REENTRY PLANNING TOOLKIT

for people in reentry & people with arrest and conviction records

ROOT & REBOUND
REENTRY ADVOCATES

Root & Rebound © 2018

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. We offer **statewide** resources and programs, which are summarized below. Visit our website at rootandrebound.org, or call 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 and people with prior justice system involvement will be offered 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 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 Pursuing Education in California:*** *FREE to individuals who are currently and actively seeking to go back to school/enroll in college; $10 for all others.*

All Toolkits are available to order online at rootandrebound.org/roadmap, or by calling us at 510-279-4662.

ROADMAP TO REENTRY LEGAL GUIDE

For case-specific questions, the *Roadmap to Reentry Legal Guide* is an encyclopedic 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 you are currently incarcerated:**
  - **FREE to check out from your institution's library**. If there is no copy in your institution's library, call us any Friday at 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 ask someone to email us at roadmap@rootandrebound.org on your behalf, and we will be sure to send one to the institution.
  - **If you want your own copy of the book**, the cost is **$20**. Someone can order this on your behalf by calling Root & Rebound at 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 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. ***Please note:*** **If you are currently incarcerated** and do not have phone access, you 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

Public education being critical to Root & Rebound's mission, we offer community-based and prison- and jail-based 'know-your-rights' trainings. As a small team of attorneys, our trainings allow us to share important 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. We also partner with community organizations and government agencies to bring Root & Rebound's legal trainings, direct services, and curriculum into our partners' services, improving the outcomes for their clients.

CONTACT US: If you have any questions, please call us at 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 us continue offering 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 CONVICTION 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

authors & contributors

ROOT & REBOUND'S TEAM:

- **Thomas Alexander**, AmeriCorps VISTA
- **Briana Barnes**, Operations Coordinator
- **Elliott Chadwick,** Legal Assistant
- **Rémy De La Peza**, Director of National Initiatives
- **Carmen Garcia**, Director of Finance & Administration
- **Lizzy Gilbert**, Director of Community Resources
- **Rashida Harmon,** Reentry Legal Consultant
- **Adriana Hazou**, AmeriCorps VISTA
- **Emily Juneau**, Reentry Attorney & Manager of Statewide Partnerships
- **Aiasha Khalid**, Deputy Director - *Strategy & Impact*
- **Katherine Katcher**, Founder & Executive Director
- **Laura Merchant**, Manager of Direct Services
- **Cara Palanca,** Coordinator, Community Engagement and Partnerships
- **Faride Perez-Aucar**, Law Clerk
- **Cal Smith**, AmeriCorps VISTA
- **K.C. Taylor,** Reentry Attorney & Manager of Bay Area Partnerships
- **Sonja Tonnesen**, Deputy Director - *Programs & Partnerships*
- **Deric Washington**, Law Clerk

PARTNERS & CONTRIBUTORS:

Thank you to our partners for reviewing and co-developing content for the first version of this Toolkit:

- **Carl B. Metoyer Center for Family Counseling**, which provides culturally responsive family counseling, case management and crisis intervention services to youth and families of East Oakland. Since 1978, the Center has specialized in working with youth who are struggling at home, at school, and involved in the juvenile justice system, many of whom are impacted by the incarceration of a loved one.
- **Parent Caregiver Advisory Group (PCAG)**, which is a workgroup of the **Alameda County Children of Incarcerated Parents Partnership (ACCIPP)**. The workgroup is made up of a diverse group of caregivers and formerly incarcerated parents who provide insight, consultations, and advisement on reentry matters that impact children and families. If you or someone you know in Alameda County might be interested in participating in PCAG, please contact Kimberly Murphy of A Better Way, Inc. at (510) 318-4502.

We would also like to thank the following advisors and contributors: Irina Alexander, Maria "Alex" Alexander, Dina Alkhoury, Bridget Ambrose, Michael Bays, Sarah Carson, Daisy Chavez, Crystallee Crain, Arkeuria Davis, Ronald Davis, Armondo DePina, Kyle Dunson, Josh Elliot, Ronell Ellis, Ivy Harris, Clarence Henderson, Joseph Hess, Shawn Garety, Rob Gitlin, Sandra Johnson, Sam Lewis, Marnie Lowe, Pamela Mchombo-Taylor, Jean Milam, Kimberly Murphy, Marvin Mutch, Zachary Newman, Bikila Ochoa, Blair James, Melinda Jones, Marvin Jordan, Natalie Siva, Douglas Smith, Deborah Thorpe, and Briana Zweifler.

THANK YOU!

This Toolkit would not have been possible without the contributions, inspiration, and resilience of **people directly impacted by the criminal justice system and their family members**. Thank you for your tireless advocacy for a better, fairer world. A special thank you to the **Zellerbach Family Foundation (ZFF)** for making this Toolkit possible and for its work to give all Bay Area families access to justice and opportunity. We thank ZFF immensely for its generous, continued support of Root & Rebound's work to support families and individuals impacted by the criminal justice system.

about the toolkit

Why did Root & Rebound create this Reentry Planning Toolkit?

The main goal of this Toolkit is to help individuals in reentry from prison and jail and people with arrest and conviction records develop an individualized reentry plan and learn about their legal rights along the way.

The Toolkit provides answers to key questions such as: "*What are my rights with a criminal record? Where do I start? Who can help? When should I start?"* It also provides ***practical tools*—important information, action steps, questionnaires, checklists, tips, referrals, and resources**—that can guide you through common questions in reentry and help you find the answers and support you seek.

Who is this Toolkit for?

This Toolkit is designed for **people in reentry and people with prior justice system involvement**. A criminal record is often a barrier to the most important things in life: *housing, employment, family reunification, health care, education, and even getting basic forms of identification documents (ID)*. We created this Toolkit to provide you with information about your legal rights and helpful tools and resources. We hope this information allows you to tap into your inner advocate and strengths, enabling you to thrive and move beyond your system involvement.

We have created three different versions of the *Reentry Planning Toolkit*. If you have a family member/loved one OR service provider supporting you, they can order a version of the Toolkit designed specifically for them by emailing Root & Rebound at roadmap@rootandrebound.org, or calling us at (510) 279-4662.

Who wrote this Toolkit?

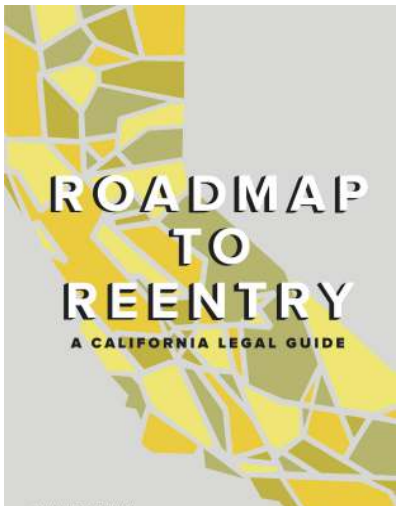
The writing of this Toolkit was a ***joint, collaborative effort*** between **Root & Rebound's legal team, individuals and family members directly impacted by incarceration,** and **service providers who support people with past involvement in the criminal justice system**.

Even before we began writing, Root & Rebound's team met with, interviewed, and surveyed currently and formerly incarcerated people and their family members and loved ones about the issues that impacted them the most. We also reviewed the most frequently asked questions that come to us through our Reentry Legal Hotline, clinics, and other programs, so that we could include know-your-rights information about the **most common reentry legal barriers**.

Our partners include groups whose members are directly impacted by incarceration. As directly impacted experts, they offered critical insight on the topics in this Toolkit, and wrote and edited content outside the scope of Root & Rebound's expertise including: *important issues to keep in mind when (re)building relationships (pg. 13); therapy and support (pg. 14); and preparing for job applications & interviews (pg. 40)*. This Toolkit is richer and more useful because of the many hours that currently and formerly incarcerated people, their families, and their advocates poured into this resource. Thank you to all!

Do I need anything else to use this Toolkit?

If you have specific legal questions about the impact of your criminal record on things like housing, employment, family reunification, parole and probation, voting rights, getting ID, public benefits, health care, or immigration status that go *beyond* the issues discussed in this Toolkit, Root & Rebound offers additional resources that may help answer your questions, including the ***Roadmap to Reentry Legal Guide***.



The ***Roadmap to Reentry: A California Legal Guide***—available **in print** and **online**—is an encyclopedic "know-your-rights" legal guide 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, and more. Learn how to view or order a copy on pg. 1.

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 Root & Rebound's resources and services, read the information about our statewide programs and services starting on pg. 1; call Root & Rebound at 510-279-4662; or email us at info@rootandrebound.org.

When and how should I use this Toolkit?

It is never too early to plan for reentry! And it is never too late to learn more about your rights living with a record!

- **If you are currently incarcerated,** we recommend that you begin planning for your reentry and working through this Toolkit **at least 1 year before release from prison or jail,** if possible.
- **If you are formerly incarcerated or living with a record**, parts of this Toolkit will likely be useful to you

now. We did our best to explain throughout the Toolkit when information would be more relevant depending on *how long ago* you were involved with the criminal justice system. Even if you've never been incarcerated, but have an arrest or conviction record, certain parts of this Toolkit can help you to learn about your rights!

If you are not sure what to read first, here are some suggestions: To begin, review the **Table of Contents** on pg. 6 to understand all the topics covered in the Toolkit. This can also help you identify topics you are looking for more information on. Next, review the **Timeline** on pg. 10 to get a better idea of where you are now and identify key steps you can take. Each section of the Toolkit has a cover page that summarizes the information you can learn about there. Each section also has questions and checklists you can fill out as you go. Finally, Appendix E (pg. 94) includes a **Sample Reentry Plan** that you can write in, rip out, or start with before you jump into the Toolkit!

While this Toolkit includes general tips and information, **remember that the reentry process and the impact of having an arrest or conviction record looks different for everyone**. Use this Toolkit as needed. If you already know something or if information does not apply to you, feel free to skip that section. There is no "right" or "wrong" here—there is only information meant to help you know your rights and plan ahead.

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. In the boxes next to these icons, you will find additional information that you should be aware of.

ICON	MEANING
	**CONSULT A LAWYER:** If you believe your rights may have been violated, talking to a lawyer 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 *Roadmap to Reentry Legal Guide*, a comprehensive legal reference guide for people in reentry and those who support them. Visit the searchable website of the *Roadmap to Reentry* at roadmap.rootandrebound.org, or order a hard copy of the guidebook at www.rootandrebound.org. *Learn more about Root & Rebound's resources, programs, and services starting on pg. 1 above.*
	**ACTION STEP!** The information after a star symbol provides concrete next steps in your reentry journey.
	**IMPORTANT INFORMATION OR WARNING!** The particulars of your arrest or conviction history and other personal circumstances can have a big impact on your legal options and outcomes. This icon warns you of individual-specific issues that require you to be extra careful.
	**REENTRY PLANNING TIPS:** This icon indicates tips that can help you as you plan for your reentry and advocate for yourself.
	**HELPFUL RESOURCES:** This icon identifies other organizations and resources that may be able to support you in reentry.



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

For individual questions, you can call Root & Rebound's free Reentry Legal Hotline any Friday, 9 a.m. - 5 p.m. PST at (510) 279-4662 (we accept collect calls); email roadmap@rootandrebound.org; or write confidential, legal mail to Root & Rebound, 1730 Franklin St., Ste. 300, Oakland, CA 94612 (ATTN: Katherine Katcher, SBN: 295448).

table of contents

HERE IS A SUMMARY OF THE INFORMATION COVERED IN EACH SECTION OF THE TOOLKIT.

Glossary of Terms (p. 7)

Part 1—Introduction to Reentry Planning: Starting Over Strong (p. 9)
Part 1 covers what "reentry" is, key terms, reentry planning tips and resources to help you start over strong, information about seeking support and services while incarcerated, and tips about rebuilding relationships with family and loved ones in the early days out.

Part 2—Getting Official ID & Useful Items Set Up for the Early Days Out (p. 16)
Part 2 covers how to get identification documents (ID) and other important resources for the early days out.

Part 3—Voting Rights (p. 23)
Part 3 covers voting rights in California based on your incarceration or supervision status.

Part 4—Creating a Housing Plan (p. 26)
Part 4 covers various housing options post-release, what you need to know if you will be staying with family, how to create a plan for finding both short- and long-term housing, and challenging illegal denials to housing.

Part 5—Creating an Employment Plan (p. 37)
Part 5 covers what you need to know to rejoin the workforce and how you can create a plan for finding a job.

Part 6—Continuing Education in Reentry (p. 45)
Part 6 covers a basic summary of various educational pathways and levels, and important information for going back to school.

Part 7—Adjusting to Life on Community Supervision: Parole, Probation & Federal Supervision (p. 50)
Part 7 covers what community supervision is, how it will impact your daily life, and what it can mean for family.

Part 8—Managing Court-Ordered Fines & Fees (p. 57)
Part 8 covers best practices for you to take control of and/or reduce court-ordered fines and fees related to a past criminal case.

