPORTANT INFORMATION FOR PEOPLE CONCERNED ABOUT THEIR IMMIGRATION STATUS OR DETAINED BY IMMIGRATION ENFORCEMENT (ICE): If you are concerned about your client's current immigration status or they have been detained by ICE, and you want to help them develop a plan for their family and children, please see pg. 88 in the Immigration section for information and resources. Root & Rebound also accepts calls from immigration detention facilities on our weekly Reentry Legal Hotline, every Friday, 9 a.m. – 5 p.m. PST at 510-279-4662.

tips for maintaining ties with family and children while incarcerated

Incarceration creates barriers to keeping in close contact with family—it can be difficult to reach them on the phone or you may have restricted visits. Your client may need to be creative in how they communicate and also plan ahead so that their phone calls and visits are as meaningful as possible. This is especially true if your client has children.

→ **Tips for Currently Incarcerated Parents:**

If your client has children, communicating with the children while ensuring that they feel understood and cared for can be difficult. Here are a few ideas and tips for starting and maintaining communication between your client and their children while incarcerated.¹⁴ These tips will not only maintain relationships between them while your client is in custody, but they will also help your client generate documentation they may need for future child custody or visitation hearings.

- **Make a Record.** Your client can keep records of all communication with their children and about their children. Once released, they can show these records to the judge at any court hearings about child custody and visitation. It is very important for the parent in reentry to show the *effort* he or she has made! *Here are steps your client can take to make a record:*
 - **Get a notebook or journal and use it only to keep track of communication about their child.** In this notebook, you or your client should write the date and time of:
 - Any calls with their children;
 - Each time their children visit prison or jail;
 - Any calls with their children's caregiver (and what the call was about);
 - Any calls with social workers (and what the call was about);
 - Any calls with their loved one's attorney; and
 - Each meeting they have with their attorney.
- **Write letters (or draw pictures).** Whenever your client writes a letter to their children, they should save a copy for their own records too. If the children are too young to read, your client can draw them pictures.
- **Ask to see report cards and ask about school assignments and projects.** Your client should keep copies and notes of this information.
- **Attend parenting classes and other meetings, programs, and support groups offered at the prison or jail.** These programs can demonstrate to the judge that your client is taking steps to better their self and prepare for an active role in their children's lives. Your client should keep track of any certificates received from classes or programs.

→ **Tips for phone calls between your client and their children:**

- Ask the child(ren)'s caregiver the best times to reach the child by phone.
- Before the phone call, your client should prepare a list of things they would like to ask their child about.
- If possible, your client can ask the caregiver to give the child a photo of them to look at during the phone call.¹⁵

¹⁴ The following list was adapted from Legal Services for Prisoners with Children, *Incarcerated Parents Manual: Legal Rights and Responsibilities* (2015), available at <http://www.prisonerswithchildren.org/wp-content/uploads/2015/03/IPM-final-2-12-2015.pdf>.

¹⁵ *Little Children Big Challenges: Incarceration: A Guide to Support Parents and Caregivers*, SESAME STREET (2013).

→ **Tips for your client's child's caregiver:**

- Before writing a letter to an incarcerated parent, the caregiver can help the child think of what to write.
- If the child is unable to write, the child can tell the caregiver what they want them to write in a letter to their parent.
- The child can draw pictures to send your client.
- The caregiver can include copies of your client's child's report cards, artwork, or other important experiences or events in letters to the incarcerated parent.¹⁶

The above list provides **general tips** for maintaining communication with children while incarcerated, but of course, no two families are the same. Each family has its own unique goals, needs, and issues. Figuring out how to stay in communication and planning to reunify one day will usually require many people in a family to communicate with each other and make tough decisions. Your client must do what is best for them and their family.



TIPS FROM THE FIELD—WORKING WITH FAMILY MEMBERS ON THE OUTSIDE: If your client is currently incarcerated, you may have opportunities to work with family members on the outside. The best practice is to let your client dictate whether you take advantage of these opportunities, and the extent to which you engage. If you end up working with family members, you should set clear boundaries with them: your loyalty is to your client first and foremost, and you need to be direct with family members so they do not overstep. It is also a good idea to clearly define your role. This manages family members' expectations with regards to what you can and cannot do for your client.



HELPFUL RESOURCES FOR INCARCERATED PARENTS:

- **Legal Services for Prisoners with Children (LSPC)**—For more information about parental rights, custody, and visitation, you or your client may contact LSPC by phone at (415) 255-7036 or by mail at Legal Services for Prisoners with Children, 1540 Market St., Suite 490, San Francisco, CA 94102.
- **Friends Outside**—Friends Outside is a family-centered organization that seeks to reduce the trauma of incarceration on families. They assist currently and formerly incarcerated people and their families at chapters located across California. Their services include **Visitor Centers** at each California state prison. These visitor centers sometimes offer childcare, help to children who want to write letters to their incarcerated parent; transportation from public transit stops to the prison; and institution-approved clothing for visitors. They also have a **Family Liaison Services (FLS) specialist** at each California state prison who may be able to help you and your client with reentry planning, parenting classes, resources referrals, and family communication. To learn more or find a chapter in your area, visit friendsoutside.org, write Friends Outside, P.O. Box 4085, Stockton, CA 95204, or call 209-955-0701.

a summary of key legal steps to child reunification

If the courts became involved in your client's children's care before or during their incarceration, keep in mind that the standard a judge uses to make decisions about child custody and visitation is deciding what is in the **"best interest of the child."** When your client is asking a court (whether family, dependency or probate court) to give them custody or visitation for their children, your client should think about whether their declarations and supporting documents show: 1) personal accountability; 2) that they are able to be the parent that their child needs them to be; and 3) why their involvement in the child's life is in the child's *best interest*.

Step 1: Find out if there are any court orders that could limit or stop your client from contacting their child(ren) or their caregiver (such as a no-contact order, civil restraining order, or criminal protective order).



IMPORTANT! Violating criminal or civil court orders can have very serious legal consequences and can prevent your client from visiting their child in the future.

Step 2: Find out if there are any conditions of parole or probation that could limit or stop your client from contacting their child and/ or the child's caregiver.

- The conditions of your client's supervision will likely have rules about where they can travel and anyone they are not allowed to contact.

Step 3: [If applicable] Help to Locate your client's child. If your client doesn't know where their child is living, they can learn more by:

¹⁶ *Little Children Big Challenges: Incarceration: A Guide to Support Parents and Caregivers*, SESAME STREET (2013).

- 1) Contacting Child Protective Services (CPS) (*if CPS is involved in the child's case) **OR**
- 2) Contacting family members or friends who may know of the child and/or the child's caregiver's location.

Step 4: Find out if there are any court cases involving the child. Depending on the county in which the child is located, your client may be able to access limited family law case information on the county court's website. If that service is unavailable, your client will have to search for family law records in person at the courthouse. The county court's website will have information about where and how to do this.

Step 5: [If applicable] If there is a court case involving the child, your client should contact the court clerk at the relevant county to request a copy of any court orders and other documents about the case.

Step 6: [If applicable] If there is no court case involving the child, your client may need to open a new case in order to ask the judge for more rights and responsibilities. This process is called filing a "petition" in court, and if your client wants to gain custody, visitation, or guardianship of their child, they may need to file a petition.

TIPS FOR THE COURT PROCESS:



- **If your client is an incarcerated parent, know their rights and tips for staying engaged with their child(ren) while incarcerated**—see the "know your rights" box on pg. 79 and tips starting on pg. 81.
- **If your client has Internet access, find California court forms online** at www.courts.ca.gov/forms/htm. Your client can also request help from their local court's Family Law/Self-Help Facilitator—find a list at <http://www.courts.ca.gov/selfhelp-facilitators.htm>.
- **Visitation Before Custody**—After release from incarceration, it is easier for a parent to get visitation rights first, and then try to get custody of their children later in the court process. Asking for visitation rights first allows your client some time to show a judge that the visits are going well. Successful visits can then serve as the first step towards getting custody rights (by custody rights, we mean the legal rights to live with and make decisions for a child). Visitation allows your client to show the judge that they are responsible and have a healthy relationship with their children.



HELPFUL FAMILY LAW RESOURCE: Every family court in the state of California has a Family Law/Self-Help Facilitator, which can help your client with filling out court forms and provide general information about family law issues if they do not have a lawyer. To find a local Family Law Facilitator, go to <http://www.courts.ca.gov/selfhelp-facilitators.htm>. Root & Rebound also offers guidance through family law clinics and its Reentry Legal Hotline—call us any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662.

court-ordered child support

If a judge ordered your client to pay child support but they did not while incarcerated, your client may be responsible for paying the balance upon their release, depending on their circumstances. Having child support debt can seriously impact your client's reentry—it can be taken out of their wages or public benefits; it can affect their housing; and it can be a condition of their community supervision. Whether your client is incarcerated or not, it is best to figure out the status of their child support payments and make a plan to manage them as soon as possible!

→ ***If your client's child support order was issued on or after July 1, 2011 AND they were incarcerated for at least 90 days***, their child support payments should have stopped while they were incarcerated. If they didn't, your client can petition the court to adjust their child support arrears (money that they owe) to reflect their period of incarceration. Download the request form (Form FL-676) from <http://www.courts.ca.gov/documents/fl676.pdf>, and file it with the family court that issued the order.

→ ***If your client's child support debt was issued before July 1, 2011 OR they were incarcerated for less than 90 days***, their options depend on whether they owe money to the state or to the other parent. Your client can find this out by asking their Local Child Support Agency (LCSA) for a detailed list of their arrears.

- ***If your client owes money to the state:*** they can apply for the Compromise of Arrears Program (COAP), which can reduce (but not eliminate) their debt. Your client should make sure they understand COAP's strict penalties for missing payments.
- ***If your client owes money to the other parent:*** they can try to reach a settlement with the other parent to forgive some or all of the overdue child support. Make sure your client puts this agreement in writing, in case the LCSA or family court needs it.



TIPS FROM THE FIELD: You may find yourself supporting a client who has lost touch with family or is having a hard time rebuilding emotional connections. If applicable, be thoughtful about integrating lessons on fostering strong family bonds into your client's treatment plan. Referring your client to a parenting class may also be a good option.