Part 9—Record-Cleaning (p. 60)
Part 9 covers general information about RAP sheets and potential options for cleaning up your record with the support of a "clean slate" legal clinic and reentry lawyers.

Part 10—Setting Up Public Benefits & Health Care (p. 67)
Part 10 covers what public benefits might be available to you and other key information about health care in reentry.

Part 11—Family Law Issues & Child Reunification (p. 74)
Part 11 covers key know-your-rights information for staying connected with family members while incarcerated and for parents navigating the court system to reunify with their children.

Part 12—Reentry Resources for Immigrants (p. 80)
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. 86)
- **Appendix B: List of Reentry Organizations Across California** (p. 89)
- **Appendix C: Immigration Support Referrals** (p. 91)
- **Appendix D: Transitional Housing Providers that Accept Applications from Currently Incarcerated People** (p. 92)
- **Appendix E: Sample Reentry Plan** (p. 94) - *Please find a sample **Reentry Plan** for you to fill out based on your 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 (county-level):** A criminal sentence served in the community in place of—or following—a jail sentence. People on county probation must adhere to a set of rules (known as "conditions") designed to promote a crime-free life. There are different types of probation: some *supervised by the court* (called informal, summary, or court probation), and some *supervised by a probation officer* (called formal probation).
- **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 *state* criminal justice system anywhere in California), or an FBI RAP sheet (listing all contact with

the *federal* criminal justice system and all contact with *any state's* criminal justice system across the United States).

- **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 REENTRY PLANNING: STARTING OVER STRONG

SUMMARY - PART 1.

Part 1 provides:

- **Information** about what reentry is and **tips** for building a strong reentry plan;
- A suggested **timeline** for reentry planning;
- **Resources** for people who are currently incarcerated; and
- **Information and resources** to help with (re)building relationships with family & loved ones after a period of incarceration.



FIND MORE KNOW-YOUR-RIGHTS INFORMATION IN THE *ROADMAP TO REENTRY* LEGAL GUIDE:
Do you 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.

introduction to reentry planning

*This section provides **general information about reentry planning** including: defining reentry, tips to guide your planning, a timeline for reentry planning, preparing for release while incarcerated, and a summary of common issues that come up when (re)building relationships on the outside.*

What is reentry?

Reentry is the process of a person's transition from prison or jail to rejoining the community. It also means preparing for and figuring out a lot of everyday, real-life issues like getting 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. Finally, *reentry* is used to broadly describe post-incarceration issues (like barriers you might face because of a criminal record), and in reality, these "reentry" issues can come up long after any system involvement.

What tips can help me build a strong reentry plan?

Below we include some general tips for **reentry planning**. Whether you are incarcerated or living with a record in the community, think of these as a *guiding set of principles* that we encourage you to look back at from time to time. Remember that every person's path and plan is different, and they will change over time. Your reentry plan will look different if you are currently incarcerated and planning for your life after release; if you are out on community supervision like parole or probation; if you have an arrest record that never led to a conviction; or if you are an individual who has been in and out of the system since you were young.

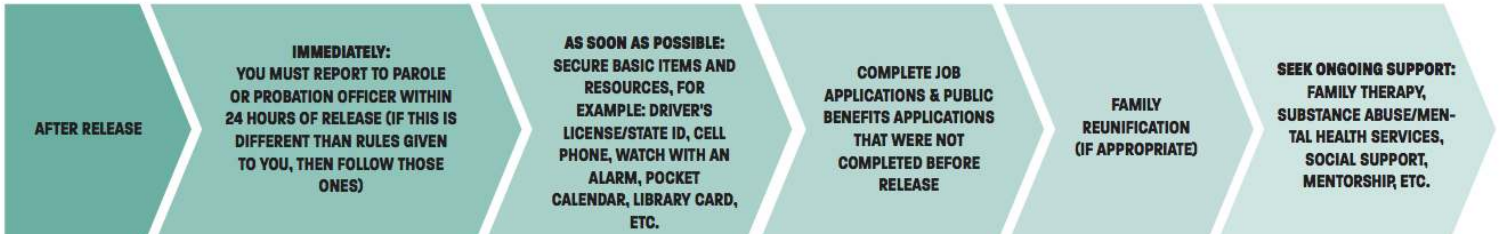
Reentry Planning Tips

- Start planning for reentry issues early on—ideally at least 6 months to 1 year before you are released from incarceration. Though it is never too early or too late to start!
- Take notes and write things down. 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 your immediate needs like housing, food, and clothing. While you figure out short-term needs, keep your long-term vision and goals in mind too, and stay motivated.
- Remember, strong communication is key. It is okay to share your concerns and feelings with people who care about you. Are you worried about finances? About finding employment? Tell the folks who can support you through the challenges, and help you problem solve.
- Surround yourself with people who are a source of positivity, encouragement, and motivation.
- Have a plan to avoid risky situations. This might include people, places, and things (for example, avoiding drugs or alcohol if you have had past substance abuse issues). Learn more about self-care on pg. 14.

When do I start planning for my reentry needs?

"When and how do I start?" is often one of the first and hardest questions about reentry planning. It can be hard to because there are not many resources to help you plan, and all of the forms, appointments, rules, and to-do lists can feel overwhelming! 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 you can take *while incarcerated* to plan for reentry, and some suggestions of when to begin; the ***bottom half*** shows key steps you can take *after release* from prison or jail.





starter questions

The starter questions below are focused on the "big picture": *What are your goals? What are your concerns? What are you committed to in your reentry? How do you hope that family or other people who support you will be involved?*

ACTION STEP: If you are currently incarcerated, you may wish to answer these "starter questions" before or while planning for reentry to guide you. If you are living with a record in the community, some questions may still be relevant to how you want to communicate about your experiences with the criminal justice system.

STARTER QUESTIONS

- What are your *biggest goals* for your reentry?
- What do you expect to be the *biggest challenges* for your reentry? OR What are the biggest challenges for you now?
- What do you want others to know about your experiences with the criminal justice system?
- What kind of help will you need or do you need in addressing your history of incarceration or past involvement with the criminal justice system?
- How can your family or friends support you?
- How can a community group (places like those listed in Appendix B, pg. 89) support you?

MAKING COMMITMENTS

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

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

Consider referring back to these **commitments** as daily motivations in your reentry. When you reach certain goals, feel free to check off old commitments and add new ones.

getting support while incarcerated

Many people have questions about their legal rights inside prison and jail. Below is some basic information about your rights regarding in-person visitation with family and friends, as well as some resources related to your health care and legal rights while incarcerated. For information on reuniting with family after release, see pg. 74.

1. Receiving Visitors in Jail or Prison:

The rules for visitation differ depending on the *type of facility*, and can depend on the circumstances of your *conviction offense*. For the majority of correctional facilities, the first step is for your visitor to apply for **clearance**.

WARNING! If your visitor is currently supervised on probation or parole, or is formerly incarcerated, they may not get clearance to enter a jail or prison at all, or it might take much longer. If this occurs, your visitor should ask the person in charge of visits (sometimes called the Visiting Sergeant or Facility Commander) how to appeal a decision to deny visitation. This process will likely require your visitor to gain the **Warden's written permission** to enter the facility.

> ***If you are in a California state prison…*** You must send your visitor a Visitor Questionnaire (CDCR Form 106) with your signature. You can get this form from your correctional counselor. Your visitor must complete the questionnaire and mail it to the Visiting Sergeant and/or Lieutenant at the prison where you are located. Prison staff will typically let your visitor know if they have been approved in a couple of weeks. Upon approval, your visitor should schedule a visit during visiting hours. To verify visiting hours at the prison where you are located, ask your visitor to call (800) 374-8474 or to visit the CDCR website at www.cdcr.ca.gov. Your visitor should ask in advance about **restrictions on what they can wear and bring to a prison visit**. If your visitor is not in compliance with these rules, they will not be allowed to visit you.

> ***If you are in a Federal prison…*** Visitation for Federal Bureau of Prisons (BOP) facilities is very similar to the process for state prisons. You must request a BOP Visitor Information Form from your correctional counselor; once you complete your portion of the visitation form, you must send it to the visitor you would like to see you. Then, the visitor will usually send it back to your correctional counselor. Meanwhile, the BOP will run a background check on your visitor. You will be notified if your visitor is NOT approved, and you are responsible for notifying them if they're denied. Make sure your visitor knows which rules to follow regarding what they wear and what they can bring. You have the right to at least four hours of visitation time each month—either in-person or by video—unless you have lost your visitation privileges. HOWEVER, the Warden can restrict the length of time or the number of visitors allowed at a given time if there could be overcrowding in the visitation room, so visits can be difficult to schedule.

> ***If you are in a county jail…*** Ask your visitor to check online if the County Jail or Sheriff provides clearance registration forms on its website. If not, your visitor can usually get the clearance form in person. Some county jails allow visitors to register for clearance, schedule a visit, and visit you on the same day. Others require advance registration and/or scheduling. Visiting hours may differ between jails. Your visitor should check the county jail's website or call the county jail or Sheriff's office for more information. As with state prison, once your visitor arrives for an approved visit to a jail, they will have to show jail staff the government-issued documentation they applied for visitation with. A staff member will then verify that your visitor has been properly approved and scheduled, is properly attired, and does not possess contraband.

A NOTE ABOUT LEGAL VISITS: The process for lawyers to visit you while incarcerated is different than for non-legal visitors. For California state prisons and county jails, each facility sets its own rules, so your lawyer will need to find out the rules and times allowed for legal visits. For federal prisons, lawyers go through the same process as other visitors, but you will meet your lawyer in a different room set aside for attorney-client visits. Your lawyer will also have the ability to request resources another visitor could not, such as a tape recorder.

2. Accessing Health Care in Jail or Prison:

A common question is how you can access proper health care while you are incarcerated, and what to do if you believe you are not receiving proper health care. While Root & Rebound focuses on reentry and post-release legal issues (we are not experts on your legal rights in prison), below are some options and resources that we hope you may find helpful in understanding your rights and accessing health care in prison or jail.

- *Direct Advocacy by a Professional Service Provider:* Sometimes a simple phone call from a professional service provider (like a social worker or advocate) can be enough to initiate or improve care. If you are working with any programs or professional service providers, you may wish to alert them if you are having issues accessing health care to see how they can support you.
- *Know-Your Rights Legal Resources for Prisoners:* There are a few organizations that publish information about people legal rights in prison and jail. In the box below, learn about two resources that many incarcerated people turn to in California for legal information about their health care and other rights.



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**.** 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.
- *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 California 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 (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://jailhouselsaw.org. You may want a loved one on the outside to print relevant chapters for you.

---

important issues to keep in mind when (re)building relationships with family & loved ones

This section addresses common issues that come up when (re)building relationships with family members and loved ones after incarceration. Members of the Parent-Caregiver Advisory Group (PCAG), which is a group consisting of currently and formerly incarcerated people and their family members, of which many members are also professionally trained experts on mental health and counseling services, were the lead writers on this section.

1. What are some important issues to keep in mind when rebuilding relationships in reentry?

Understand the mental toll of incarceration and reentry:

- Be patient with yourself. Based on the trauma and isolation that accompany incarceration, certain aspects of social life may feel unfamiliar or overwhelming.
- It can take time for you to re-adjust to discussing personal information, sharing your feelings, or having difficult conversations.
- It can take time to re-adjust to bright colors and loud noises, especially in more urban environments.
- You might find that you are uncomfortable with large crowds, loud noises, or activities that involve physical closeness.

Adjusting might take time:

- It can take time for you to adapt to life back in the community. The pace of life is faster and technology changes quickly. Look for classes or programs that can help you catch up to changes that may have taken place during your incarceration. See pg. 22 for more information.
- Consider family therapy or support groups if you feel disconnected from your friends, family, or community.

2. Are there common emotional responses in reentry that I can prepare for?

You may have heard of the concept of "triggers." Because even that word can have a harmful effect, we refer here to **"emotional responses"**—because the emotions that people commonly experience after a period of incarceration are normal given what you have been through. In the reentry context, reminders of traumatic experiences can cause you to respond or react in harmful or unexpected ways. With time and support, you can learn to manage many 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.

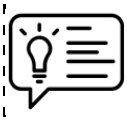
Often when someone is reminded of past trauma, they may react in some of the following ways:

- 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 release from incarceration, it may take some time for you 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 yourself or with your loved ones or supporters about your emotions and emotional reactions to specific circumstances or situations can help you to cope better.



REENTRY PLANNING TIP: 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. As you navigate reentry, it can be very helpful to seek out these types of health care support. For more information on seeking out these types of services, see pg. 14, below.

therapy & support

Because of the mental toll that incarceration and reentry can take on people, you and/or your family members and loved ones may benefit from therapy. If you choose to do so, it is important to try to be patient, especially if you are intimidated by the idea of getting therapy or if you have had negative experience with mental health services. Again, our partners who are trained therapists and directly impacted by incarceration themselves were the lead writers of this section.

1. Different Options for Therapy

There are many different mental health services you can consider:

- **Individual Therapy:** In this space, you can openly discuss anything you may be struggling with, including feelings and thoughts about what it's like to be incarcerated, any pressure you may be experiencing due to your own or others' expectations, or challenges adjusting to release.

- **Family Therapy:** Reentry can be hard for family members 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.

- **Group Therapy & Support Groups:** Group therapy and support groups are judgment-free spaces where you can gain insight and support from people facing similar issues. Some examples of support groups are: anger management, parenting, teen groups, and recovery.

  PLEASE NOTE: Licensed mental health care professionals that are *not* connected to probation are legally bound to keeping what you say confidential, with a few exceptions (like plans to harm oneself, to harm others, gravely disabled, child/elder abuse, child pornography).



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. Resources for substance abuse & recovery:

If you have struggled with substance abuse or addiction, having resources in place to avoid relapse can be essential to maintaining your sobriety and recovery. It can help to learn about resources and relapse prevention strategies, such as avoiding people, places, or things that might threaten your recovery.

What is relapse prevention planning?

Relapse prevention planning helps those in recovery to anticipate wanting to use again and to create a plan to maintain sobriety when the desire to use arises. It is normal to want to use when in recovery. Trained professionals can help you plan on how you will resist this urge. If you have used opiates in the past, a trained professional can also discuss how tolerance changes during incarceration, and connect you with a medical professional who can help you reduce the risk of overdose.

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



ACTION STEP! If a loved one or social service provider is assisting you with your reentry, consider creating a relapse prevention plan with them. Alternatively, seek support in finding a professional to assist you in this process. You should also identify specific emotions, situations, or events that might lead to relapse, and brainstorm ways to manage them in a healthy, productive manner.



Resources for Addressing Substance Abuse and Addiction:

(Most of these hotlines and resources are not accessible to currently incarcerated people.)*

- 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 ** Please note: HealthRIGHT 360 has some programs for people incarcerated in Southern California. If you are incarcerated and want to learn more, ask your facility's staff about what programs are available for substance abuse treatment.*

Conclusion

Part 1 covered general information and tips about reentry planning, with a focus on know-your-rights resources for incarcerated people and issues to keep in mind when re-building relationships with family and loved ones in the early days out. Having a strong **reentry plan** helps you to focus on specific needs and next steps after incarceration. We hope Part 1 helps 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.

Part 2 provides:

- **Information** on how you 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 you will likely need during reentry; and
- **Timelines and checklists** to help you get the ID and other items you will need.

getting official identification documents (ID)

Identification documents (ID) provide proof of who you are. ID plays a very important role in our daily lives: it is needed to apply for jobs, housing, a driver's license, health care, and public benefits; register to vote; and open a bank account. Especially if you have been incarcerated for a long time, your ID may have been lost, taken, or be expired. Because ID is so important to move forward in reentry, you should start gathering ID <u>while incarcerated</u> where possible, or <u>as soon as possible after release</u>.

KNOW YOUR RIGHTS TO GETTING ID!

- **If incarcerated in a *California state prison*, you have the right to keep your birth certificate in your cell. If incarcerated in a *federal prison*, you should be able to keep your birth certificate in your Central File at Receiving & Releasing.** A birth certificate is very helpful to prove your identity for getting your Social Security Card/Number (SSN).
- **If incarcerated in a *California state prison*, you have the right to receive a valid CA State ID card *for free* through the CAL-ID program *<u>if you meet the following requirements</u>*: 1)** You have a set release date AND that date is 120-210 days away; **2)** You previously had a CA state ID or CA driver license in the past 10 years; **3)** You do *not* owe any DMV fees for your previous state ID or driver license; **4)** You have a photo on file with the DMV from the past 10 years; **5)** You don't have any active felony holds, warrants, or detainers that could cause you to go back to prison or jail after release; **6)** You do *not* have an active Immigration and Customs Enforcement (ICE) hold that would cause you to be deported after release; **7)** You can provide an address where you will live after release; **<u>AND</u> 8)** You 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). Talk to your correctional counselor (also called a "CC I") to apply for the CAL-ID program.
- **If you are incarcerated, you may be able to take steps to get other forms of ID before release:**
  - You can apply for a birth certificate while incarcerated (see pg. 18 for more information).
  - In some cases, you can apply for a Social Security Card/Number *<u>if</u>* you had one previously (see pg. 18 for more information).
- **You can sometimes get a *fee waiver* for certain types of ID.** These fee waivers depend on the type of ID you are seeking. You will usually qualify if you are receiving public benefits or can show you are low-income. Always ask if there are fee waivers available before you pay full price for an ID card!

most important types of ID in reentry

Generally, the three most important forms of ID to get soon after release are:

1) A birth certificate;
2) A Social Security Number (and free Social Security Card); and
3) A California State ID or Driver's License.

Once you have your **birth certificate** and **Social Security Number**, you should be able to get a **California state ID** (and possibly a **driver's license** if you fulfill all the other requirements). You will need these documents to do things such as open a bank account, apply to jobs, housing, and benefits programs (such as MediCal health insurance).

Below is a list of the most important types of identification documents (ID)--and information about which ones you can get while incarcerated. When going through this checklist, note the documents that you do and do not have, and refer to the following information regarding how to get documents that you may need.

ACTION STEP! Fill out the "STARTER QUESTIONS" below. To determine what ID you have or need, and what ID you can get before release, answer the "STARTER QUESTIONS" checklist below.

STARTER QUESTIONS: GETTING ID

Do you have following forms of ID? If so, draw a checkmark in the appropriate boxes. (Don't check the box if that ID is no longer valid or has expired!) Below each type of ID, there are basic instructions for getting that ID, which often differ if you are currently incarcerated.

☐ **Birth Certificate** – ***Get while incarcerated or soon after release.***

- *IF YOU ARE INCARCERATED:* You should be allowed to keep a copy of your birth certificate (either in your cell or in your Central File, depending on the facility). To order, you will need to get an application (ask your counselor to assist you), pay a $25 fee, and request a **certified copy**, which requires a notarized sworn statement.
- *FOR ALL OTHERS*: You can go to the Vital Records office in your birth county to request a birth certificate (the cost varies). You can also visit www.cdph.ca.gov to download, complete, and mail in your request along with the fee.
- *A NOTE IF YOU ARE HOMELESS:* There are vouchers for free CA birth certificates if you are 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)** – ***Get while incarcerated (if possible) or soon after release.***

- *IF YOU ARE INCARCERATED:* If you have never had a SSN you will have to wait until you get out to apply for an "original" Social Security card. However, if you were given an SSN at some point in the past and you need a replacement card, you can request one if your facility has a special agreement with the Social Security Administration ("SSA") called a Memorandum of Understanding ("MOU"). *If your facility does not have an MOU with the SSA*, ask your correctional counselor or a supporter on the outside if they can help you mail an SS-5 application to your local or regional Social Security office. You 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 you're deaf or hard of hearing. Or, if you have access to the Internet you may be able to apply for a replacement card by setting up an account at https://www.ssa.gov/myaccount/.
- *FOR ALL OTHERS:* To get your Social Security card, you can request an application form (Form SS-5) by calling 1-800-772-1213 or by writing to your 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.
- *NOTE:* Once you have your Birth Certificate and Social Security Number, you should be able to get a California State ID and possibly a Driver's License.

☐ **California State ID Card** *or* **Driver's License** – ***Get a state ID card while incarcerated through the CAL-ID program (if possible) or soon after release.***

- *IF YOU ARE INCARCERATED: If you're in state prison…* 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. 17 above). *If you're in county jail…* Some jails are starting programs similar to CAL-ID, so ask jail staff if they have a program to help you 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 your local DMV office here: dmv.ca.gov/portal/dmv/detail/fo/offices/toc_fo.
- *IMPORTANT NOTE:* You cannot apply for a CA driver's license while incarcerated; you will have to wait until you are **released** to apply. However, you can sometimes take steps while incarcerated to

make getting your license back easier after release. For example, request a DL114 form ("request for dismissal of failure to appear" form) if your license was suspended due to a "failure to appear" while you were in jail on a pending non-felony case.
    - *NOTE:* If your 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).

- ☐ **Passport** – ***Less Urgent – most likely something to think about getting after release, if possible.*** To find a passport-issuing office near you, visit: travel.state.gov/content/passports/en/passports/information/where-to-apply.html. Please note: some people cannot get a U.S. Passport as result of their conviction, supervision rules, a court order, or unpaid child support. Call Root & Rebound's reentry legal hotline any Friday, 9 a.m. – 5 p.m. PST, at 510-279-4662, to learn more.

- ☐ **Tribal ID Card**– ***Very useful if you are Native American and wish to receive benefits and support through your tribe.*** A Tribal ID card can also be used to prove your identity for many services, public benefits, and at federal buildings and airports. Each tribe has different rules for what information you will need. You should call or write your tribe's enrollment department directly to learn more. You will need to give the tribe as many details of your ancestry as possible.

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

legal barriers to getting ID

This section explains some of the common barriers people in reentry face in getting important forms of government-issued ID needed to drive, work, go to school, open a bank account, or access other services. If you are facing these issues, a lawyer may be able to help.

1. Child Support Debt As a Barrier to Getting a Driver's License

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

If you are not currently incarcerated and have internet access, you can get a Notice of Motion for Judicial Review of License Denial (Form FL-670), available online at www.courts.ca.gov/forms.htm. This form asks the judge of that court to consider giving you back your driver's license so that you 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 your child support case number and case title.
- Make two copies of your form (one for you, 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, you may tell the judge why you should get your license back. A filing fee of $25 will be charged unless you have a current fee waiver on file with the court. If you do not have a fee waiver and are unable to pay the fee, ask the clerk for an Application for a Fee Waiver packet.
- Serve the papers on the County Department of Child Support Services that had your license suspended.
- Get ready for your hearing. On the date of your hearing, you may need to wait in the courtroom for your case to be called. DO NOT bring children to the courtroom.

If you are currently incarcerated and you have a release date, you can still fill out the form but you must file it in person after you are released.

2. Unpaid Traffic Fees Should No Longer Result in You Losing Your License

As of the passage of AB-103 in June 2017, your driver 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 the new law, this practice should have ended statewide!

*If your license was **suspended BEFORE June 2017 due to failure to pay**, you may be able to have your traffic debt forgiven and have your license reinstated if…*

- **You are serving a state prison sentence *or* a Realignment sentence in county jail, AND your ticket was "pending" when you were incarcerated.** You will have to proactively request dismissal from the DMV under Vehicle Code 41500. If you are sending it while currently incarcerated, it will need to be on CDCR letterhead and be signed by an Authorized Representative. Your request should be sent to: Department of Motor Vehicles, Division of Drivers Safety and Licensing, P.O. Box 9412890, Sacramento, CA 94290
- **Your license was suspended for a Failure-to-Pay, Failure-to-Appear or other failure-to-comply that is more than 5 years old.** You can call the DMV Mandatory Actions line at (916) 657-6525 to see if your license qualifies.
- **Your local county court has a process for waiving fees.** For information on local court practices, you can use a site created by East Bay Community Law Center at http://ebclc.org/reentry-legal-services/.

3. ID for Undocumented Individuals

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

- **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 get 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 of 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, look online for your country's nearest Consulate, and call them to ask about whether a CID would be available to you.