Conclusion

Although it can be frustrating for your client to deal with the communication and legal barriers that may come up as they try to maintain ties or reunify with their children, persistence is important. Judges like to see that they are working on their self and that they won't give up -- it shows to the court that your client cares about their children and are working to be a good parent for them. And that's an important thing for your client's children to see as well.

part 12.
REENTRY RESOURCES
FOR IMMIGRANTS

SUMMARY

Part 12 provides:

- **Important information** about the relationship between having a criminal record and immigration concerns;
- **Tips** for safe family planning if your client is an undocumented Californian; and
- **Referrals to organizations (and hotlines)** that offer information, representation, and resources for non-citizens.

FLAGGING POTENTIAL LEGAL ISSUES	
CLIENT ISSUE	WHAT YOU CAN DO TO SUPPORT
<i>If your client has a criminal record and concerns about their immigration status...</i>	You can help your client by connecting them with an immigration attorney or organization in their area. For more information on immigration resources and service providers, see Appendix C on pg. 96.
<i>If your client is currently detained by ICE and has concerns about their children...</i>	The first thing that your client should do is try to get released by telling staff that they have children that they need to care for. You can help by contacting your client’s friends and family that can help you and your client plan for supporting them and their children (if applicable), sending money, making phone calls, and arranging visits.

starter questions



ACTION STEP! If you don't know the answers to the starter questions below, it may help for you or your client to talk to a lawyer to get support. See a list of immigration rights organizations in Appendix C, pg. 96.

STARTER QUESTIONS: IMMIGRATION & CRIMINAL RECORDS

- Does your client know their current immigration status?
- If your client is currently in custody, do they have an immigration (ICE) detainer on them (also called a “hold”)?
- If your client is at risk of being detained by ICE and if they have children, what is your client’s plan for their children’s care while they are in custody?

Has your client looked into record-cleaning options that might reduce some of the immigration consequences of their past convictions?

immigration & criminal records

Contact with the justice system can have serious consequences for people who are not United States citizens. Even if your client is lawfully in the United States, certain convictions can lead to deportation or other negative immigration consequences, which are devastating for individuals, families, and communities (and even arrests not leading to conviction can have serious immigration consequences). The information below will help your client, and your client’s loved one(s), prepare for the elements of reentry that are specific to individuals who are not U.S. citizens.

In the U.S., a “non-citizen” could be someone with all sorts of different immigration statuses, including:

- Lawful Permanent Residents (Green Card holders)
- Individuals granted a visa for a particular purpose
- Refugees and asylees
- Undocumented individuals
- DACA recipients
- Individuals with temporary protected status (TPS)

Although rare, it is possible for a naturalized citizen to get naturalization taken away if there is proven:

- Willful misrepresentation of facts on your naturalization application;
- Affiliation with a terrorist organization (within 5 years of naturalization); or
- Dishonorable discharge from the military (within 5 years of naturalization).¹⁷



IMPORTANT! If your client is not a citizen of the United States, it is critical they seek legal help as soon as possible after contact with the criminal justice system. An immigration attorney may be able to help your client take steps to avoid negative immigration consequences.

options for changing a criminal record to reduce negative immigration consequences

Interactions with the criminal justice system can have serious consequences on a person’s immigration status—even minor interactions like an arrest that never led to a conviction. For example, a criminal conviction could result in **deportation/removal** (being removed from the United States and sent back to one’s birth country), **incarceration** (in prison, jail, or an ICE detention facility), or **ineligibility to stay in the U.S. through things like asylum**. Even if your client is not deported, contact with the criminal justice system can **delay or prevent their eligibility** for U.S. citizenship or a Green Card.

However, there are some **limited protections and legal options** for people with criminal records who are looking to avoid negative immigration consequences. Learn more about these options below.

¹⁷ See <https://www.uscis.gov/policymanual/HTML/PolicyManual-Volume12-PartL-Chapter2.html>

1. Removing a Plea of Guilty or No Contest and Possibly Reopening the Criminal Case:

Both state and federal law require criminal defense lawyers (such as public defenders) to advise clients of and defend against the immigration consequences of a criminal conviction. Specifically, the law requires defense lawyers to ask about their clients' citizenship status; investigate potential immigration consequences; advise their clients about those immigration consequences; and plea-bargain with an eye toward avoiding them.

If these things did not happen in your client's case, they may be able to **challenge their plea agreement** if they were not adequately advised on the immigration consequences of their plea deal. Consult with a lawyer who specializes in criminal and immigration law to find out what makes sense under your client's particular circumstances. See Appendix C on pg. 96 for referrals to immigration rights legal organizations.

2. Record-Cleaning" Options for Non-Citizens:

Some of California's "record-cleaning" laws may help your client **reduce certain felonies to misdemeanors, and/or dismiss certain convictions** – which in some cases can also help reduce their chances of being targeted for deportation and other negative immigration consequences.

Below is a summary of California's record-cleaning laws that may help people with their immigration status:

- **Dismissals (also known as "expungements"):** When lawyers refer to "expungements" in California (which don't really exist here), they usually mean "**dismissals**," which allow people to dismiss a felony or misdemeanor conviction after completing any time they were sentenced to jail, prison and/or probation. While dismissals can help with applying to some jobs and housing, they usually do not erase the conviction for immigration purposes. *However*, there is one important exception for **certain first-time simple possession offenses** that occurred **before July 14, 2011**, where a dismissal may help prevent negative immigration consequences.
- **Completing a Drug Diversion Program:** Under **California Penal Code section 1203.43**, someone who received a "deferred entry of judgment" (DEJ) for a drug offense can get rid of the conviction for immigration purposes. Your client is considered to have a conviction for immigration purposes if they entered a guilty plea, even *if the charges were later dismissed through a diversion program*. So getting relief through section 1203.43 gets rid of your client's guilty plea for immigration purposes as well. Upon completion of the court-ordered DEJ program, your client must **proactively file papers with the court** to ask the judge to withdraw the guilty plea and dismiss the charges once again under Section 1203.43.
- **Reducing Felonies to Misdemeanors:** The following newer laws help people reduce felonies to misdemeanors for all purposes, including for immigration purposes.
 - Under **Cal. Penal Code section 17(b)(3)**, the court can reduce felony "wobblers" – offenses that originally could have been charged as either felonies or misdemeanors – down to misdemeanors if your client was not sentenced to state prison.
 - Under California's **Proposition 47**, your client can petition the court to reduce a felony conviction for simple drug possession or a lower-level theft offense to a misdemeanor (called "reclassification" or "redesignation").
 - Under California's **Proposition 64**, your client may be able to change their record (called "reclassification") if they have a conviction for a marijuana offense, which means your client might be able to reduce or dismiss prior marijuana-related convictions.
- **Retroactively Changing the Length of a Misdemeanor Sentence:** California Penal Code section 18.5(b) (effective January 1, 2017) is a state law that reduces the *maximum possible sentence* for any California misdemeanor from 365 to 364 days. This is important because under federal law, certain offenses can lead to deportation if they carry *even a potential sentence* of one year or more. **This new law is retroactive**, meaning it applies to old misdemeanors as well as current and future cases. **However, if your client was convicted of a misdemeanor before January 1, 2015**, and were sentenced to a term of one year, they must proactively ask ("petition") the court that sentenced them to change their sentence under this law.



WARNING! A Warning about "Legalized Marijuana" under Prop. 64 in California: Although California state law permits some use and cultivation of marijuana, *federal law* does **NOT** allow this – and immigration law is run by the *federal* government! So, here are some warnings for your client:

- **Don't use marijuana or carry anything that may indicate their use of marijuana.** If your client has a real medical need and there is no good substitute for medical marijuana, get legal counsel.
- **Never admit to any immigration or border official that they ever have used or possessed marijuana**, unless your client has expert legal advice that this is OK. If a federal official asks your client about marijuana, they should say that they don't want to talk to them and want to speak to a lawyer. Your client has the right to remain silent.

immigrant family preparedness plans

Many families include members who are not United States citizens. It is important to keep in mind information about your client's rights when it comes to Immigration and Customs Enforcement ("ICE") detention or proceedings, especially if your client fears being separated from their family.



The **Immigrant Legal Resource Center (ILRC)** has developed a range of written resources to support immigrants including a Family Preparedness Plan (available at <https://www.ilrc.org/family-preparedness-plan> in English, Spanish & Chinese).

→ First Steps if your client is Detained by ICE:

If your client is detained by ICE and have children, these initial steps may help:

1. **Try to get released.**
 - a. Tell the processing staff (who put the information into the computer) at the detention center that they have children, especially if your client is the only person who cares for them. Ask ICE to be released so they can care for them. It may be helpful to mention the ICE directive, "*Facilitating Parental Interests in the Course of Civil Immigration Enforcement Activities*," when making this request.
 - b. Keep asking to be released to care for their children, even if ICE does not release them at first. If your client asks to be released but ICE will not release them, they should keep asking, especially if there are any changes to their children's custody status or concern about their safety.
2. **Tell ICE that they need to make a phone call right away to make sure their children are being cared for properly.** ICE does not have to give your client more than one free phone call when they arrive in detention, but they may be willing to help them, so it's worth a try.
3. **Request a Bond Hearing.**
 - a. Your client should also ask their Deportation Officer how to request release on **Humanitarian Parole, Release on Recognizance, Supervised Release or Alternatives to Detention and how to request a bond hearing.**
 - b. Your client should make sure their Deportation Officer (sometimes called a Case Officer) knows they have children, especially if they are a single parent or the main caregiver for their children. Ask him or her to exercise discretion in their case (discretion is a word that has a particular meaning for ICE, so your client should use this word when asking).