WARNING! A CID can help you open a bank account and get a driver's license in California. But it does NOT grant you legal presence in the United States, so you 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.*



CONSULT A LAWYER: A lawyer may be able to help you get your ID or driver's license back. See pg. 89 for a starting list of legal aid organizations *or* call Root & Rebound's **Reentry Legal Hotline** any Friday, 9 a.m. – 5 p.m. PST, at (510) 279-4662 for support.

common needs & useful items in the early days after release

*In addition to ID, there are other important items and basics that you may need or want to get in the early days of transition after incarceration. The **chart** below lists some common needs and useful items and places you can go for help. If you are currently incarcerated, you can use this chart to consider the items and basics you will need after release, and make a plan for gathering them after release. If you have a family member or service provider supporting you, you could also ask which of these items they can help you access.*

COMMON NEEDS & USEFUL ITEMS IN THE FIRST DAYS AFTER RELEASE		
COMMON NEEDS	**WHAT YOU NEED TO KNOW**	**WHERE TO GO FOR HELP**
Food	• You can apply for CalFresh (sometimes called food benefits, food stamps, or EBT) *pre-* or *post-release*. • Local food banks & soup kitchens have free food for those in need.	• See pg. 71 for more information on CalFresh. • Go to http://www.calfresh.ca.gov/PG839.htm to find your 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	• Temporarily staying with family or friends can provide support and give you time to find long-term housing • Your parole/probation officer must approve housing (and can conduct unannounced home searches at any time). See pg. 32 for more information. • *Protective court orders* and *no-contact orders* can impact who you can stay with. • Local shelters offer a free, temporary place to sleep, eat, and shower.	• Go to www.homelessshelterdirectory.org/california.html to search for local shelters. Or call 2-1-1 to ask where the closest shelter is. *Note: Shelters often require proof of a current TB test. 2-1-1 has information on this.* • Ask your parole/probation officer for affordable housing referrals or subsidized housing options.
Clothing & Toiletries	• 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.	• 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	• If you are on parole, you must report to your parole officer on the first business day following your release. CDCR does not provide transportation to parolees or others. • You might need help getting to social services offices, the DMV, medical appointments, and/or job interviews. • A public transportation pass or card can help you inexpensively get where you need to be. • If you want a Driver's License, you might be able to fill out DMV paperwork and applications online to save time.	• Call 2-1-1 to ask about free local transportation for seniors, people with disabilities, and people without personal transportation. • If you are a veteran, visit va.gov/HEALTHBENEFITS/vtp/map.asp#California to find free transportation to VA health services.
Financial Help	• When released, you are entitled to the money in your prison/jail trust account. • If leaving CA state prison, you are usually entitled to $200 gate money (some exceptions). • If on parole, you *might* be able to get emergency "financial assistance funds." Your parole office gets to decide whether to give you cash assistance. This is a loan that you must pay back. • General Assistance/General Relief (GA/GR) are county-run programs that offer cash assistance if you cannot receive most other public benefits. • SSI and SSDI are federal programs that assists low-income people and people with disabilities.	• Call Root & Rebound's Reentry Legal Hotline for information on filing a **CDCR Form 602** appeal if you do not receive your gate money. • Ask your parole/probation officer about financial assistance funds. • See Appendix F to find a public benefits advocate or legal aid attorney who can help you apply for public benefits. • Go to calfresh.ca.gov/PG839.htm to find your local county social services office, where you can apply for GA/GR.
Cell Phone	• Cell phones are important to stay in contact with family members, parole or probation officers, and employers. You can get a pre-paid or temporary cell phone if subscribing to a service plan is too expensive.	• **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 you qualify, visit www.cpuc.ca.gov/General.aspx?id=2752#qualify • To find a LifeLine provider in your area, visit: www.californialifeline.com/en/provider_search

Watch with an Alarm	• A basic digital watch with an alarm can help you make sure you are on time for any important meetings, events, or job interviews.	• 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	• An inexpensive pocket calendar or notepad can help you stay organized and on time for any appointments, meetings, or job interviews. You can also write down important phone numbers, bus routes, or other information.	• You 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)	• Having an email account is a free and easy way for you 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.	• See pg. 41 for tips on creating a professional email account. • **ACTION STEP! Computer Literacy:** *Do you want to learn the basics of using a computer and e-mailing?* There are many free computer classes both online and in-person. Try searching 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, 9 a.m. – 5 p.m. PST, at 510-279-4662 for a referral or more information about these procedures. We can speak with you 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 you meet your needs!

Conclusion

Part 2 covered steps you can take to get some of the most important ID and basic items in reentry. Although the process of **getting your ID and other basic items** is not always straightforward—requiring you to fill out a lot of paperwork and visit different offices in person—it is one of the **earliest and most significant steps to successful reentry and reintegration**. Keep in mind, there is a close connection between getting official, government-issued ID and being able to access employment, housing, education and health care, open a bank account, and more.

part 3.
VOTING RIGHTS

SUMMARY - PART 3.

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; and
- **Basic steps** about when and how to (re)register to vote.

voting rights

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

KNOW YOUR 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 you are (1) currently incarcerated in state or federal prison (or are in county jail awaiting transfer to state or federal prison), (2) on *state* parole, OR (3) involuntarily committed for mental health reasons, YOU HAVE THE RIGHT TO VOTE!** Once you are no longer in prison, on state parole, or involuntarily committed, your 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 you are eligible to vote, you have the right to take paid time off from work to vote.** Be sure to make arrangements with your employer at least *two working days* in advance. BUT NOTE: If you are an independent contractor, this rule does not apply.
- **If you are disabled, you have the right to reasonable accommodations to access voting locations AND use a voting machine that is accessible**. If you are unable to read or have other physical difficulties submitting your vote, you have the right to select up to two people to assist you in the booth—so long as these people aren't affiliated with your employer.
- **You must register to vote at least 15 days before the next election to be able to vote in it.** If you are able to register to vote online, you must do so before midnight on the deadline date (that is, by 11:59 PM 15 days before the election). If you register 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, you'll need to fill out a voter registration form and send it to your **county elections office**. You 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 you are in jail and have the right to vote, ask the jail staff to provide you 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 you are 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 you registered previously, you will likely need to **re-register** to vote if any of the following is true:

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

*The **chart** below explains in more detail how incarceration or a criminal record affects voting rights in California.*

CALIFORNIA: VOTING RIGHTS WITH A RECORD	
People with *State* Convictions	
SUPERVISION STATUS	**CAN I VOTE?** *(Note: You must also be age 18 or older by the next election day, a U.S. citizen, and a California resident)*
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	**IT DEPENDS:** • 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 *Federal* Convictions	
SUPERVISION STATUS	**CAN I VOTE?** *(Note: You must also be age 18 or older by the next election day, a U.S. citizen, and a California resident)*
Currently incarcerated in federal prison or serving federal prison sentence	**NO**
On federal probation	**YES**
On federal supervised release	**YES**
On federal parole (applies to very few people)	**YES**

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

part 4.
CREATING A HOUSING PLAN

SUMMARY - PART 4.

Part 4 provides:

- **Guidance** on creating both a short-term and long-term housing plan;
- **An overview** of different housing options in reentry;
- **Suggestions** for housing that may work better if you have special needs; and
- **Information** about your housing rights, including **how to challenge illegal denials to public and private housing.**

creating a housing plan

Housing is one of the most important parts of a successful reentry plan. Whether you are planning on living with family, looking for transitional or short-term housing, or seeking a long-term option, you should: 1) start planning early; 2) consider multiple options (think creatively and stay as flexible as possible!); and 3) know your legal rights so you can respond appropriately if those rights are violated.

KNOW YOUR HOUSING RIGHTS!

- **Landlords could be violating state and federal law by discriminating against housing applicants with criminal records—especially if they are using language that bans all people with criminal records or all people with felonies (these are called "blanket bans"). It is also illegal for landlords to randomly run background checks, or only check the backgrounds of applicants in a protected group (like people of color, women, religious minorities, etc.).** Whether a housing provider is actually violating the law when they discriminate against people with records depends on a variety of factors, including whether the housing is public (receiving government funding) or private as well as the landlord's specific words and actions. For more information on housing discrimination based on criminal records, see pg. 33, and consult a housing lawyer if you believe your rights were violated.
- **You have the right to certain protections when a landlord runs a background check** (also called a "tenant report"). For more information about protections you have, see pg. 34.
- **If your public OR private housing application was denied because of information in a criminal background check, you have the right to know why and to dispute the accuracy of that information.** For more information about public housing denials, see pg. 33. For more information about private housing denials, see pg. 34.
- **If you were denied public housing or federally-assisted housing (like a Section 8 voucher), you have the right to challenge that denial.** This includes the right to request a "review hearing" where you can have an impartial hearing officer review the denial. For more information on challenging public housing denials, see pg. 33.
- **If you have a disability**, you have the right to request reasonable accommodations for your disability in transitional, public, and private housing. This includes accommodations for mental disabilities and past (but not current) drug addiction.

---

starter questions

Having a housing plan is often the first and most important step in reentry. Use the starter questions below to better identify your 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 needs so that you can create a feasible housing plan. It is okay if you don't know the answers to all of these questions. What is most important is that you understand the many factors that can impact your housing search. We recommend that you start your planning 6-12 months prior to your release date.

STARTER QUESTIONS: HOUSING

- ☐ **Where will you live?**
- ☐ **Who will live with you?**
  If you will be living with other people (like 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--and you specifically. Learn more on pg. 32.

- ☐ **How long will you be able to stay there? Where do you want to go when that time is up?**
- ☐ **If you have housing costs, where will that money come from?**
- ☐ **Do you have a back-up housing plan?**
- ☐ **What is *most important* to you when making housing decisions?**
- ☐ **Is anyone else (family, friends, sponsors) helping you with your housing search?**
- ☐ **Do you have a physical, mental, or other disability that will impact where you can live?**
  If so, your disability may mean you have the right to a "Reasonable Accommodation" from a landlord, public housing authority, or to change a parole/probation condition under law. See pg. 36 for more information.
- ☐ **Was your conviction the result of substance abuse issues?**
  If so, your past substance abuse may qualify as a disability that gives you the right to a "Reasonable Accommodation" under law. See pg. 36 for more information.
- ☐ **Was your 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 you from being in contact with that family member?**
  If so, it is very important that you do not violate the protective or no-contact order, as this could result in your arrest and/or re-incarceration.
- ☐ **Are you 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? If so, by when do you need this plan?**



REENTRY PLANNING TIP: If you were sentenced to a life term in a California state prison, the BPH expects you to live in transitional housing in the months following your release. If you are a lifer, you can seek and apply to transitional housing programs in the area to which you will be paroled. (See the Action Step on pg. 31 to find out how.) Appendix D (pg. 92) 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 Lifers usually cannot return to the county that they were convicted in.

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. You may also prefer transitional housing to have some structure and professional support before living with family, friends or loved ones.

1. Short Term Housing (Shelters):

Most shelters are free, and usually offer a bed, shower, and sometimes meals for one or more nights. Shelters can usually offer immediate housing and don't have applications or waitlists. While they are not a permanent solution, shelters can be a critical resource when short-term housing is needed right away. Some shelters require ID as proof of your identity and/or proof of homelessness. When possible, it is a good idea to ask about any documents you will need to be considered. Many shelters also have a time by which you need to arrive to secure a spot for that night.

ACTION STEP! If you are homeless or are concerned that you will become homeless, it can be very important to have a list of local shelters that will accept you 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 you are no longer incarcerated and are need of immediate shelter or other resources, you can call 2-1-1. Most counties in California offer a 2-1-1 service that 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 you are in San Francisco, the number to call is 3-1-1.*

2. Transitional Housing:

Transitional housing can help you 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 you are currently incarcerated, there are some transitional housing programs that you can apply to before your release date. *Please see Appendix D on pg. 92 for a starting list of places that accept housing applications from currently incarcerated people.*

Your parole or probation conditions may require you 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 you are ***serving a federal prison sentence***, you may be placed in a residential reentry center (RRC) for the last several months of your sentence. If you are on federal probation or supervised release and still living in an RRC, the probation office will likely extend your stay there if you are unable to find another place to live. You are required to have a landline phone while on federal probation and probation conducts random home visits as part of their supervision so you are not allowed to be without an approved residence.

ACTION STEP: There are a number of ways you can prepare for the process of getting transitional housing. In addition to determining the admissions criteria and putting together applications, you can:

- Learn how to get any **necessary identification** (see the ID information starting on pg. 16).
- If you have a service provider supporting you, ask for a *signed letter* stating you are homeless. Some housing programs may require this as **proof of homelessness**. The letter may include details such as how long you have been homeless (time spent in jail or in the hospital usually does not count), where you have been staying, and why you would benefit from living in the housing.
- If you are working with a doctor or other addiction treatment provider, ask for a *signed letter* that would show **proof of sobriety**. The letter may include information about your treatment history and, if appropriate, a professional assessment of your progress.

REENTRY PLANNING TIP: Not all transitional housing programs are the same--some are more supportive than others. Some have a blackout period for 30+ days that makes it very hard for you to communicate outside of the transitional home. Be prepared for challenges, and have people who know where you are going and can support you if issues come up. Finding transitional housing can also take a long time and can be a confusing process. If you are currently incarcerated, you should call or write to potential programs ***well in advance of your release date***, if possible. You can also call our Friday Reentry Legal Hotline for support related to issues with transitional housing.

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, so you should ask! See Appendix D on pg. 92 for a starting list of special needs housing.

→ **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) and 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 or for emergency support, contact the National Domestic Violence Hotline at 1-800-799-SAFE (7233). If you are in the Bay Area, you can call W.O.M.A.N. Inc.'s hotline at (877) 384-3578 any time of day.

→ **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, and/or to participate in a substance abuse recovery program.



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 good housing option for individuals suffering from past addiction or alcoholism. CDCR operates several transitional housing programs that focus on substance abuse treatment and/or sober living. If you are on state parole, you 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 parole officer for information.

→ **For veterans:**

- ***If you are still incarcerated…***you should get paired with a Reentry Specialist from the U.S. Department of Veteran Affairs (VA). The Reentry Specialist ensures you have all the resources you need—including housing—for a successful transition back into the community. Connect with your Reentry Specialist if you have questions about navigating housing or other topics of reentry.
- ***If you are in the community…*** you can 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 find your local VA office at 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 other factors such as *disability, low income, or veteran status*.[1]

→ **For 290 registrants**: If you must register as a sex offender pursuant to Penal Code section 290, you may face restrictions on where you can live. These restrictions differ depending on the crime for which you were convicted, your supervision status, and any related conditions imposed on you. Use the following guidelines to determine what limitations, if any, you may face as a 290 registrant, and remember that you can be arrested and possibly returned to jail if you fail to comply.