→ Additional Steps for Your Client to Take if ICE Does Not Immediately Release Them:

If ICE does not immediately release your client, the steps below may help:

1. **If your client does not know where their children are, try to find out where they are as soon as they can.** Once your client finds out where their children are, they can ask you, relatives or friends outside to put money into their detainee account so they can call and talk to their children and the person taking care of them. If this is not possible, your client should tell ICE they need to make arrangements for their children and ask if they can make free calls to deal with child custody issues.
2. If your client thinks their children are not with a friend or family member and that **they might be in the custody of a Child Family Service Agency (CFSA) (often called "CPS")**, they should talk to their Deportation Officer and ask to contact the CFSA right away. CFSA has a 24-hour, toll-free Hotline here: 202-671-7233.
3. **Request a Family Court Lawyer** to represent them if their child is in CFSA custody or there is a Family Court case. Communicate with the child's lawyer or the legal guardian.
4. **Contact their country's nearest Consulate.** Your client should register their children with the Consulate: Your client's U.S. citizen children will keep their U.S. citizenship even if they register them with the consulate of their home country. Apply for Passports for children - If your client is deported and want to take their children with them, it will be much easier to do this if the children have passports.
5. **Maintain Contact with their Children.** Your client should stay as involved with their children as much as possible. Your client should write letters to them. They are allowed to receive letters and pictures from their children even in detention. Your client should take notes on everything they send to their children and receive from them, and save everything they receive. – **Maintaining contact and involvement in their child's care will be an important factor in any CFSA and/or Immigration case.**
6. **Ask for Visitation.** ICE will also facilitate parent-child visitation, to the extent practicable, when required by a family or dependency court or a child welfare authority AND documentation is provided of this requirement, including but not limited to: a reunification plan; a scheduling letter; or other documentation issued stating the visitation requirement. It may be helpful to mention the ICE directive on "*Facilitating Parental Interests in the Course of Civil Immigration Enforcement Activities*" when making this request.

7. **Participate in all hearings related to the custody of their children either in person, by video (if available) or by telephone.** It is also good to have a relative or friend attend hearings, especially if your client cannot be there. Your client should alert Family Court or CFSA that their **detention is CIVIL** and not a criminal matter. Provide A Number to CFSA/Family Court.
8. **Your client has the right to an interpreter in family court proceedings.** ICE can also provide your client with access to interpretation if they need help communicating with people in the immigration detention system. If your client does not speak English or if they cannot read or write, they must not be afraid to ask the family court, the child welfare caseworker, their lawyer(s) or ICE and detention center staff to provide them with an interpreter and/or other assistance.
9. **Do not sign any documents related to their immigration or child welfare case if they don't understand what the documents say.**
10. If your client's children are in the child welfare system, they may be assigned a **case plan (also called a service plan or a reunification plan)**. Your client should make sure they do what is asked of them in the case plan because this will impact the outcome of their case. If your client cannot do certain things that the plan requires because they are detained or have been deported, make sure everyone involved in the child welfare case knows this. **Your client must do their best to complete the services required by the case plan.**

→ **Choosing Someone to Care for Children While Detained:**

There are different ways in which your client can give a relative or friend permission to care for their children while they are detained:

- 1) An informal arrangement without legal papers (no court involved).
- 2) An informal arrangement with legal papers (no court involved).
- 3) A family court-approved custody arrangement.

We explain each of these options further below.

- 1) **INFORMAL without LEGAL PAPERS or COURT** - Just as a person can have their children stay with a babysitter without signing any papers, your client can choose to have their children live with someone for a longer period of time without signing any papers. Your client simply needs to talk to the person and get his or her verbal agreement that they will care for their children. This type of arrangement may work well for your client if they expect to be detained for only a short time. Make sure that the caregiver they choose does not need public benefits in order to care for their children (like Medicaid or food stamps). Your client must be sure to **choose someone that they trust**, and make sure that there is no reason why anyone would object to this choice of caregiver.
- 2) **INFORMAL WITH LEGAL PAPERS without COURT** - A **Caregiver's Authorization Affidavit** is a form to give to your client's child's school or health care provider so a non-parent relative can enroll their child in public school, make school-related medical decisions, and make other important decisions on their child's behalf if they are unable to. **It allows non-relatives to enroll your client's child in school and to receive school-related medical treatment** (though likely not the power to get public benefits such as Medicaid or food stamps for their children). **A Caregiver's Authorization Affidavit does not affect your client's rights as their child's parent – they still have custody and control of their child.**
- 3) **FORMAL Arrangement – Family court-approved custody** - When your client makes court-approved arrangements, they may have two or three different options: 1) temporary custody (time-limited); 2) custody (also called conservatorship); or 3) guardianship. One option may provide greater parental rights than the other. These family court-approved custody arrangements provide greater stability for your client's children. They will give the caregiver the right to make decisions for their children, but be aware that they are more difficult to end. Get advice from a lawyer to decide if this kind of arrangement is the right choice for your client.

See Appendix C on pg. 96 for a list of immigration support referrals, including ICE raid hotlines, general immigration support resources, and organizations that provide deportation (removal) defense.

Conclusion

Part 12 covered important information if your client has a criminal record and have immigration concerns, as well as tips for making plans with their family if they are detained by ICE. Because immigration issues are very complex, it is critical to talk to an immigration lawyer, if possible. To get a referral to a deportation defense organization, or to get advice about any options your client has to clean up an old criminal record to reduce negative immigration consequences, they can start by calling Root & Rebound's reentry legal hotline, any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662, for more information.

~ conclusion ~

We hope the *Reentry Planning Toolkit* has provided **helpful information, resources, and steps** for supporting a client who is planning for release, in reentry, and/or navigating life with an arrest or conviction record. We hope some of the information can **better equip** you as a service provider in being a great advocate, as well as **empower** your client and their family and loved ones in tackling big issues with advocates who care and recognize the barriers they face on their side.

As we have mentioned throughout this Toolkit: reentry looks different to different people. Your client's individual circumstances, strengths, needs, dreams, expectations, and concerns are what matter when planning for and navigating reentry. **Always remember** that Root & Rebound is here to support you and your client however we can, and we will do our best to point you to other resources when we do not have the answers.

While this Toolkit does not cover everything that could (and will) come up in your client's reentry, the goal was to provide useful conversation starters, suggested timelines, practical steps, and simple information about your client's legal rights with a record – tools you and your client can use to create a strong plan for reentry, and prepare for many of the things to come. By coupling these tools with your skills and professional experiences, we can build a **better and stronger reentry infrastructure** alongside every justice-involved person and their family and community members



FIND MORE KNOW-YOUR-RIGHTS LEGAL INFORMATION IN THE ROADMAP TO REENTRY LEGAL

GUIDE: Do you or your client have individual questions about barriers related to reentry or involvement with the criminal justice system that we did not cover in this Toolkit? Root & Rebound publishes and updates an encyclopedic, know-your-rights reentry legal guide called the *Roadmap to Reentry*. It is available online, in print, and for free in prison and jail libraries (where possible).

SEARCH THE ONLINE GUIDE OR REQUEST A PAPER COPY: Search by **key terms** on our searchable website of the *Roadmap to Reentry Legal Guide* at roadmap.rootandrebound.org. Download the PDF or order a print copy at www.rootandrebound.org/roadmap, or by calling us at 510-279-4662.



CONTACT ROOT & REBOUND FOR FREE FOLLOW-UP SUPPORT.

If you have any questions about the information in this Toolkit or would like to speak with someone on Root & Rebound's legal team, please call our free, weekly Reentry Legal Hotline, any Friday, from 9 a.m. - 5 p.m. PST at phone number (510) 279-4662, write us an email at roadmap@rootandrebound.org, or view our online resources at rootandrebound.org/roadmap.

“If you have come here to help me, you are wasting your time. But if you have come because your liberation is bound up with mine, then let us work together.” – Lilla Watson

APPENDIX A: Legal Aid Referrals Across California

In Appendix A, you will find a list of statewide resources that can help you and your client connect with a **civil legal aid lawyer**, a list of legal aid organizations **by region** in California, as well as a few **prisoners' rights** clinics and organizations.

STATEWIDE RESOURCES:

- Call **Root & Rebound's Reentry Legal Hotline** any Friday, 9 a.m. – 5 p.m. PST, at phone number 510-279-4662, with any questions related to navigating the impact of a criminal record, and other reentry-related questions. (*Please note: We accept collect calls from people in prison, jail, or detention.*)
- Call **2-1-1**, or visit www.211database.org for referrals to legal aid organizations and other helpful services in your area.
- Contact the **Local County Bar Association** or **Ethnic Bar Associations** in your area to see if they offer any free or low-cost legal support.
- Look at the **California State Bar's legal aid listings** online at: <http://lawhelpca.org/find-legal-help>.
- **Self-Help Family Law Resource:** Every family court in the state of California has a **Family Law/Self-Help Facilitator**, which is an office that can help your client with family court forms, answer questions, provide general information about family law issues, and walk your client through the steps of their case if they do not have a lawyer. To find a local Family Law Facilitator, go to <http://www.courts.ca.gov/selfhelp-facilitators.htm>.

LEGAL AID REFERRALS BY REGION:

Northern California

a. ACLU of Northern California

Location: San Francisco, CA

Phone: English Legal Assistance (415) 621-2488; Spanish

Legal Assistance (415) 293-6356

Website: <https://www.aclunc.org/vote>

b. East Bay Community Law Center

Location: Berkeley, CA

Phone: (510) 548-4040

Website: <http://www.ebclc.org>

c. Legal Services of Northern California

Locations and Phone: Eureka (707) 445-0866, Toll-Free:

(800) 972-0002; Ukiah, CA (707) 462-1471, Toll-Free: (877)

529-7700

Website: <http://www.about.lsncc.net>

d. Public Defender's Office, Yolo County

Location: Woodland, CA

Phone: (530) 666-8165

Website: <http://www.yolocounty.org/law-justice/public-defender>

Bay Area

a. Asian Americans Advancing Justice – Asian Law Caucus
Immigrant Rights Program

Location: San Francisco, CA

Phone: (415) 896-1701

Website: <http://www.advancingjustice-alc.org>

b. Bay Area Legal Aid –Federal Student Loan Consolidation
and Disability Discharge Assistance

Locations & Phone: Toll-Free: (800) 551-5554; Alameda

County (510) 250-5270; Contra Costa County West (510)

250-5270; Contra Costa County East (925) 219-3325; Marin

County (415) 354-6360; Napa County (707) 320-6348; San

Francisco (415) 354-6360; San Mateo County (650) 472-

2666; Santa Clara County (408) 850-7066

Website: <http://www.baylegal.org>

c. California Rural Legal Assistance

Locations & Phone: Gilroy (831) 724-2253, (831) 688-6535;