- ***If you are on state parole…*** you CAN'T live in a single-family house with another 290 registrant unless you are legally related by birth, marriage, or adoption. You also must comply with any other residency restrictions CDCR places on you as a condition of parole.
- ***If you committed a crime against a minor…*** you CAN'T live in a child day care facility, residential facility, or foster family home unless you are a client. Violation of this law is a misdemeanor.
- ***If you are on state parole, committed a crime against a minor listed under Penal Code sections 288 or 288.5, and CDCR has labeled you a "high risk parolee"…*** you CAN'T live within half a mile from 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.

[1] If you are 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.

[2] Note: Low-Income Housing Tax Credit (LIHTC) properties and Rural Development (RD) housing are *not* required to deny admission to a lifetime

- ***If any of the above restrictions apply but you are homeless…*** you MAY be able to live within half a mile of any K-12 school or park if you don't have any parole conditions explicitly preventing you from doing so. However, you MUST keep your parole agent informed of your location.
- ***If any of the above restrictions apply but you are mentally ill and living in a licensed mental health facility…*** you may be temporarily excused from having to follow residency restrictions during the course of your treatment. Be sure to check in with your parole agent.



WARNING: Some cities and counties (municipalities) have additional restrictions on where registrants can live or be present at. It is important you ask about and follow these rules. (Note: Municipal restrictions are not permitted under the California constitution, but may still be illegally enforced.) If you encounter a local/municipal restriction, or have other legal questions related to 290 registration, you 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:* (818) 305-5984



ACTION STEP! If a loved one, service provider, or other supporter is assisting you with reentry, they may be able to research and contact transitional housing programs on your behalf. Transitional housing programs can be hard to get in touch with and are often full or have long waiting lists. With your permission, your loved one or a service provider can research and call potential programs and gather the required application documents for you. Keep in mind, many transitional programs will not let people fill out applications until *after* they are released. Still, it may be worthwhile for someone to contact programs on your behalf to see if any would be a good fit for your needs.

Be sure that your supporter/loved one asks a transitional housing provider the following:

- What are your eligibility requirements?
- What documents are needed to apply?
- Can someone 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 an applicant need a referral from an outside organization or agency?

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

- Ask local reentry organizations about which housing providers they would recommend.
- Call 2-1-1 for referrals.
- Ask your parole or probation officer if they would have funding for transitional housing or can recommend housing for you, keeping in mind your special needs, disabilities, or accommodations.
- Call Root & Rebound's free, weekly Reentry Legal Hotline, any Friday, 9 a.m. – 5 p.m. PST at 510-279-4662, for a starting list of referrals by county.



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 you 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 you are in the reentry process, you will eventually need to find long-term housing that is a good fit for your life and needs. This section provides an overview of your options for long-term and permanent housing

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 rights will be different depending on which type of housing you 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. 33 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 you plan 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 or 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***... you should review the local Public Housing Authority (PHA)'s rules. If you are unsure of how to find these rules, they may be online on the PHA's website, or you may need to call the local PHA. To join someone else's government-assisted (meaning government subsidized) housing, you will likely have to go through a full criminal history background check. *For more information on background checks for public housing, see pg. 33.*
- ***If you have parole or probation conditions that restrict where you can live***... for example, if you must follow rules that require you to live in a specific county OR live a certain distance from schools and parks, make sure your housing is approved in advance by your parole or probation office. If the housing is not approved, you may violate your conditions of supervision, which could lead to re-incarceration in some cases.

*The **chart** below offers some considerations as you decide 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...**
You will have an immediate place to stay.	A parole or probation officer must approve the housing situation.
You might be able to better receive support from and/or collaborate with your loved ones.	Home visits and searches by parole and probation officers can impact the entire household - if your address is your loved one's "residence," parole and probation may search it!
A few days or weeks staying with family can give you enough time to find employment, health care services, public benefits, and/or a long-term housing plan.	If your host is a renter, allowing a guest to stay for a lengthy period of time may violate the property's guest policy, and can lead to eviction.
You can save up money.	You and your loved one may need time to get used to physical closeness and you being back home.

→ Important Information If Your Loved Ones Are Renting:
If you are moving in with a loved one **who rents their home or apartment**, you should be aware of any policies or restrictions that your loved one's 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 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 you weigh your short- and long-term housing options, it is important to understand the impact your criminal record may have on your eligibility for certain housing programs and your rights more generally. This section will also help you understand the situations where you have protection against discrimination by public housing providers and private landlords.

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

If you 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 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 determine whether any laws or program policies could disqualify you based on your record. In some cases, you may be completely banned from government-assisted housing due to your criminal record. This may seem unfair, but it is not always illegal. Other times, it is up to the PHA if they want to deny or accept you.

→ *Mandatory* bans:
There are a few **mandatory lifetime bans** for housing that receives federal subsidies, like the Public Housing and Section 8 programs. 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);[2]
- Past drug conviction that resulted in eviction from federally-assisted property (mandatory ban of at least three years); and
- Current illegal drug use (mandatory ban while drug use is "current;" please note that there has been legal debate about what is considered "current").

→ *Discretionary* or "catch-all" bans:
Bans that are not required by law but are still allowed are called discretionary or "catch-all" bans. The local Public Housing Authority (PHA) or a private owner who is receiving government assistance **may** deny someone on one of these *discretionary bans*. We often call these "catch-all" bans because SO MANY PEOPLE end up being denied by these discretionary bans, not the 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.

[2] 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; in other words, they have discretion to make their own rules.

WARNING: ILLEGAL DISCRIMINATION TO LOOK OUT FOR!
Though some bans on people with criminal records may be allowed, you are also protected from certain types of discrimination. Unfortunately, landlords often discriminate against rental applicants with criminal records, so it is important to know your 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 federal 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 you based on your arrest record alone (without underlying proof that the activity occurred), denies you based on a very old conviction, or denies you without sufficiently considering evidence you present of positive actions or past issues that you have since resolved, you can challenge the PHA's decision at a ***review hearing***.
- **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. You can argue that a past addiction or mental health issue caused the past offense and cannot be used as a basis for denying housing; you would need to ask for a "Reasonable Accommodation" be made to allow you to live there despite the criminal records policy.
- **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 a stronger position to identify and address unlawful behavior.

How to file a legal claim: You have the right to receive a *detailed* notice listing the PHA's reasons for denying you. If any of the reasons listed on the notice appear to be illegal or discriminatory—whether based on your criminal background, disability, or the PHA's reliance on false information—you should submit **a written request for a review hearing** as soon as you receive the denial. The notice will provide instructions on the procedure for challenging a denial—including important deadlines—so go over the notice carefully.

CONSULT A LAWYER: If you believe you will have to request a review hearing, Root & Rebound can refer you to a legal aid provider, or consult with you about the process by phone. Call our Reentry Legal Hotline any Friday from 9 a.m. to 5 p.m. PST at 510-279-4662 for more information.

Review Hearing Advocacy: The goal of the review hearing is to clearly explain what the PHA missed or got wrong in denying you; if the denial was because of your criminal record, this is also your chance to show **evidence of rehabilitation**. You can be represented at a **review hearing** by someone who is *not* a lawyer! If you have been working with a service provider for reentry assistance, ask if they would be willing to help you at a review hearing (or prepare). You can also contact a housing attorney at your **local legal aid organization** to see if they would represent you at a review hearing. *See Appendix B on pg. 89 for a list of legal aid organizations across California.*

It may also be helpful to reach out to a 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 renters' rights in a particular county, city or neighborhood.

---

2. Protection Against Criminal Records Bans in Private Housing:

Private housing offers you fewer protections when it comes to criminal-record based housing denials. Nonetheless, it is important for you 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. You have the right to receive a copy of the background check report and the landlord MUST tell you if your criminal history is the reason you are not getting approved as a renter. The landlord must also give you a copy of the Federal Trade Commission Summary of Rights and give you an opportunity to clear up any inaccuracies in your 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 background check report, learn more about your options on pg. 63, below.

→ 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 you might have legal protection if a private landlord is discriminating against you based on your 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 you have experienced illegal housing discrimination. See Appendix A, pg. 86, 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 you are an individual with a disability, you have protections against discrimination by home sellers, landlords and housing service providers. You have the right **to "reasonable accommodations"** to use and enjoy your housing and are allowed, at your own expense, to make reasonable modifications to your housing to give you 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 landlords[3] must follow federal and state fair housing laws, this does not mean that you will automatically receive whatever accommodation you ask for. The requested accommodations cannot create an *unreasonable* financial or administrative burden on the housing provider.

To make a request for reasonable accommodation you should:

- Explain that you 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 you.

→ Disability based on past drug addiction:

Past drug addiction can qualify as a disability under state and federal law. However, this only applies if you are 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 **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 you take it **one step at a time** and are aware of your **rights and options**, you will have a better chance of finding the right housing situation for you. The goal is for your housing search to lead to safe and permanent housing!

[3] 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.

part 5.
CREATING AN EMPLOYMENT PLAN

SUMMARY - PART 5.

Part 5 provides:

- **Important information about your legal rights** during the job application process;
- **A list of documents** you will need to gather to apply for jobs;
- **Information** about different types of background checks;
- **Tips** and an **employment-ready checklist** to help you prepare for job applications, interviews, and questions about your criminal record; and
- **Illegal discrimination** to look out for in the hiring process—and ways to **challenge** it!

creating an employment plan

Employment provides financial security for you and your family and for many, a strong sense of purpose and the ability to give back to society. Sometimes, parole or probation conditions also require you to be employed. It is important to make a plan for employment and long-term career goals early on—which includes knowing your rights, planning for obstacles, and having back-up plans! This section covers such topics as job applications, barriers you might face, and ways to challenge illegal discrimination in the hiring process.

KNOW YOUR EMPLOYMENT RIGHTS!

On January 1st, 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 your criminal record until after they have given you a *conditional job offer*.**
- **Employers must make an individualized assessment of your record,** considering ***the nature of the offense, the time since the offense,*** *and* ***the nature of the job duties****.* To take back your job offer, the employer must show that given these individual factors, the conviction(s) would **directly and negatively** impact your 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 you of your 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 your job offer based on your criminal record, they must tell you the specific conviction(s) that led to their decision** AND **provide you 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 you that you 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 your offense are resolved; evidence of training, education, volunteering, work experience; and any information that places your conviction history in a less negative light).* **If you respond within 5 days** to an employer's notice that they plan to take back the job offer, you then get **an additional 5 days** to submit this evidence.

You also have rights with respect to employers using outside companies to run background checks:

- First, an employer must notify you that a background check will be run on you, get your permission to run the check, tell you how to request a copy of the report, and give you information about your 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. 63.*

If you believe your rights have been violated, you can file a complaint with the California Department of Fair Employment and Housing. You 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 biggest challenges. Using the questions below, you can get a better sense of your long-term goals and can plan for your specific employment needs in a manageable, step-by-step way.

STARTER QUESTIONS: EMPLOYMENT

- **Do you have a history of regular employment prior to incarceration?**
- **Were you employed at the time you went to prison or jail? If so, what was that job?**

- **Do you have a positive relationship with any previous employer?**
- **Did you receive, or are you receiving, any vocational training while incarcerated?**
- **Are you interested in furthering your education or vocational training?**
- **Are you currently required to attend special rehabilitative programs during typical work hours?** *If so, see the Reentry Planning Tip on pg. 42.*
- **Do any of the jobs you are interested in have restrictions based on your criminal record?** *If so, learn whether any record-cleaning options might reduce the impact of your record and remove that barrier. For more information on cleaning up your record, see pg. 63.*
- **What are your long-term career interests? Do they require any specific occupational licenses, education, training, or other requirements?**



REENTRY PLANNING TIP: One step at a time! It is important to pursue work that you believe will lead to a fulfilling career, but entering employment after a long period of incarceration can be difficult. It is normal for it to take longer to find employment than you expected. In those times, remember that this process is "a marathon and not a sprint." You may find it helpful to talk with someone who has been through the job application process following a period of incarceration for support.

gathering documents before applying

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

1. Identification Documents: Before starting a new job, you will need government-issued photo ID. Ideally, you should have the following:

- A California State ID, A California State Driver's License, *or* a Valid U.S. Passport
- Either your Social 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. 16.

2. Authorization to Work: By law, you have to show you are **authorized to work** in the United States (an employer is supposed to give you an I-9 to fill out at the start of employment). If you are a non-citizen, you 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. 91 for immigration support referrals.*

3. RAP sheet (a government-issued copy of your criminal record): Most employers cannot see your RAP sheet (and it is illegal for most employers to even ask to see it). However, requesting a copy of your RAP sheet from the California Department of Justice (DOJ) can be helpful for YOU and a REENTRY LAWYER to review. By reviewing your RAP sheet, you can:

- Figure out if you can get parts of your record "cleaned up" at a free "clean slate"/expungement clinic;
- Feel prepared to answer questions about your history and address an employer's potential concerns; and
- Make sure that all information on the RAP Sheet is accurate (and if it is not accurate, have the time to correct any errors before applying to jobs).
- **PLEASE NOTE:** Most private employers **cannot** access your RAP sheet but will run a private background check on you instead. Learn more about private background checks below.

For more information about RAP sheets, how to fix errors, and record-cleaning services, see pg. 63.

different types of background checks

Many jobs require some kind of background check during the hiring process. There are some important differences between private background checks, in-house background checks, and RAP Sheets, and you have different rights depending on the type of background check that is used. All employers can *run a private background check if they wish. Some employers must run an FBI or California Department of Justice background check for certain positions—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. The definitions and information below will help to explain the differences between the various forms of background checks.*

→ *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 you. **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 criminal history from public records, interviews with people who know you, 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 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 you only have an arrest or conviction history in California, it's usually best to request a copy of your **state DOJ RAP sheet**. At a DOJ-approved Live Scan location, you will be fingerprinted and submit an application for a RAP Sheet. You 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 your RAP sheet, see pg. 62.*



WARNING: If you have to register as a sex offender, a conviction older than 7 years old may not appear on a background check, but your registration status might. It is legal for an employer to consider your status as a registrant if they received the information on a background check.

preparing for job applications & interviews

Now that we've discussed what ID is necessary to apply for jobs, the following ***checklist*** *gives other suggestions for helping you prepare for your job search. Some of these you can do before your 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 you gain necessary skills for a better job in reentry. Some facilities offer school programs while you are incarcerated. For more information and resources for going back to school, see pg. 48.
- ▢ ***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--ask the staff at your 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 your 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 you prepare to apply for jobs, a resume is a great way to help you stand out to potential employers.
- ▢ ***Plan how you would get to and from work.**
- ▢ *[If applicable] **Arrange for childcare.**
- ▢ *[If applicable] **Attend any required schooling, classes or vocational training for your desired job.**
- ▢ **Clean up your criminal record, if 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. 63.



REENTRY PLANNING TIP: Workforce development ("job-readiness") programs vary by county. To find one in your 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 more detailed 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 you are 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 inserting a period (".") between your first and last name so it is clear where your first name ends and last name begins.

If an email address is already taken, you can create a variation by inserting underscores ("_"), adding a middle initial, or adding numbers. For example, if your name is "Darcy Albany" and the email address "darcy.albany@gmail.com" is taken, you can see if "darcy.t.albany@gmail.com" or "darcy.albany.1972@gmail.com" is available.

Once you have created your email account, you will be prompted to create a password to log in and access your email. Write down your 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 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 you 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 near you. You can also try your nearest America's Job Center by visiting www.americasjobcenter.ca.gov or attend a job fair in your 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 you. To find job fairs in your areas, visit http://www.edd.ca.gov/jobs_and_training. You can also contact your local community college and/or your county's Workforce Development Department about job fairs they are hosting.
- **A trusted loved one or supporter could help.** A loved one or service provider may be able to help you connect with workforce development programs and/or employers. The people supporting you often have a better understanding of your probation or parole requirements and programming, and can help you find opportunities that will allow for a more flexible and functional work environment as you work on your 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 the job. For some positions, the job listing may not include information on whether an occupational license is required. Make sure that you meet the educational and credential requirements before applying to a job, or explain to the employer why you are applying for the position even though you do not have the listed job qualifications.

WARNING! OCCUPATIONAL LICENSING BARRIERS: Roughly 200 occupations require you to get a license or certification from the state of California. These are called occupational or professional licenses. To get licensed jobs, you 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 you are considering a career that requires an occupational license, or are currently going through the licensing application process before a board, we highly recommend that you 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.

→ ***Building a Resume:*** You 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. **You can build a resume while you are still incarcerated.** If you are working with a service provider or loved one, they can help you by saving your resume information in a digital form for your 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.

Make sure you ask permission from individuals to list them as references, and inform these references of your job plans. The reference you list should be able to speak to your ability to perform the duties of the job and your work ethic.

→ ***Preparing for an Interview:*** To prepare for job interviews, you can have a practice or "mock" interview together with a friend, service provider, or loved one using the following questions. Make sure you connect the answers to these questions to the specific job you are applying to, meaning that your 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? Five years? Ten years?

REENTRY PLANNING TIP: Employers with 5+ employees CANNOT ask you about your 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), you do not need to prepare an answer about your conviction history for the interview process. Instead, you 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 believe your 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 your Conviction History: An employer with 5 or more employees cannot ask about your conviction history or run a background check until after giving you a "conditional offer." A conditional offer is an offer for the job that depends on your criminal background check.

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

REENTRY PLANNING TIP: If you are unable to work because of a disability, you may qualify for Supplemental Security Income (SSI) benefits. Learn more about SSI and other benefits starting on pg. 67.

employment bans & discrimination

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

→ 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 you for a particular position based on your conviction history, there still may be other jobs at that organization that you could be hired for.

→ Your Rights if an Employer Runs a Background Check:
Assuming you did not apply to a job for which the employer is legally required to disqualify you based on your conviction, keep the following questions in mind if you feel you may have been denied a job because of your record...

If the answer to one of these questions is **no**, the employer **may have violated** your legal rights:
1. If the employer ran a background check, did they first extend a conditional offer of employment to you?
2. If the employer ran a background check, did they get your permission to do so? Did the employer offer you 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 individual circumstances, including your 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 county or city's "Ban the Box" laws? (See Reentry Planning Tip above on pg. 43.)
6. Did the background check report properly exclude negative information, including convictions, that is more than seven years old?

→ Your Rights if an Employer Denies You a Job Based on Your Background Check:
If the answer to one of these questions is ***yes****, the employer* ***may have violated*** *your 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 criminal record before giving you 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 criminal history more weight than it otherwise would based on your race, color, religion, sex, or national origin?

→ Challenging Illegal Employment Discrimination: If you believe that an employer has violated your rights, it is very important that you gather all of your job application materials and any other evidence that supports your 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 you anything verbally, write those statements down as close as you remember them.

IMPORTANT! FILE A DISCRIMINATION COMPLAINT: Before you can file a lawsuit in court, you first have to 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 suspect that an employer discriminated against you, it may be a good idea to contact a legal aid organization (see pg. 89 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 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 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 you is a *process*: the most important thing is to not give up and ask for help! Many service providers, nonprofit and government workforce development agencies, reentry groups, and legal aid attorneys can support you in finding employment—so you don't have to go at this totally alone!

part 6.
CONTINUING EDUCATION IN REENTRY

SUMMARY - PART 6.

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 ability to receive financial aid.

continuing education in reentry

No matter where you are in your educational journey, going back to school opens up opportunities to learn new skills, build a support network, and advance your career and future earning potential. This section summarizes different educational paths and provides key know-your-rights information about financial aid and other topics.

KNOW YOUR EDUCATION RIGHTS!

- ***Your parole or probation officer should be supportive of your efforts to get an education.*** If you are not getting the support you need and/or your conditions of supervision are too restrictive to allow for education, this might be a violation of your 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 you are on parole or probation, your criminal record doesn't prevent you from applying for federal financial aid (using the FAFSA) *unless* one of the following applies to you:
    - 1) If you were convicted of a felony drug offense while you were receiving financial aid in the past, your conviction may affect your financial aid eligibility; but this is not a permanent ban.
    - 2) If you were sent to involuntary civil commitment after prison due to a conviction for a sex offense, you cannot receive Federal Pell Grants. However, you 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 you are discouraged about moving forward with your education for financial reasons, seek advice from an expert.
- ***Get legal support if needed:*** If your transitional housing provider is trying to take money out of your financial aid for school, please call us. You can 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 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 you can't show proof of registration, you may be denied financial aid—unless you can meet an exception. If you were prevented from registering because you were incarcerated between your 18th and 26th birthdays, you may be able to get a "Status Information Letter" that exempts you 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 you have a disability, you 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.



WARNING: If you have to register as a sex offender, you must register both with the sheriff's department where you live AND the campus police of the school you are attending. You have **five days** from the date of enrollment to register. This is a requirement whether you are enrolled full-time or part-time. You should also be aware that your registration status is considered public information, so school staff or other students can share that information without your consent. Campus police are authorized to inform students and staff of your registration status, even by mass email.

starter questions

For many people with a history of incarceration or system involvement, continuing your education is a way to build skills, open new career opportunities, demonstrate rehabilitation, and share your knowledge with others. Continuing education often leads to better long-term stability and earning potential. The first step is to figure out where you are with your education now and where you want to be--then learn about the options that make sense for your goals!

ACTION STEP! Fill out the "STARTER QUESTIONS" —The goal is to develop and assess your goals and determine whether continuing education should be part of your reentry plan. It is okay if you don't know the answer to all of these questions -- it is more important to think critically about your educational and professional goals.

STARTER QUESTIONS: EDUCATION

Below are some starter questions to help you decide what educational pathway might make most sense for you:

1. **What level of education/schooling have you completed?**
2. **Did you receive any education or career training while incarcerated?**
3. **Are you interested in furthering your education?**
4. **What academic subjects or career fields are you interested in learning more about?**
5. **Do your career goals require special training, degrees or licenses?** *If the jobs you want will require professional licenses or certifications, it would be smart to talk with a reentry lawyer as soon as possible about how your arrest or conviction history may impact your ability to get those licenses or certifications.*
6. **Will you need financial aid to help pay for school?** *If so, there are financial aid resources and scholarships that exist. See pg. 49 for more information.*
7. **How much time do you have to dedicate to school each week?** *Depending on the answer, either full-time or part-time programs may make more sense for you.*
8. **Do you have to register as a sex offender?** *If so, you will also have to register with campus police and be aware of other rules and requirements.*

educational options & pathways

The educational path you pursue will depend on what education you have already completed as well as your personal interests and career goals. Additionally, because the specifics of your conviction history might affect what jobs and professions you can pursue, it can be very helpful to get advice from a reentry lawyer before you 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 you are an adult and did not get very far in high school, you 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. *You can 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 you already have a college degree, you may want to look into advanced education—particularly if you are interested in becoming an expert in your particular field or want to become professionally licensed in fields like social work, law, or nursing/medicine. Again, because many professional schools require you to apply for a state license to do the job for which they train you, 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.*



REENTRY PLANNING TIPS:

- **Beware of school scams!** Figure out the quality of a school program before you enroll. Research if the school or program has **state accreditation through the Western Association of Schools and Colleges (ACS WASC)**; ask about the percentage of graduates with **gainful employment**; and speak to current and former students about their **experiences**.
- ***If you are currently incarcerated***, do not trust any program that says you can earn a high school diploma just by paying money.
- It is also important to figure out if the field you want to enter will require a **professional license or certification.** If so, get legal advice from a reentry attorney! You can call Root & Rebound's reentry legal hotline any Friday, 9 a.m. – 5 p.m., at 510-279-4662 for legal information about professional licensure rules.

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 you are in county jail…*** you should check with your facility to see what educational programs are available, as the quantity and quality of programs differs by county.
- ***If you are 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 you are in federal prison…*** you 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 your school counselor if this program is on your 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.prexpanded.org/ for more information.
- *Find other college programs that specifically support formerly incarcerated and system-impacted students online at http://correctionstocollegeca.org/.*

In California, there are both state and federal financial aid opportunities you 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 you qualify for this waiver, your 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 you apply, go online to learn more about the requirements for these different types of financial aid. They often have a VERY strict deadline by which you must apply, and usually the applications are entirely online.

If you are **currently incarcerated** in an adult institution, you 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 your prison, you can still submit the application so you are prepared to receive funding when you get out.
- **State Financial Aid:** You 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 you may think! If you are actively pursuing your education or strongly thinking about going back to school in your reentry, we encourage you 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 rootandrebound.org/roadmap.

part 7.
ADJUSTING TO LIFE ON COMMUNITY SUPERVISION *(parole, probation, and federal supervision)*

SUMMARY - PART 7.

Part 7 provides:

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

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 you get to know your conditions very well, because they can impact where you can live and who you can be around. Supervision conditions can impact all areas of life—employment, housing, school, and community reintegration. Familiarize yourself with your conditions of supervision, and seek out support from a loved one, service provider, or legal professional when needed.

KNOW YOUR RIGHTS ON COMMUNITY SUPERVISION

- **If you are being released on parole or PRCS,** you should receive a written document of your supervision conditions (a "Form 1515") at least 45 days before release. **If you are being released on any type of probation or mandatory supervision,** you will likely have a written document of your conditions after sentencing or be able to request a document of your conditions from the court that sentenced you.
- **You can challenge certain conditions of your parole or probation.** You have the right to challenge *certain conditions* of parole or probation that are unlawful.
- **You can request a transfer to another county or District—while you are incarcerated and/or after you are released.** You have the right to request a transfer of your parole or probation to another county—but you usually have to prove a strong reason and show evidence: for example, you are transferring for a new job, stable housing, or to live closer to family members and other reentry support.
- **You have the right to receive reasonable accommodations for physical and/or developmental disabilities** impacting your community supervision (see more on pg. 56).

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 you understand what to expect on community supervision (parole or probation) so that you are able to comply with your conditions, advocate for yourself against unlawful ones, and complete your supervision with as few obstacles as possible.