Santa Rosa, CA (707) 528-9941

Website: <http://www.crla.org>

d. Centro Legal de la Raza

Location: Oakland, CA

Phone: (510) 437-1554

Website: <http://www.centrolegal.org>

e. Dolores Street Community Services

Location: San Francisco, CA

Phone: (415) 282-6209

Website: <http://www.dscs.org>

f. East Bay Community Law Center

Location: Berkeley, CA

Phone: (510) 548-4040

Website: <http://www.ebclc.org>

g. Homeless Action Center

Locations & Phone: Oakland (510) 836-3260 ext. 301,

Berkeley, CA (510) 540-0878

Website: <http://www.homelessactioncenter.org>

h. Immigrant Legal Resource Center (counsels about

immigration consequences of criminal records)

Location: San Francisco, CA

Phone: (415) 255-9499

Website: <http://www.ilrc.org>

i. Law Foundation of Silicon Valley: Fair Housing Law Project
& Health Legal Services

Location: San Jose, CA

Phone: (408) 293-4790

Website: <http://www.lawfoundation.org>

j. Lawyers Committee for Civil Rights: Second Chance Legal
Clinic

Location: San Francisco, CA

Phone: (415) 814-7610

Website: <http://www.lccr.com>

Website 2: <http://www.lccr.com/programs/immigrant-justice/immigrant-post-conviction-relief-project/>

k. Legal Aid Society – Employment Law Center

Location: San Francisco, CA

Phone: (415) 864-8208, Toll-Free (866) 864-8208

Website: <https://las-elc.org>

l. Legal Aid Society of San Mateo

Location: Redwood City, CA

Phone: (650) 558-0915, Toll-Free (800) 381-8898

Website: <http://www.legalaidsmc.org>

m. Legal Assistance for Seniors

Location: Oakland, CA

Phone: (510) 832-3040

Website: <http://www.lashicap.org>

n. Legal Assistance to the Elderly

Location: San Francisco, CA

Phone: (415) 538-3333
 Website: <http://www.laesf.org>
 o. Legal Services of Northern California
 Location: Vallejo, CA
 Phone: (707) 643-0054
 Website: <http://www.about.lsnsc.net>
 p. Positive Resource Center
 Location: San Francisco, CA
 Phone: (415) 777-0333
 Website: <http://www.positiveresource.org>
 q. Pro Bono Project
 Location: San Jose, CA
 Phone: (408) 998-5298
 Website: <http://www.probonoproject.org>
 r. Public Defender's Office, Alameda County
 Locations & Phone: Main Office (510) 272-6600; Oakland (510) 268-7400; Hayward (510) 670-5000; Fremont (510) 795-2600; Pleasanton, CA (925) 551-6863
 Website: <http://www.co.alameda.ca.us/defender>
 s. Public Defender's Office, San Francisco City and County
 Location: San Francisco, CA
 Phone: (415) 553-1671
 Website: <http://sfpublicdefender.org>
 t. Record Clearance Project at San Jose State University
 Location: San Jose, CA
 Phone: (408) 924-2758
 Website: <http://www.sjsu.edu/justicestudies/programs-events/rcp>
 u. Rubicon — Rubicon legal services are provided to existing clients of their social services programs (career coaching, parenting classes, financial coaching)
 Location: Richmond, CA
 Phone: (510) 412-1725
 Website: <http://www.rubiconprograms.org>
 v. Senior Adults Legal Assistance
 Location: San Jose, CA
 Phone: Main Office (408) 295-5991; North County Toll-Free (650) 969-8656; South County Toll-Free (408) 847-7252
 Website: <http://www.s393914827.initial-website.com>

Central Valley & Central Coast

a. California Rural Legal Assistance
 Locations & Phone: Main Office (415) 777-2752; Arvin (661) 854-3839; Coachella (760) 398-7261; Delano (661) 725-4350; Fresno (559) 441-8721; Hollister (831) 724-2253; Madera (559) 674-5671; Marysville (530) 742-5191; Modesto (209) 577-3811; Salinas (831) 757-5221; Seaside (intakes on Mondays only) (831) 757-5221; San Luis Obispo (805) 544-7997; Santa Cruz (831) 688-6535; Stockton (209) 946-0605; Watsonville, CA (831) 724-2253, (831) 688-6535
 Website: <http://www.crla.org>
 b. Central California Legal Services
 Locations & Phone: Fresno, (559) 570-1200, Merced (209) 723-5466; Visalia, CA (209) 723-5466
 Website: <http://www.centralcallegal.org>
 c. Greater Bakersfield Legal Assistance (GBLA)
 Location: Bakersfield, CA
 Phone: (661) 325-5943
 Website: <http://gbla.org/>
 d. Legal Services for Seniors
 Locations & Phone: Salinas (831) 442-770; Seaside, CA (831) 899-0492
 Website: <http://www.legalservicesforseniors.org>
 e. Legal Services of Northern California
 Locations and Phone: Sacramento (916) 551-2150; Auburn

(530) 823-7560; Chico (530) 345-9491, Toll-Free:(800) 345-9491; Redding (530) 241-3565, Toll-Free: (800) 822-9687; Woodland, CA (530) 662-1065
 Website: <http://www.about.lsnsc.net>
 f. Senior Citizens Legal Services
 Locations & Phone: Santa Cruz (831) 426-8824; Watsonville (831) 728-4711; Hollister, CA (831) 637-5458
 Website: <http://www.seniorlegal.org>
 g. UC Davis, Immigration Law Clinic
 Location: Davis, CA
 Phone: (530) 752-6942
 Website: <http://www.law.ucdavis.edu/clinics>
 h. Voluntary Legal Services Program of Northern California — License Reinstatement Clinic
 Location: Sacramento, CA
 Phone: (916) 551-2102
 Website: <http://www.vlsp.org>
 i. Watsonville Law Center
 Location: Watsonville, CA
 Phone: (831) 722-2845
 Website: <http://www.watsonvillelawcenter.org>

Southern California

a. A New Way of Life Reentry Project
 Location: Los Angeles, CA
 Phone: (323) 563-3575
 Website: <http://www.anewwayoflife.org>
 b. Asian Americans Advancing Justice – Asian Law Caucus Immigrant Rights Program
 Location: Los Angeles, CA
 Phone: (213) 977-7500
 Website: <http://www.advancingjustice-la.org/>
 c. Bet Tzedek
 Location: Los Angeles, CA
 Phone: (323) 939-0506
 Website: <http://www.bettzedek.org>
 d. California Rural Legal Assistance
 Locations & Phone: Coachella (760) 398-7261; El Centro (760)-353-0220; Oxnard (805) 483-8083; Santa Barbara (805) 963-5982; Santa Maria (805) 922-4563; Vista, CA (760) 966-0511
 Website: <http://www.crla.org>
 e. Harriet Buhai Center for Family Law
 Location: Los Angeles, CA
 Phone: (213) 388-7515
 Website: <http://www.hbcfl.org>
 f. Inland Empire Latino Lawyers Association Legal Aid (wage garnishment due to unpaid child support)
 Location: Riverside, CA
 Phone: (951) 369-3009
 Website: <http://www.iella.org>
 g. Inner City Law Center
 Location: Los Angeles, CA
 Phone: (213) 891-2880
 Website: <http://www.innercitylaw.org>
 h. Legal Aid Foundation of Los Angeles
 Location: Los Angeles, CA
 Phone: (800) 399-4529
 Website: <http://www.lafla.org>
 i. Legal Aid Foundation of Orange County & Community Legal Services of Southeast Los Angeles County
 Locations & Phone: Anaheim (714) 571-5200, Toll-Free: (800) 834-5001, Compton (310) 631-7382, Norwalk (562) 864-9935, Toll-Free: (800) 834-5001, Santa Ana, CA (714) 571-5200, Toll-Free: (800) 834-5001

Website: <http://www.legal-aid.com>

j. Legal Aid Foundation of Santa Barbara County - Legal Resource Center

Locations & Phone: Santa Barbara (805) 568-3303; Santa Maria (805) 349-1289; Lompoc, CA (805) 737-5452

Website: <http://www.lafsbcc.org>

k. Legal Aid Society of San Diego

Location: San Diego, CA

Phone: (877) 534-2524

Website: <http://www.lasdsd.org>

l. Mental Health Advocacy Services

Location: Los Angeles, CA

Phone: (213) 389-2077

Website: <http://www.mhas-la.org>

m. Neighborhood Legal Services of Los Angeles County

Locations: Glendale; Pacoima; El Monte, CA

Phone: (800) 433-6251

Website: <http://www.nlsla.org>

n. Pepperdine Legal Aid Clinic

Location: Los Angeles, CA

Phone: (213) 347-6300 ext. 4413

Website: <http://urm.org/services/clinics/#PepperdineLegal>

o. Public Defender's Office, Orange County

Location: Santa Ana, CA

Phone: (714) 834-2144

Website: <http://www.pubdef.ocgov.com/main.htm>

p. San Diego Volunteer Lawyer Program

Location: San Diego, CA

Phone: (619) 235-5656

Website: <http://www.sdvip.org>

q. Urban League San Diego County, female reentry support

4305 University Ave, Suite 360

San Diego, CA 92105

619-266-6237

Website: <https://www.sdul.org/>

PRISONERS' RIGHTS ORGANIZATIONS:

a. Prison Law Office

Location: San Quentin, CA; Berkeley, CA

Phone: n/a (Note: Due to the high volume of inquiries they receive, the Prison Law Office requests that people get in touch with them by mail at: Prison Law Office General Delivery, San Quentin, CA 94964)

Website: <http://www.prisonlaw.com>

b. Center for Human Rights

Location: Los Angeles, CA

Phone: (213) 388-8693

Website: <http://www.centerforhumanrights.org>

c. UC Davis Law School, Prison Law Clinic

Location: Davis, CA

Phone: (530) 752-6942

Website: <http://www.law.ucdavis.edu/clinics>

d. University of the Pacific McGeorge School of Law, Prisoner Civil Rights Mediation Clinic

Location: Sacramento, CA

Phone: Michael Colatrella, Clinical Professor (916) 739-7303

Website:

www.mcgeorge.edu/Students/Academics/Experiential_Learning/Legal_Clinics/Prisoner_Civil_Rights_Mediation_Clinic.htm

<http://www.law.ucdavis.edu/clinics>

e. Legal Services for Prisoners with Children

Location: San Francisco, CA

Phone: 415-625-7056

Website: www.prisonerswithchildren.org

PAROLE RELEASE SUPPORT FOR LIFERS:

a. Uncommon Law

Location: Oakland, CA

Phone: (510) 271-0310

Website: <http://uncommonlaw.org>

APPENDIX B: Reentry Organizations Supporting Individuals & Families Impacted by Incarceration Across California

Below is a list of several organizations that provide services and support to individuals and families impacted by incarceration. It may be helpful for you to contact these organizations upon your client's release. Please note that this list is by no means comprehensive--just a starting place!

(Listed alphabetically.)

ACSOL: The Alliance for Constitutional Sex Offense Laws works to restore civil rights to individuals on California's Sex Offender Registry, as well as to provide support and information to those individuals and their families. To learn more, visit: <http://all4consolaws.org>, call: (818) 305-5984, or write: Alliance for Constitutional Sex Offense Laws, ACLU Building, 1313 W. 8th Street, Los Angeles, CA 90017.

ACCIPP: The Alameda County Children of Incarcerated Parents Partnership includes social service providers, government representatives, advocates, and other individuals working to provide support for children at all stages of their parents' involvement in the criminal justice system. To access their resources and learn more, visit: <http://www.accipp.org>

All of Us or None: All of Us or None is a grassroots civil and human rights organization fighting for the rights of formerly and currently incarcerated people and our families. To learn more, visit: <http://www.prisonerswithchildren.org/our-projects/all-of-us-or-none/>

Amity Foundation: Amity Foundation is a holistic program that services many facets of reentry, including: addiction, housing, job-training, and de-incarceration. Housing is open to parents with young children. To learn more, visit <http://www.amityfdn.org>; or call: (213) 741-2276 (Los Angeles), or (760) 599-1892 (Vista).

Anti-Recidivism Coalition: The Anti-Recidivism Coalition works to provide support, mentorship, and access to social services and education for previously-incarcerated individuals. ARC also works to change conditions inside prison and jail and undertakes policy advocacy efforts to improve conditions for system-impacted people. To learn more, visit: <http://www.antirecidivism.org>.

A New Way of Life: A New Way of Life is a non-profit reentry program that provides housing and support to formerly incarcerated women for successful community reentry, family reunification, and individual healing, as well as reentry legal services in Los Angeles. You can contact them by mail at P.O. Box 875288, Los Angeles, CA 90087; call: (323) 563.3575; or email: info@anewwaylife.org.

BBISB: BBISB provides seminars led by highly educated and criminal justice system impacted women, with a focus on educational support resources. To learn more, visit: <https://www.bbisp.org/>, or call: (510) 458-8105.

CARES for Youth (CARES Calls): CARES for Youth is a coalition of family, friends, and community members of people who were sentenced as youth. CARES Calls are conference calls that happen on the first and third Tuesday of every month at 8 p.m. PST (phone number: (805) 399-1000, access code: 817682#). During CARES Calls, friends and family members can share their stories, offer support, and listen to presentations from attorneys and advocates dedicated to sentencing reform for youth and supporting people through reentry. To learn more, visit: <http://fairsentencingforyouth.org/family-friends/> or email

Elizabeth Calvin at ecalvin@hrw.org.

Center for Living and Learning: Center for Living and Learning helps formerly incarcerated persons develop work-readiness skills by providing on-the-job training and mentorship. To learn more, visit: center4living.org.

Extended Family: Extended Family is a non-profit organization that provides support, a large local resources database, reentry assistance and networking/fellowship opportunities to family members of incarcerated people. To learn more, visit: extendedfamilyhelp.org.

Essie Justice Group: Essie Justice Group is a support group created to empower women impacted by mass incarceration through family and community healing, organization, and education. To learn more, visit: essiejusticegroup.org.

Friends Outside: Friends Outside's regional offices provide programs and services inside and outside of jail, and also host support groups, recreational programs, emergency assistance, and other resources to assist those impacted by the criminal justice system. To learn more, visit: friendsoutside.org.

Get on the Bus: Get on the Bus is an annual event, offering free transportation for the children of currently incarcerated parents and their caregivers to the prison. It provides travel bags for the children, comfort bags for the caregivers, a photo of each child with his or her parent, and meals for the day at no cost to the families. To learn more, call (818) 980-7714 or email info@getonthebus.us

Homeboy Industries: Homeboy Industries provides hope, training, and support to formerly gang-involved and previously incarcerated men and women allowing them to redirect their lives and become contributing members of the community. To learn more, visit:

<https://www.homeboyindustries.org>; call (323) 526-1254, write: Homeboy Industries, 130 W. Bruno St., Los Angeles, CA 90012; or email: info@homeboyindustries.org.

LARRP: The Los Angeles Regional Reentry Partnership is a network of agencies and advocates working to provide for the reentry needs of individuals and communities through increasing access to reentry resources, especially in the fields of housing, health, and employment, and through policy reform. To learn more, visit: lareentry.org.

Life Support Alliance: Life Support Alliance (LSA) is a social advocacy organization for people serving life sentences and their families. LSA focuses on helping "lifers" and their families understand the parole process in California. To learn more, visit: lifesupportalliance.org or write: Life Support Alliance, P.O. Box 277, Rancho Cordova, CA 95741.

Prisoner Reentry Network: Prisoner Reentry Network provides information detailing how to get home, get food, find shelter, and get a job. For more information, visit: <https://www.prisonerreentrynetwork.org>; write: PO Box 71552, Oakland, California 94612; or email: info@prisonerreentrynetwork.org.

SFCIPP: The San Francisco Children of Incarcerated Parents Partnership is a coalition of advocates, service providers, government representatives, and others focused on improving the lives of children of incarcerated parents. This organization also publishes information for both parents and children impacted by the criminal justice system. To learn more, visit: <http://www.sfcipp.org/>.

Swords to Plowshares: Swords to Plowshares is a non-profit organization that provides needs assessment and case management, employment and training, housing, and legal assistance to veterans in the San Francisco Bay Area. To learn more, visit <https://www.swords-to-plowshares.org>; call: (415) 252-4788 (San Francisco) or (510) 844-7500 (Oakland); write: 1060 Howard Street, San Francisco, CA 94103 or 2719 Telegraph Avenue, Oakland, CA 94612; or email: supportvets@stp-sf.org.

ROOTS: Roots is a community health center that provides formerly incarcerated people with individualized plans for achieving “whole health,” health education and navigation, probation compliance support, and assistance with removing barriers to employment, housing and other critical needs. To learn more, visit: <http://rootsclinic.org/>; call (510) 777-1177; write: 9925 International Blvd., Oakland, CA 94603; or email: admin@rootsclinic.org.

Ten Toes In: Ten Toes In is a group dedicated to supporting, educating, and empowering women who are in relationships with incarcerated men. To learn more, visit: <http://www.tentoessin.org/>.

The Timelist Group: The Timelist Group serves families and communities impacted by the criminal justice system by providing reentry services including educational programs, housing, and mentoring. To learn more, visit <http://www.timelistgroup.org/welcome.html>.

The Young Women’s Freedom Center: The Young Women’s Freedom Center provides advocacy, organization, and paid-internships for young women and girls between the ages of 14-24 that have been incarcerated, lived and worked on the streets, young moms, and young women that have been criminalized by the state. For more information, visit: <http://www.youngwomenfree.org/>; call: (415) 703-8800; write: The Young Women’s Freedom Center 832 Folsom Street, Suite 700, San Francisco, CA 94107; or email: info@youngwomenfree.org.

There are many other organizations not listed here that dedicate themselves to assisting people in reentry from prison and jail and people with records. Visit the following links for more referrals and lists:

California Reentry Council Network (CRCN) Directory:
http://calreentry.com/wp-content/uploads/2012/12/CRCN-2015-2016-Directory.FINAL_.pdf

CDCR Community Provider Directory:
https://www.cdcr.ca.gov/Community_Partnerships/SearchByProvider.aspx

San Francisco “Getting Out, Stay Out” guide:
<http://sfgov.org/adultprobation/getting-out-and-staying-out>

APPENDIX C: Immigration Support Referrals

The following resources can provide you with information, resources, and support for reentry issues that involve immigration. If you need more information about which of these organizations may be able to provide the type of services or support your client needs, call Root & Rebound's Reentry Legal Hotline any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662 for more information.

Hotlines for Immigrants:

- **ICE out of CA Hotline:** If you witness an ICE Raid in California, call this hotline at 1-844-TRUST-01 (1-844-878-7801), which connects with a confidential voicemail that is monitored by immigrant lawyers and advocates. Learn more at iceoutofca.org.
- **Coalition for Humane Immigrant Rights of Los Angeles:** Call 1-888-6-CHIRLA (1-888-624-4752) for free “know-your-rights” information for undocumented people in the United States. Hours of operation: 9:00 a.m. - 5:00 p.m. *It is safe for non-citizens and undocumented people to call this hotline.*
- **Stand Together Contra Costa Immigrant Hotline:** If in Contra Costa County, *Stand Together Contra Costa* may be able to provide your client with free, rapid-response deportation defense legal services. They also run immigration clinics and trainings for individuals and families with immigration concerns. To learn more, contact their 24 hour staffed hotline at 925-900-5151, or learn more online at <http://www.standtogethercontracosta.org>.