ACTION STEP! Fill out the IMPORTANT CONTACT INFORMATION AND "STARTER QUESTIONS" below. If you don't know some of the answers, consider requesting court documents or contact your parole agent or probation officer, if applicable. *(Please note: It is also possible that you could be under more than one type of supervision, or under different types back-to-back. If you don't know, and you are still incarcerated, you can ask a correctional counselor in your institution. If you don't know and you are in the community, you can ask the case manager or supervising officer to whom you report, or contact the public defender's office for the county where you are supervised.)*

IMPORTANT CONTACT INFORMATION

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

- I 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 I have to report is: _____
- The name of my supervising officer is: _____
- My 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 questions below about your supervision (parole or probation). If you do 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 am I on or will I 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 your address changes, if you 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 I be on supervision? _____*
- *On what date am I expected to get off supervision? _____*
- *Is there an opportunity for me 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 **general (or standard) conditions** of supervision*?
    - o *The **search and seizure rules** that apply to me include:*
    - o *The search laws could also affect the people I live with in the following ways:*
- *What are my **"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.

Do I 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:
Do I have a "no contact" order with a victim in my case? Yes or No (Circle one.)
If yes, what steps can I take to make sure I comply with the no contact order?

***Do I have to stay away from a certain area, or stay a certain distance away*?** Yes or No (Circle one.)
If yes, what steps can I take to make sure I comply with this requirement?

tips for success on supervision

If you are under community supervision, below are some tips to keep in mind.

- You will have to check in with your supervising officer on the **first business day after release** if you are on parole.
- If you are on PRCS or Mandatory Supervision, you must check in with your supervising officer **within two business days of your release**.
- If you are on federal probation, you must check in with your supervising officer **within 72 hours of your release**, unless a judge orders that you do so more quickly than that.
- If you are on informal probation, you will have to check in with county court to determine what your conditions will be as soon as possible. If you are on formal probation, you should report to your probation officer as soon as possible after release. If you are not sure how long you have to check in, consult with your corrections counselor before release.
- You will have to follow certain **rules**, called "**terms and conditions,"** of supervision.
- These rules can include:
    - When and where you are allowed to go and where you can live;
    - Who you can be around or contact;
    - Whether you must have a job;
    - How you must report and communicate with your 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 you live with**.
    - For example, if you live with family or loved ones, your parole or probation officer or any police officer can search their home.
- These conditions **can also impact any children involved**.
    - For example, you could have a no-contact order from the criminal court, a civil family court, or from the rules of your supervision—and this could apply to children, partners, or other family members. If you could have a no-contact order, please read more on *pg. 78*.



WARNING: If you must register as a sex offender, you will have to follow additional conditions and rules. Most of these are required by law and cannot be challenged, depending on your 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 you are on state parole and on the 290 registry, you must:

- Report to your parole officer **within one working day after your 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 yourself for interviews, polygraphs and other tests; and
- Give up the right to confidentiality between you and state-funded psychotherapists.

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

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

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

Additionally, your name, date of birth, photograph, physical description and ZIP code will be published on the **"Megan's Law" website**. It is illegal for you to look up your 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 believe one or more conditions of your supervision is violating your rights, the way to challenge those conditions will depend on what type of supervision you are 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 you want to pursue, make sure you act quickly or you lose your right to appeal. You can get the necessary forms (CDCR Forms 22 and 602) by speaking with your parole officer. *The following is a general timeline for challenging parole or probation conditions imposed by Parole:*

- **Step 1**: Get a copy of your Notice & Conditions of Parole form (CDCR Form 1515), which has a list of all your parole conditions. You should sign this form, even if you have problems with it, and challenge conditions you 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 parole officer you have an issue you wish to discuss. Fill out the form and deliver it to your local parole officer by mail or in person.
- **Step 3**: Get an administrative appeal form (CDCR Form 602) from your parole agent, and gather supporting documents listed on the form. You 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**: You receive a response from Parole to your 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**: You receive a response from CDCR to your 602 appeal within 30 working days. If CDCR grants your appeal, there is no need to continue beyond this step. If CDCR denies your appeal, you 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 your appeal, there is no need to continue beyond this step. If CDCR denies your appeal, you have 30 calendar days to submit an appeal at the third level (Step 7).
- **Step 7:** You file a third-level appeal to CDCR. If CDCR grants your appeal, there is no need to continue beyond this step. If CDCR denies your appeal, you 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… You 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 you are on county-level probation (including formal or informal/court/summary probation, or mandatory supervision) and believe one of your conditions is unfair, you can request a **modification of the terms** of their probation by following these steps:

- **Step 1:** You can contact the Court Clerk of the local county superior court where you were convicted. Ask the Clerk if there is a local form to challenge probation conditions. If so, you should fill out that form according to its instructions. If not, continue to Step 2.
- **Step 2**: You should find a lawyer who can draft, file, and argue a motion to change probation conditions. If you were originally represented by a public defender, the Public Defender's office may be able to assist with this motion. Otherwise, you can call your 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 you are on PRCS*** and believe one of your conditions is unfair, your remedies depend on whether the probation department ("Probation") or the court placed the conditions on you.

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

CHALLENGING FEDERAL SUPERVISION CONDITIONS

If you are on federal probation or supervised release and believe one of your conditions of supervision is unlawful, you can file a **Notice of Appeal** with the Clerk of the Court, then reach out to the Federal Public Defender's Office in your 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.

---

transferring locations on supervision

This section explains how you can apply to transfer to a different location while on supervision. If you are on state- or county-based supervision, there are processes to transfer to different counties in California or to a different state. If you are on a form of federal supervision, then you would be requesting transfer to a different federal district.

TRANSFERRING COUNTIES ON STATE PAROLE

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

- ***If you are incarcerated…*** ask your correctional counselor for a Transfer Investigation Request (TIR) form. On that form, you can explain why transferring counties would benefit your rehabilitation. You should include documents that support your claim, including letters from potential employers, housing providers, and family or friends who commit to supporting them.
- ***If you are back in the community…*** ask your parole agent about the transfer, either in person or in a dated letter. You should explain why transferring counties would benefit your rehabilitation. If you opt 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 you were convicted of a crime has jurisdiction over your county-to-county probation transfer. A judge will decide whether your transfer is appropriate, and will look at:

- Whether the county you would like to transfer to is your permanent residence;
- Whether local programs are available for you in the transfer county; and
- Whether there are open restitution orders and victim issues.
- If you have to register as a sex offender, you 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 you are currently incarcerated***, the earliest California can send an interstate transfer request for you is 120 days before your 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 you are formerly incarcerated*****,** you can request to transfer your supervision if you meet the following requirements:
    - At the time your application is submitted, you must have at least 90 days left to serve on supervision;
    - You must have a valid supervision plan;
    - You must have never had your supervision revoked nor any pending revocation charges;
    - You must *either* be a resident of the receiving state *or* you must have family there who is willing to assist you as well as a way to support yourself there (such as an employment offer); and
    - ***If you are on state parole:*** You must have paid off all of your restitution (unless you are able to post a bond for the restitution amount OR a judge finds the transfer to be "in the interest of justice").

Once your parole or probation agent confirms that you meet the eligibility requirements, your 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 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 you are currently incarcerated*** and trying to transfer, you can submit a request to your BOP Case Manager.
- ***If you are formerly incarcerated*** and trying to transfer districts, you can ask your probation officer for a "courtesy supervision," which technically keeps your case in the original district but allows you to live in the new district. It is much easier to transfer officially once you are on courtesy supervision.
- ***If you are denied courtesy supervision*****,** it's still possible to go straight to requesting a formal transfer through your 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 you would be better off in the new district.

---

disability rights on supervision

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

1. **Accommodations** designed to help you understand all information that is communicated with you. This includes sign language interpretation, reading written materials out loud, and simplifying information according to your 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 you somewhere; and
5. **In the event of an arrest**, consideration of disability when putting on physical restraints, such as handcuffs.

If you are not receiving proper accommodations, you have options to advocate yourself. Below is a summary of what you can do:

- ***If county-level probation is not accommodating your disability***, you can contact your county probation officer. Although each county addresses disability issues differently, explaining your situation to the probation officer may be enough to initiate change. If your probation officer doesn't provide the accommodations, you can bring it to a judge. Each county has its own procedures for disability grievances.
- ***If state parole is not accommodating your disability*****,** you 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 disability***, you can contact your federal probation officer. Although there is no formal process for seeking disability accommodations, it may be helpful for you to approach your probation officer with a letter or other documentation verifying your disability. If you have a doctor or therapist who can write this letter on your behalf, it will help you show proof of your disability.

Conclusion

Part 7 covered key issues that come up on community supervision (parole or probation). Following all the rules and requirements of your supervision is a vital part of staying free in reentry. Knowing your 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 you can use to advocate for yourself if you are having difficulties on supervision.

part 8.
MANAGING COURT-ORDERED DEBT *(restitution, fines & fees)*

SUMMARY - PART 8.

Part 8 provides:

- **Information** on your rights around court-ordered debt;
- **Definitions** of the various types of court-ordered debt;
- **Instructions** on how to determine the debt you owe; and
- **Tips** if you are struggling to pay your court-ordered debt.

key information about court-ordered fines & fees

If you had some kind of interaction with the criminal justice system—even if you were not convicted of a crime—the court probably ordered you 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 RIGHTS REGARDING COURT-ORDERED DEBT (RESTITUTION, FINES AND FEES)

- You can almost always **set up a monthly payment plan** to reduce monthly debt owed.
- With the exception of victim's restitution, you can ask a judge to **reduce or waive most fines and fees** due to financial hardship/inability to pay. You 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 getting your driver's license, go to pg. 19.

starter questions

The first step to taking control of your debt is to know what and how much you owe. After you know the status and amount of debts owed, you can begin to take the steps to manage or possibly reduce your payments.

ACTION STEP! The starter questions below are meant to help you write down the types and amount of court-ordered debt you owe before figuring out how to best address it. If you don't know some of the answers, see pg. 58 for ways you may be able to find out how much you owe.

STARTER QUESTIONS: COURT-ORDERED DEBT

Do I owe restitution, court fines, and fees? Yes or No (circle one)
If yes, I have 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 me?

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

Has any of my 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 you have 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 you owe

Determining how much court-ordered debt you have, 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 fines or fees you will be required to pay as part of your sentence). You can usually find more information about what type of court-ordered debts you owe by looking at your court records. The exact terminology used in court records can differ by county. If you still cannot determine what type of debt you have, the public defender or lawyer who represented you may be able to help.

- **If you owe restitution:**
  - ***…and are incarcerated:*** you should be able to get a copy of your balance sheet from your prison or jail.
  - ***…and are out on parole, probation, or community supervision:*** your parole agent or probation officer should be able to give you a copy of your balance sheet.
  - ***…and are not on any form of supervision*:** Once you are off state parole, CDCR will refer your debt to the Franchise Tax Board (FTB). You can also call the CDCR Office of Victim & Survivor Rights & Services Restitution Unit at (877) 256-6877 even once you are no longer on parole. If your restitution is related to probation, you can contact the debt office in the county where your 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 you owe other court-ordered fines, penalties, or administrative fees related to your criminal case or supervision:** You can call the criminal court in the county where you were arrested or convicted to learn more about other fines, penalties, and administrative fees. The clerk should be able to explain how much you owe and whether your debt has been sent to collections. If your debt has been sent to collections, the clerk should also know which collection agency took charge of your debt.
- **If you owe traffic fines and fees:** You should not have your license suspended based solely on traffic fines and fees *if the suspension occurred after June of 2017*. See pg. 19 in the ID section for more information.
- ***Please note:*** *For information about your rights and options related to* ***child support debt****, please see pg. 79 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 you are having trouble making payments.*

Victim's Restitution	Court Fines & Fees
Reducing amount owed: • Victim's restitution can almost never be reduced or waived. It doesn't go away in bankruptcy either. • If you want to dispute the amount owed, you should contact the criminal court and ask for the contact information for its debt collection agency. You can then contact the collection agency directly about the disputed amount. ***Payment plans:*** • You can set up a payment plan (or ask to lower your monthly installment amounts) by calling the **California Franchise Tax Board** at (916) 845-4064. *Note*: 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.	***Reducing amount owed:*** • You can always request to have your fines and fees be lowered. To do this, you should contact your parole/probation officer or the court where you were convicted. • The judge can decide to lower or waive fines and fees due to financial hardship. The judge can also order you to do community service in exchange for reduced fines or fees. ***Payment plans:*** • You can contact your parole/probation officer or the court of conviction to set up a payment plan or request to lower installment amounts.

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 you to secure your financial future.

part 9.
UNDERSTANDING AND CLEANING UP YOUR RECORD

SUMMARY - PART 9.

Part 9 provides:

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

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 record-cleaning options will depend on your conviction history and individual situation. The best thing to do is to talk to a **reentry lawyer** through a free "clean slate" legal clinic or your 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 record has ever prevented you from getting a job, housing, or public benefits, in some cases record-cleaning can hide your 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 job and housing prospects and sometimes gives you the chance to prove your rehabilitation to a court.

KNOW YOUR RECORD-CLEANING RIGHTS!