California Immigrants Rights Organizations:

Immigrant Legal Resource Center

1663 Mission Street, Suite 602, San Francisco, CA 94103
(415) 255-9792 www.ilrc.org
Expertise in immigration and criminal law overlap
Provides pro bono post-conviction relief services

Asian Americans Advancing Justice – Asian Law Caucus

SF: 55 Columbus Avenue, San Francisco, CA 94111. Phone: (415) 896-1701
LA: 1145 Wilshire Blvd, Los Angeles, CA 90017. Phone: (213) 977-7500
www.advancingjustice-alc.org/
Expertise in removal defense due to criminal convictions

Centro Legal de la Raza

3400 E. 12th Street, Oakland, CA 94601
(510) 437-1554 www.centrolegal.org
Expertise in removal defense

Dolores Street Community Services

938 Valencia St., San Francisco, CA 94110
(415) 282-6209 www.dscs.org
Expertise in removal defense

Pangea Legal Services

360 Sansome St., #650, San Francisco, CA 94104
(415) 254-0475 www.pangealegal.org
Expertise in removal defense

Community Legal Services of East Palo Alto

1861 Bay Rd., East Palo Alto, CA 94303
(650) 326-6440 www.clsepa.org
Expertise in removal defense

Social Justice Collaborative

420 3rd Street, Suite 130, Oakland, CA 94607
(510) 992-3964 socialjusticecollaborative.org
Expertise in removal defense

Oakland Law Collaborative

1736 Franklin Street, Suite 400, Oakland, CA 94612
(510) 891-1589 (Community Law Office) oaklaw.org
Expertise in removal defense

UC Davis, Immigration Law Clinic

Location: Davis, CA
(530) 752-6942 www.law.ucdavis.edu/clinics

National Immigrant Rights Organizations and Resources:

Immigration Advocates Network (IAN): IAN works to provide communication and cooperation between organizations working with immigrant communities. On IAN's website you can access a database with contact information for nearly 150 organizations helping immigrants in California.
Website: www.immigrationadvocates.org/nonprofit/legaldirectory/search?state=CA

National Immigration Law Center (NILC): NILC is a national organization that defends and advances the rights of low-income immigrants and their families. On NILC's website, you can find a list of additional California organizations that support immigrant families. *Website:* www.nilc.org/calres.html

Immigration Legal Research Center (ILRC): ILRC educates immigrants, community organizations, and the legal community on many different topics that affect immigrants, such as how to protect against becoming a victim of immigration fraud and changes in immigration laws.
Website: www.ilrc.org/about-ilrc/what-we-do

National Network for Immigrant and Refugee Rights (NNIRR): NNIRR defends and works to grow the rights for both documented and undocumented immigrants.
Website: www.nnirr.org/drupal/about-us

Immigration Advocates Network National Immigration Legal Services Directory: www.immigrationadvocates.org/nonprofit/legaldirectory

Immigrant Defense Project: www.immdefense.org

National Lawyer's Guild – National Immigration Project: www.nationalimmigrationproject.org

American Immigration Lawyer Search: www.aialawyer.org

iAmerica: www.iamerica.org
Note: iAmerica's website also includes “KNOW YOUR RIGHTS” fact sheets and “RESOURCES.” Their newest resource immigration.org helps you screen your immigration options.

APPENDIX D: Transitional Housing Providers that Accept Applications from Currently Incarcerated People

The following **chart** is a list of transitional housing providers that can accept applications from individuals who are currently incarcerated. *If your client needs to have transitional housing secured to present to the California Board of Parole Hearings, this list may be a helpful starting place.*¹⁸

For more information on the different programs, you and your client can write the address or call the phone number listed. However, please note that this chart is not comprehensive, meaning there may be places that accept applications from people currently incarcerated that are not on this list. Programs on this list may also change their policies at any time.

BAY AREA:

- **Men of Valor Academy:** 6118 International Blvd., Oakland, CA 94621, Phone: 510) 567-1308, Website: <http://www.menofvaloracademy.org>, Notes: Men only.
- **Homeless Veteran's Emergency Housing Facility,** 795 Willow Rd., Bldg. 323 B, Menlo Park, CA 94025, Phone: (650) 324-2881, Notes: Ex-veterans only.
- **Shirley Lamarr/The Centre:** 1447 El Camino Real, Redwood City, CA 94063, Phone: (650) 366-7225 (main line), 650) 218-8256 (cell), Website: <https://www.mzshirliz.org>, Notes: Housing available for people who are currently incarcerated; Provides job training; Provides GED help.
- **Delancey Street:** 600 Embarcadero, San Francisco, CA 94107, Phone: (415) 957-9800, Website: <http://www.delanceystreetfoundation.org> Notes: 2 year commitment, Also has LA location.

CENTRAL VALLEY:

- **Isaiah's Recovery Services:** 1904 Clarendon St., Bakersfield, CA 93307, Phone: (661) 633-9702.

SACRAMENTO AREA:

- **Re-Entry Inc.:** P.O. Box 6804, Auburn, CA 95604, Phone: 530-885-4249, Website: www.re-entryprogram.com.
- **Restoration House:** 4141 Soledad Ave., Sacramento, CA 95820, Phone: (916) 454-2068, Website: <http://restorationhs.org>
- **Men's Overcomers Discipleship Ministry:** 2733 Branch St., S. 1, Sacramento, CA 95815, Phone: (916) 920-3082, Website: <http://overcomersprogram.org>.
- **Catholic Rainbow Outreach:** 11419 Carmeneta Rd, Whittier, CA 90605, Phone: (562) 944-2283, Website: <http://catholicrainbowoutreach.com>.
- **Recovery Zone,** 8035 Oakdale Ave., Winnetka, CA 91306, Phone: 818-894-8617.

SOUTHERN CALIFORNIA:

Los Angeles, CA:

- **Emmanuel Baptist Rescue Mission,** 530 East 5th Street, Los Angeles, CA 90013, Phone: (213) 626-4681, Website: www.ebrm.org, Notes: Accepts 290 registrants.
- **Herbert Homes:** 4101 Inglewood Boulevard, Los Angeles, CA 90066, Phone: (310) 737-7566, Website: <http://herberthouse.com>, Notes: Men only.
- **Testimonial Community Love Center/Transitional Housing:** 5701 South Western Avenue, Los Angeles, CA 90044, Phone: (323) 291-6753, Website: www.testimonialclc.org
- **Warriors for Christ Transitional Housing:** 115 West 111th Street, Phone: (323) 333-1864, Website: www.wfchousing.com.
- **First Phase:** 646 West 94th Street, Los Angeles, CA 90044, Phone: (805) 228-9906, *Note: Multiple housing locations in Los Angeles. Call and check for your nearest location and its requirements.*
- **JWCH-HOPWA:** 522 South San Pedro Street, Los Angeles, CA 90013, Phone: (213) 486-4931, Website: <http://jwchinstitute.org/hiv-services/hiv-aids-residential-housing/>. *Note: Referral needed.*
- **Good Shepherd Center for Homeless Women & Children Farley House Transitional:** 1640 Rockwood Street, Los Angeles, CA 90026, Phone: (213) 482-0281, Website: <https://gschomeless.org>. *Note: Women only.*

¹⁸ This list was adapted from Uncommon Law. Visit www.uncommonlaw.org to learn more about their work representing lifers at their suitability hearings before the California Board of Parole Hearings.

- **Jovenes, Inc.:** Casa Olivares, 1208 Pleasant Avenue, Los Angeles, CA 90033, Phone: (323) 993-7400, Website: <http://www.jovenesinc.org/oursolutions2/permanent-supportive-housing>. *Note: Men only.*
- **PATH/Veteran Connections:** 340 North Madison Avenue, Los Angeles, CA 90004, Phone: (323) 644-2200, (323) 644-2216, Website: <http://www.epath.org/site/PATHServices/VeteranConnections/home.html>
- **Ellas Foundation:** 3006 South Vt Avenue, Suite 113, Los Angeles, CA 90007, Phone: (310) 743-4451, Website: www.ellasfoundation.org

Long Beach, CA:

- **Alliance For Housing and Healing (The Serra Project):** 706 Lime Street, Long Beach, CA 90804, Phone: (562) 951-3869, Website: <https://alliancehh.org>
- **Substance Abuse Foundation of Long Beach, Inc.:** 3125 East 7th street, Long Beach, CA 90804 Phone: (562) 987-5722, Website: <http://www.asaferefuge.org>
- **Crossroads, Inc.:** P.O. Box 15, Claremont, CA 91711, Phone: (909) 626-7847, Website: www.crossroadswomen.org, *Note: Women only.*
- **Archdiocese of Los Angeles - Partnership for Re-entry Program (PREP):** 1224 W. 40th Place, Los Angeles, CA 90037, *Contact: Sister Mary Hodges, Phone: (213) 438-4820 ext. 23, E-mail: SrMSHodges@la-archdiocese.org*, Website: <http://www.la-archdiocese.org/org/orj/Pages/ministries-prep.aspx>.
- **Victory Outreach:** 4160 Eagle Rock Blvd., Los Angeles, CA 90065, Phone: (323) 258-7878, <http://www.voeaglerock.org>.
- **Holy Spirit Investments:** 6111 S. Verdun Ave., Los Angeles, CA 90043, Phone: (323) 292-9971.
- **Union Rescue Mission:** 545 S. San Pedro St., Los Angeles, CA 90013, Phone: (213) 347-6300, Website: <http://urm.org>.
- **A New Way of Life Re-Entry Project:** P.O. Box 875288, Los Angeles, CA 90059, Phone: (323) 563-3575, Website: www.anewwayoflife.org. *Note: Women only.*
- **The Francisco Homes:** P.O. Box 7190, Los Angeles, CA 90007, Phone: (323) 293-1111, Website: <http://thefranciscohomes.org>. *Note: Multiple housing locations in Los Angeles.*
- **Women in Transition Re-entry Project:** P.O. Box 59621, Los Angeles, CA 90059, Phone: (310) 706-5580, Website: <http://withproject.org>. *Note: Women only.*

Marina Del Rey:

- **Love Lifted Me Recovery:** P.O. Box 10966, Marina Del Rey, CA 90295, Phone: (310) 821-8677, Website: <http://loveliftedmerecovery.org>

Carson, CA:

- **Human Potential Consultants, Inc.:** 550 E. Carson Plaza Dr., Suite 127, Carson, CA 90746, Phone: (310) 756-1560, Website: www.hpcemployment.com

Sherman Oaks, CA:

- **In2recovery Foundation:** 5152 Sepulveda Blvd #184, Sherman Oaks, CA 91403, Phone: (818) 800-262, Website: <https://in2recovery.org>. *Note: Multiple housing locations in Los Angeles (some are men only).*

APPENDIX E: Sample Reentry Plan

What is a reentry plan? A reentry plan is a step-by-step plan designed to help your client prepare for life after incarceration. It can include everything from your “big picture” goals to very specific information about your client’s plans for housing, employment, education, family reunification, healthcare, and more. A strong reentry plan will include **specific strategies, action steps, and information about where to go for help.**

The “sample reentry plan” below includes questions and checklists meant to help you **think through and write down your client’s plans for the transition process from incarceration to community.** It may help you and your client to keep track of all their plans in one place—plans related to getting ID, securing housing and employment, continuing education, preparing for community supervision (parole or probation), managing court-ordered debt, pursuing record-cleaning options, and dealing with immigration issues.

This sample reentry plan was designed mainly for people who are currently incarcerated or recently released, but parts of it can be useful long after any involvement with the criminal justice system! Feel free to use the sections that are useful, and skip or cross out the sections that are not useful. Much of the plan came from the sections in the Toolkit, and we have added some additional questions that might be helpful.

REMEMBER that there is no such thing as a “perfect” reentry plan. All plans will be different because all people have unique situations, goals, and considerations. Use this sample reentry plan however it helps your client!

PART 1: Starting Over Strong in Reentry

STARTER QUESTIONS:

- What are your client’s *biggest goals* for their reentry?
- What are expected to be the *biggest challenges* for your client in reentry? OR What is the biggest challenge for your client now?
- What does your client want others (like family) to know about their experiences with the criminal justice system?
- What kind of help will your client need or do they need in addressing their history of incarceration or past involvement with the criminal justice system?
- How can family or friends support your client?
- How can a community group support your client (like those listed in Appendix B, pg. 94)?

MAKING COMMITMENTS:

From your perspective, what are the most important commitments for your client to stick to in their reentry?

- COMMITMENT 1: _____
- COMMITMENT 2: _____
- COMMITMENT 3: _____
- COMMITMENT 4: _____
- COMMITMENT 5: _____

Your client can refer back to these commitments as daily motivations in reentry. When your client reaches certain goals, he or she can check off old commitments and add new ones.

WAYS MY CLIENT WILL TAKE CARE OF HIM- OR HERSELF:

(If therapy or relapse prevention are part of your client’s self-care plan, see pg. 18 for some ideas.)

- _____
- _____
- _____

[If applicable] MY CLIENT’S RELAPSE PREVENTION PLAN INCLUDES:

- _____
- _____
- _____

PEOPLE MY CLIENT CAN ASK TO HELP THEM INCLUDE:

(This could include family, friends, and loved ones as well as professionals.)

- _____
- _____
- _____

RESOURCES MY CLIENT WANTS TO LOOK INTO ARE:

(This could include reentry organizations, therapy, etc.)

- _____
- _____
- _____

PART 2: Getting ID & Other Basics for the Early Days Out

CHECKLIST FOR GETTING IDENTIFICATION DOCUMENTS:

My client *already* has the following ID:

- Birth Certificate
- California State ID
- Driver’s License
- Social Security Number/Card
- U.S. Passport
- Library Card
- Tribal ID Card
- Other

My client *still needs* to get the following ID:

- Birth Certificate
- California State ID
- Driver’s License
- Social Security Number/Card
- U.S. Passport
- Library Card
- Tribal ID Card
- Other

The steps my client will take to get the ID they need are:

- _____
- _____
- _____

IF MY CLIENT HAS A LEGAL ISSUE RELATED TO GETTING ID, I OR MY CLIENT WILL CALL:

_____ (Call Root & Rebound’s reentry legal hotline as a start—call any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662. Also, see Appendix A, pg. 91, for a list of legal aid organizations across California.)

MY CLIENT NEEDS HELP GETTING THESE OTHER BASICS AND USEFUL ITEMS IN THEIR REENTRY:

- | | |
|--|---|
| <input type="checkbox"/> Food | <input type="checkbox"/> Watch with an Alarm |
| <input type="checkbox"/> Immediate Housing/Shelter | <input type="checkbox"/> Pocket Calendar and/or Note Pad |
| <input type="checkbox"/> Clothing & Toiletries | <input type="checkbox"/> E-mail account |
| <input type="checkbox"/> Transportation Plan/Public Transit Pass | <input type="checkbox"/> Computer and/or Computer Classes |
| <input type="checkbox"/> Financial Help | <input type="checkbox"/> Other: _____ |
| <input type="checkbox"/> Cell Phone | <input type="checkbox"/> Other: _____ |

PEOPLE MY CLIENT CAN ASK TO HELP THEM INCLUDE:

(This could include family, friends, and loved ones as well as professionals.)

- _____
- _____
- _____

PART 3: Voting Rights

VOTING IS IMPORTANT TO MY CLIENT BECAUSE:

MY CLIENT IS ELIGIBLE TO VOTE ON THE FOLLOWING DATE:

(This is the date your client is no longer in prison and off state parole. Unless they are incarcerated in state or federal prison *or* on state parole, your client can vote in CA!)

MY CLIENT CAN (RE)REGISTER TO VOTE BY TAKING THE FOLLOWING STEPS:

- _____
- _____
- _____

PART 4: Creating a Housing Plan

THE FOLLOWING IS MOST IMPORTANT TO MY CLIENT IN MAKING HOUSING DECISIONS:

MY CLIENT'S SHORT-TERM HOUSING PLAN:

When my client first gets out of jail or prison, they will live at:

(This might be a shelter or transitional housing. Your client may also be **required** to live in transitional housing, especially if they are on state parole after a life term.)

My client can live here for _____ months.

My client will be living with other people, including:

If your client will be living with family or friends after release, have they checked to make sure that their lease allows your client to live there? Do they know about how parole and probation have the right to do searches in the residence? Will your client have to go through a background check to live there? Feel free to write details below.

If this short-term or transitional housing plan falls through, my client's *back-up plan* is:

_____.

MY CLIENT'S LONG-TERM HOUSING PLAN:

My client's long-term/permanent housing plan (meaning their housing plan after living in a shelter or in transitional housing) includes:

_____.

SPECIAL SITUATIONS:

Check the box of any situations that apply to your client, and write notes that may be helpful below.

My client has disabilities that they need their housing to accommodate, including:

My client needs to find a place that will allow them to live with their children.

My client needs LGBTQIA-safe housing.

My client has no-contact orders that affect where they can live. (Include any notes you wish to here).

Other: _____

PEOPLE MY CLIENT CAN ASK TO HELP THEM WITH THEIR HOUSING PLAN INCLUDE:

(This could include family, friends, and loved ones as well as professionals.)

- _____
- _____
- _____

IF MY CLIENT HAS A LEGAL ISSUE RELATED TO GETTING THEIR HOUSING, I OR MY CLIENT WILL CALL:

_____ (Call Root & Rebound’s reentry legal hotline as a start: call any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662. Also, see Appendix A, pg. 91, for a list of legal aid referrals across California.

PART 5: Creating an Employment Plan

STARTER QUESTIONS:

- Does your client have a history of employment prior to incarceration?
- Was your client employed at the time they went to prison or jail? If so, what was that job?
- Does your client still have a good relationship with any previous employer?
- Did your client receive, or are they receiving, any vocational training while incarcerated?
- Is your client currently required to attend special rehabilitative programs during typical work hours? *If so, see the Reentry Planning Tip on pg. 43.*
- Do any of the jobs that your client is interested in have restrictions based on their criminal record? Or do they require an occupational license or certificate? If so, learn whether any *record-cleaning options might reduce the impact of their record and remove that barrier. For more information on record cleaning, see pg. 64.*

EMPLOYMENT-READY CHECKLIST:

My client has the following documents they need for employment:

- A California State ID, a California State Driver’s License, OR a Valid U.S. Passport
- Either my Security Number (SSN) or Birth Certificate

My client has completed the following to prepare for job interviews:

- Changed all voicemail greetings and social media profiles to be professional and appropriate for work.
- Created a professional email address. *Write it here:* _____
- Volunteered at: _____
- Completed the following schooling: _____
- Participated in a reentry program or a workforce development/job readiness program.
- Learned basic computer skills to fill out applications online.
- Practiced answering “mock” interview questions (including practicing a Q&A to explain time in prison or jail).
- Created a resume that is up-to-date with professional and volunteer experiences, skills, and a list of references.
- Planned for transportation to and from work.
- [If applicable] Arranged for childcare.
- [If applicable] Attended any required schooling, classes or vocational training for their desired job.
- “Cleaned up” their criminal record, where possible, by meeting with a reentry lawyer at a record-cleaning clinic.

LIST OF EMPLOYERS MY CLIENT CAN REACH OUT TO INCLUDE:

Name of potential employer: _____

Address: _____

Phone number: _____

Contact person: _____

Type of employment: _____

Expected hours (full or part-time?) _____ Expected pay: _____

Name of potential employer: _____

Address: _____

Phone number: _____

Contact person: _____

Type of employment: _____

Expected hours (full or part-time?) _____ Expected pay: _____

PEOPLE MY CLIENT CAN ASK TO HELP THEM WITH THEIR EMPLOYMENT PLAN INCLUDE:

(This could include family, friends, and loved ones as well as professionals.)

- _____
- _____
- _____

IF MY CLIENT HAS A LEGAL ISSUE RELATED TO EMPLOYMENT OR OCCUPATIONAL LICENSING, I OR MY CLIENT WILL CALL: _____ (Call Root & Rebound’s reentry

legal hotline as a start: call any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662. Also, see Appendix A, pg. 91, for a list of legal aid referrals across California.)

Part 6: Continuing Education

STARTER QUESTIONS:

- What level of education/schooling has your client completed?
- Did your client receive any education or career training while incarcerated?
- Is your client interested in furthering their education?
- What academic subjects or career fields is your client interested in learning more about?
- Do your client’s career goals require special training, degrees, or licenses?
- Are there any barriers your client might face to entering that career because of their arrest or conviction record (*also see the Employment Section of this Toolkit*)?
- Will your client need financial aid or scholarships to help pay for school? If so, what aid do they plan to apply for?
- How much time does your client have to dedicate to school each week?
- [If applicable] If your client has to register as a sex offender, please note they will need to register with campus police and be aware of other campus rules and requirements.

SCHOOL-READY CHECKLIST [some may not apply to your client]:

- Get official identification documents (ID).
- Get transcripts from previous coursework/credits already completed.
- Take an educational assessment (placement test) to better understand my educational level and needs.
- Complete Adult Basic Education (ABE) or English-as-a-Second-Language (EDS) classes.
- Complete a high school equivalency certificate (like the GED) or classes for a high school diploma.
- Apply for Financial Aid (like the FAFSA and California grants) for college or graduate school.
- Request letters of recommendation from past employers, teachers, or other community members who can say good things about your client’s educational goals.
- Complete online applications, including a personal essay.

PEOPLE MY CLIENT CAN ASK TO HELP THEM WITH THEIR EDUCATION AND FINANCIAL AID APPLICATIONS ARE:

(This could include family, friends, and loved ones as well as professionals.)

- _____
- _____
- _____

PART 7: Adjusting to Life on Community Supervision (Parole/Probation)

STARTER QUESTIONS:

- [If currently incarcerated]
 - My client’s expected release date is: _____
 - This date could change if: _____

MY CLIENT WILL BE ON THE FOLLOWING TYPE OF SUPERVISION AFTER RELEASE OR IS CURRENTLY ON THE FOLLOWING SUPERVISION:

- State Parole (supervised by state parole agent)
- Formal Probation (supervised by county probation officer)
- Informal Probation (supervised by county probation officer)
- Post-Release Community Supervision (PRCS) (supervised by county probation officer)
- Mandatory Supervision (supervised by county probation officer)
- Federal Probation (supervised by federal probation officer)
- Federal Parole (supervised by federal probation officer)
- Not sure.

LENGTH OF SUPERVISION

- The length of time of time that my client will be under supervision is: _____
- My client’s expected release date off of supervision is: _____
- To request early discharge, my client can do the following: _____

CONDITIONS OF SUPERVISION:

*My client’s **general conditions** are:*

- **The search and seizure law that apply to my client include:** _____
 - *These search laws could also affect the people my client lives with in the following ways:*

My client has special (extra) conditions of supervision: (Yes / No)

- If yes, they are:

My client has registration requirements (Yes / No)

- If yes, I think I have the following registration requirement(s):

My client has a “no contact” or “stay away” order with the victim in their case? (Yes / No)

- If yes, what steps can they to make sure they comply with the no contact order?

IMPORTANT CONTACT INFORMATION FOR MY CLIENT’S SUPERVISION:

<i>They will be supervised in the following county (if on county probation or state parole) <u>OR</u> district (if on federal supervision):</i>	
<i>The office address where they have to report is:</i>	
<i>The name of their supervising officer is:</i>	
<i>Their supervising officer’s contact information is:</i>	Office Phone: Cell Phone: Email:
<i>Other important information I want to remember:</i>	

PART 8: Managing Court-Ordered Debt

STARTER QUESTIONS

Does my client owe restitution, court fines, and fees? (Yes / No)

If yes, how much?

- Victim's Restitution: \$ _____
- Other Restitution: \$ _____
- Court fines (e.g., drug program fine, alcohol education fine, domestic violence fine): \$ _____
- Court fees (e.g., jail booking fee, public defender fee): \$ _____

Which agency or company is collecting the debt from your client?

- Victim's Restitution: _____
- Other Restitution: _____
- Court fines (e.g., drug program fine, alcohol education fine, domestic violence fine): _____
- Court fees (e.g., jail booking fee, public defender fee): _____

Has any of your client's debt gone to collections? (Yes / No)

If yes, please provide details about the collections company, account number, or amount due below

PART 9: Options for Record-Cleaning

STARTER QUESTION:

- What are your client's *major goals* in cleaning up their record?

NEXT STEPS MY CLIENT WILL TAKE INCLUDE:

- Getting a copy of their RAP Sheet.
- Calling Root & Rebound's reentry legal hotline to discuss my options (any Friday, 9 a.m. – 5 p.m. PST, at phone number 510-279-4662).
- Seeing a reentry lawyer to determine what record-cleaning options are available to them.
- Other: _____

INFORMATION MY CLIENT NEEDS TO HAVE AVAILABLE TO GET RECORD-CLEANING HELP:

(Remember: There are several free record-cleaning clinics across the state!)

- Proof of public benefits or low-income (to get a fee waiver for court filings and RAP sheet requests).
- A copy of their **RAP sheet**.
- Information about their citizenship status (this is important because a lawyer may recommend different options if your client is *not* a U.S. citizen.)
- For each conviction, a reentry lawyer will need answers to these questions:*
 - What was the conviction offense (and the specific code section)?
 - What county did the conviction occur in?
 - Was the conviction a felony or misdemeanor?
 - What sentence did you receive?
 - Did you serve your sentence in prison or county jail?
 - If you were sentenced to probation, did you successfully finish your probation?
 - Do you have any pending (ongoing) arrests or criminal cases?
 - Are you currently on parole or probation? If so, how much longer will you be on it? (Note: Sometimes you or a lawyer can request early discharge.)

PART 10: Setting Up Public Benefits & Health Care

STARTER QUESTIONS:

- ***Which public benefits has your client received in the past and which ones do they plan to apply for? Fill out the checklist that follows.***

Received in the past:	Need to apply for:
<input type="checkbox"/> CalWORKS <input type="checkbox"/> CalFresh <input type="checkbox"/> General Assistance or General Relief (GA/GR) <input type="checkbox"/> Medi-Cal <input type="checkbox"/> Medicare <input type="checkbox"/> Native benefits/"settlement checks" <input type="checkbox"/> Tribal Temporary Assistance for Needy Families (TANF) <input type="checkbox"/> Social Security Income (SSI) <input type="checkbox"/> Supplemental Security Disability Income (SSDI) <input type="checkbox"/> Social Security (SS) retirement benefits <input type="checkbox"/> Veteran's benefits (VA) <input type="checkbox"/> LifeLine Phone <input type="checkbox"/> Benefits from the local city government (fill in program name here): _____	<input type="checkbox"/> CalWORKS <input type="checkbox"/> CalFresh <input type="checkbox"/> General Assistance or General Relief (GA/GR) <input type="checkbox"/> Medi-Cal <input type="checkbox"/> Medicare <input type="checkbox"/> Native benefits/"settlement checks" <input type="checkbox"/> Tribal Temporary Assistance for Needy Families (TANF) <input type="checkbox"/> Social Security Income (SSI) <input type="checkbox"/> Supplemental Security Disability Income (SSDI) <input type="checkbox"/> Social Security (SS) retirement benefits <input type="checkbox"/> Veteran's benefits (VA) <input type="checkbox"/> LifeLine Phone <input type="checkbox"/> Benefits from the local city government (fill in program name here): _____

- Is your client currently receiving treatment for a health-related diagnosis or condition?**
Circle: Yes or No
 If yes, write more information here:
- Is your client currently taking medications?** *Circle: Yes or No*
 If yes, add more information about your medication and prescription below:
 Medications I take:
 Pharmacy Name:
 Pharmacy phone number:
 Pharmacy address:
- Does your client have health insurance?** *Circle: Yes or No*
 If yes, fill in the information below. If they are on MediCal or Social Security, make notes about that here:
 Provider name:
 Plan number:
 Provider customer service number:
 Provider appointment number:

SETTING UP HEALTHCARE APPOINTMENTS: IMPORTANT INFORMATION

Doctor's Name:	Appointment Information:	
<input type="checkbox"/> General practitioner:	<i>Address:</i>	<i>Phone number:</i>
	<i>Appointment time:</i>	
<input type="checkbox"/> Optometrist:	<i>Address:</i>	<i>Phone number:</i>
	<i>Appointment time:</i>	
<input type="checkbox"/> Gynecologist:	<i>Address:</i>	<i>Phone number:</i>
	<i>Appointment time:</i>	
<input type="checkbox"/> Dentist:	<i>Address:</i>	<i>Phone number:</i>
	<i>Appointment time:</i>	
<input type="checkbox"/> Specialist:	<i>Address:</i>	<i>Phone number:</i>
	<i>Appointment time:</i>	
<input type="checkbox"/> Physical Therapist:	<i>Address:</i>	<i>Phone number:</i>
	<i>Appointment time:</i>	

PART 11: Planning for Family & Child Reunification

STARTER QUESTIONS

- Where is your client's children currently (for example, are they staying with a relative or in foster care)?
- What has your client been doing to stay in touch while they have been in custody?
- Is your client ready to rejoin their family? How involved with the children do they want to be?
- What is the status of your client's parental rights?

COURT CASES & ORDERS INVOLVING FAMILY AND CHILDREN

Are there any court orders or supervision conditions that may affect your client's ability to be involved with their children?

- Criminal court orders:
 - Who is protected?
 - When does it expire?
- Civil restraining orders:
 - Who is protected?
 - When does it expire?
- Conditions of supervision that prevent/limit contact:

Are there any court cases involving your client's children?

- What type...?
 - CPS case.
If so, is the child... (circle one):
(1) in foster care; (2) with a long-term guardian; (3) adopted to someone else; (4) I don't know.
 - Probate guardianship
 - Family court case
 - I'm not sure.
- Write down details about any custody/visitation court orders in place:

THE NEXT STEPS MY CLIENT PLANS TO TAKE ARE TO:

- Find out if there is a court case involving my children
- Get copies of case records related to my children
- Establish paternity
- Ask a court for visitation or custody

CHILD SUPPORT DEBT:

Does your client owe ongoing child support payments? Circle: Yes or No.

If yes, how much do they owe each month? _____

Does your client have child support arrears (meaning back-payments and interest that are overdue)?

If yes... How much do they owe in child support arrears? _____

Out of what county is the child support? _____

What is the account number? _____

****PLEASE NOTE: A good place to start is researching if your client's county has a **COAP program!*****

PART 12: Immigration & Reentry

STARTER QUESTIONS:

- Does your client know their current immigration status?
- If your client is currently in custody, do they have an immigration (ICE) detainer on them (also called a “hold”)?
- If your client is at risk of being detained by ICE and if they have children, what is the plan for their children’s care while they are in custody?
- Has your client looked into record-cleaning options that might reduce some of the immigration consequences of their past convictions?

PEOPLE MY CLIENT CAN ASK TO HELP THEM WITH THEIR IMMIGRATION ISSUES ARE:

(This could include family, friends, and loved ones as well as professionals.)

- _____
- _____

IF MY CLIENT HAS A LEGAL ISSUE RELATED TO THEIR IMMIGRATION STATUS, I OR MY CLIENT WILL CALL:

(Call Root & Rebound’s reentry legal hotline as a start: call any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662. Also, see Appendix C, pg. 96, for a list of immigrant rights organizations in California).