- **You have the right to see your own RAP sheet.** This can help you determine which types of record remedies you might be eligible for.
- **If you determine that your RAP sheet contains errors, you have the right to challenge those errors with the Department of Justice (DOJ).** If the DOJ disagrees with your claim, you have the right to request an administrative hearing.
- **You have the right to have a lawyer help you with a Certificate of Rehabilitation**. If you 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 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 to talk to a reentry lawyer (or your local public defender if they offer help with record-cleaning) about your options. As a start, you 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 you gather and organize the information you will need to understand which record-cleaning options might be available to you.



ACTION STEP! "STARTER QUESTIONS" These are some questions that will help a "clean slate" attorney determine which record clearing options you are eligible for. If you don't know the answer to these questions, the "clean slate" attorney may be able to help. You can also call Root & Rebound's Legal Reentry Hotline any Friday, 9 a.m. - 5 p.m., at (510) 279-4662, to discuss your record-cleaning options.

STARTER QUESTIONS TO PURSUE RECORD-CLEANING

When you meet with a reentry lawyer or public defender, you will usually have to answer some or all of the following questions to pursue record-cleaning options in California. Bring your RAP sheet and all the paperwork you 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 weren't convicted, for which crime 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 your RAP sheet

A **RAP sheet**, or "Record of Arrests and Prosecutions," is a fundamental government document that covers every encounter you have had with law enforcement. RAP sheets are the most complete criminal record you have, and contain 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 you 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 your record, it is important to know exactly what is on it. You can request a **RAP sheet** from the county, the California Department of Justice (DOJ), and/or the Federal Bureau of Investigation (FBI). If you only have convictions in the state of California (and no federal convictions), then the DOJ RAP sheet is the most complete. Below are steps you can take to get and read your 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 you are unable to access the website, contact Root & Rebound for assistance. If you are homeless, you 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 you receive public benefits, you likely qualify for a RAP Sheet request **fee waiver**. You can use this fee waiver to get a copy of your RAP Sheet for a reduced cost. You can contact Root & Rebound for more information about DOJ Fee Waivers. **To get a fee waiver** (NOTE: you 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 your 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 you are requesting a copy of your Rap Sheet because you want to expunge your convictions; and 4) fax this request to fax no. (916) 227-1964. If your Fee Waiver is approved, the DOJ will send you a preprinted "Request for Live Scan Service" about 2 weeks later.

- **Step 2—The Fingerprints**: Find a list of Live Scan providers in your area. If you are having trouble locating this information, Root & Rebound can help you 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, you should receive a copy of your RAP sheet in the mail. Once you have received this document, you should get in touch with a Clean Slate attorney who can review your RAP sheet and provide you with information about record remedies you may be eligible for. Many public defender offices have Clean Slate departments that handle record-cleaning/expungement cases, so you may want to call your county's public defender for more information. You 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 you 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. You can use this information to get a general sense of whether you are eligible to seek record-cleaning relief and how these options could benefit you. 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 getting in touch with a "clean slate" or "expungement" clinic and reentry lawyers to discuss your options further.*

SUMMARY OF LEGAL OPTIONS FOR CLEANING UP CRIMINAL RECORDS IN CALIFORNIA				
LEGAL REMEDY	**ELIGIBILITY CRITERIA**	**WHEN YOU CAN APPLY**	**WHAT THE REMEDY DOES**	**WHAT THE REMEDY DOES *NOT* DO**
Fix errors on RAP sheet	NONE - You have the right to request your **RAP sheet** and challenge any errors at any time.	NONE - You can request your **RAP sheet** and fix errors a any time.	Ensures that your **RAP sheet** accurately reflects your history with the criminal justice system.	This is not "cleaning up" anything that is *accurately showing up* on your **RAP sheet.**
Dismissal	A conviction may be eligible for a dismissal if all of these conditions are met: • 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 sentences will require you to wait one or two years before applying.	Most private employers, private landlords, insurance companies, creditors, and other people will NOT be able to see a dismissed conviction if they run a background check on you. Most private employers CANNOT ask about or consider a dismissed conviction.	Does not remove the conviction from public record or delete it from your official RAP sheet (which the government keeps on you). Does not remove all of the legal burdens that come with certain convictions (for example, registries, restriction on jury service, restriction of gun rights, etc.).
Reduce felony to a misdemeanor *under Cal. Penal Code section 17(b)*	You may be eligible if all of these conditions are met: • Conviction was for a felony "wobbler;" • NOT sentenced to state prison or county jail under Realignment; • Sentenced to probation.	None by law, but you will have a *much better chance* if you wait until you are at least **halfway done** with your probation term.	• Allows you to lawfully say you were never convicted of a *felony*. • If they have not already been restored, this would restore your rights to vote and sit on a jury; and may also restore gun rights. • Removes some barriers to employment (for example, some employers ask about felonies but not misdemeanors).	• If the conviction was for a serious or violent felony, it will still count as a "strike" if you are prosecuted for another crime in the future. • Does not remove sex offender registration requirements. • May not restore gun rights. • Conviction may still be considered a felony for certain state licensing purposes.

Reduce felony to a misdemeanor *under Prop. 47*	You are eligible if your conviction is for one of the following offenses: • Second degree burglary • Forgery • Grand Theft • Receiving stolen property • Petty theft w prior • Simple drug possession (including of meth) You must also meet the following criteria: • No conviction for a "super strike" felony; • No conviction requiring sex offender registration.	Must file a petition before November 2022.	*If you are currently incarcerated or on parole/probation for the conviction in question:* • Reduces felony to misdemeanor; • Reduces sentence or term of supervision; • Offers immediate release if incarcerated; • Removes legal barriers and restores most rights lost due to felony conviction. *If your sentence (including time on supervision) has ended:* • Changes felony to misdemeanor; • Removes legal barriers and restores most rights lost due to felony conviction.	• Does not restore gun rights if you lost them due to their particular conviction. • Does not remove the conviction from their record, just reduces it to a lower offense. • Does not give you the right to be compensated for time served in excess of what they would have served for a misdemeanor.
Reduce felony to a misdemeanor OR dismiss conviction *under Prop. 64*	You are eligible if your conviction is for one of the following offenses: • Possession of marijuana; • Cultivation of marijuana; • Possession with intent to sell marijuana; • Sales or transport of marijuana. You can usually still get this relief if you have a "super strike" felony conviction or if you have to register as a sex offender.	NONE.	• Legalizes certain marijuana offenses related to personal use if you are 21 or older; • Automatically seals and destroys records of convictions for some marijuana offenses; • Reduces certain marijuana felonies to wobblers or misdemeanors. • Reduces certain marijuana misdemeanors to infractions. • In some circumstances, restores all civil rights denied due to a felony conviction, such as firearm or jury rights.	• Does not allow you to seek compensation for time spent in custody under outdated laws.
Certificate of Rehabilitation	*You may be eligible if you meet the following requirements:* • Convicted of felony and served a state prison sentence or a prison sentence in county jail OR convicted of a misdemeanor sex offense that was later dismissed; • No recent history of incarceration; • Not on probation; • Residency in California for last 5 years. [continued on next page]	You much wait 7 to 12 years (depending on the conviction offense) from the date of release from incarceration *(Note: You can request a COR before the end of your required waiting period, but it must be "in the interests of justice" for a judge to grant it early.)*	• Serves as official government proof that you have been rehabilitated. • Can be shown to landlords, employers and government agencies as evidence of rehabilitation. • May protect you from occupational license denial based on criminal record. • May remove sex offender registration requirement, depending on your conviction. • Serves as automatic application for governor's pardon.	• Does not erase or seal a record of conviction. • Does not prevent the offense from being considered a prior if you are convicted of a new offense. • If convicted of a felony, does not enable you to tell employers you have no felony record. • Does not restore gun rights.

	You may NOT be eligible if <u>any</u> of the following conditions apply: ● Conviction for certain serious sex offenses; ● Received the death penalty; ● On mandatory lifetime probation; ● Are in the military ● No longer a California resident.			
California Governor's Pardon	You are eligible if they were convicted of a felony in California.	If you applied for a COR, your application for a pardon is automatic. Otherwise, 10-year waiting period for direct application. If you are incarcerated, can be recommended for pardon by Board of Parole Hearings (BPH).	May restore your gun rights. Restores the right to vote and sit on a jury. Removes sex offender registration requirement. Allows you to work as parole agent or probation officer. Restores the right to hold public office.	● Does not seal or erase the record of conviction ● Does not prevent the offense from being considered a prior if you are convicted of a new offense. ● Does not enable you to tell employers you have no felony record. ● Does not restore gun rights if conviction involved use ● of a dangerous weapon. ● Does not pardon convictions from other states or federal convictions. ● May not prevent deportation. *(See pg. 81 to learn more about the immigration consequences of having a criminal record.)*
Sealing adult arrest records	*As of January 1, 2018, you are automatically eligible if <u>any</u> of the following conditions are met (with certain exceptions):* ● No criminal charges were filed ● Criminal charges were filed but later dismissed, ● You were found "not guilty" in a jury trial, ● Your conviction was vacated or overturned on appeal ● You successfully completed a pretrial diversion or pre-sentencing program.	Should apply as soon as possible, although no time limit has been established.	All records related to arrest and criminal proceedings are sealed and destroyed.	Please note that this relief is not automatic, but may be granted by a judge in the interests of justice, if you have a history of arrests and/or convictions for domestic abuse, elder abuse, or child abuse.

Sealing juvenile records	*You may be eligible if all of the following conditions are met:* ● 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. *You are NOT eligible if all of the following conditions apply*: ● Juvenile adjudication was for certain violent offenses; ● Over 14 years old at time of offense.	Should apply as soon as you turn 18 years old OR after five years have passed since your last arrest or discharge from probation.	All court, law enforcement, and other records are sealed and destroyed.	
Federal expungement or dismissal	*You may be eligible if all of the following conditions are met*: ● 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.	You should file as soon as you complete probation.	*If you were less than 21 years at time of offense:* ● All records of conviction, arrest, and criminal proceedings are destroyed. *If you were 21 years or older at time of offense:* ● All records of conviction, arrest, and criminal proceedings are sealed but not destroyed.	
Presidential pardon	*You may be eligible if all of the following conditions are met*: ● Convicted of a federal offense; ● Sentence (including parole or probation) is complete.	You 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.



REENTRY PLANNING TIP: Depending on the type of relief you seek, you may need to submit letters of support along with your petition. The goal is to get a detailed letter from someone who knows you intimately and who can attest to your growth and rehabilitation in the time since you were convicted.

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 you have 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 you 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 you, we encourage you to 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 you.

part 10.
SETTING UP PUBLIC BENEFITS & HEALTH CARE

SUMMARY - PART 10.

Part 10 provides:

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

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 you can apply for public benefits while incarcerated.

KNOW YOUR PUBLIC BENEFITS RIGHTS!

- Generally, your criminal record will **not** automatically prevent you from receiving public benefits. As of 2015, California no longer bans people with past drug-related felony convictions from receiving CalWORKS and CalFresh. If you were denied in the past, you should consider re-applying under the new rules!
- You can apply for certain benefits before you are released from prison/jail. (See Chart on pg. 70 below.)
- You are required to get 30 days of medication if you are leaving state *or* federal prison. If you are leaving county jail, you are entitled to a pharmacy prescription (at the very least) so you can refill your medication.
- You can appeal a denial of public benefits—but there are time limits. If you are denied, you should talk to a legal aid attorney as soon as possible.

starter questions

Having all your necessary information in one place can help you to better communicate with your doctor, organize your care with a loved one, and keep track of ongoing health needs.

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

STARTER QUESTIONS: PUBLIC BENEFITS AND HEALTH CARE

I 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): _____
- ▢ *I was receiving public benefits in the past, but I don't know which ones.*
- ▢ *I was not receiving any benefits before incarceration.*

Are you currently receiving treatment for a health-related diagnosis or condition? Yes or No (Circle one.)
Write more information here:

Are you currently taking medications? Yes / No (Circle one.)
If yes, add more information about your medication and prescription below:
Medications I take: _____
Pharmacy Name: _____ Pharmacy phone number: _____
Pharmacy address: _____

Do you have health insurance? Yes or No (Circle one.)
If yes, fill in the information below. If you are on MediCal or Social Security, you can make notes about that here:

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

Was your conviction drug-related? Yes or No (Circle one.). *If yes, see chart on pg. 70.*

Have you been violated on parole or probation in the past? Yes or No (Circle one.) *If yes, see chart on pg. 70.*

Do you (or might you) have an outstanding warrant? Yes or No (Circle one.) *If yes, see chart on pg. 71.*
If you have any outstanding warrants when you come home from prison or jail, it can affect your eligibility for public benefits. If you don't know if you have warrant and are currently incarcerated, you can request a legal status summary from your corrections counselor. Additionally, after release you can contact the county court where the warrant may have been issued - but be aware that if you go in person, it may result in your immediate arrest. It may also be possible to have the local public defender's office run a search for you.

Do you 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 monthly benefit amount. For more information about court-ordered debt, see pg. 57.

health care providers: contact information

ACTION STEP! Once your health benefits are set up, you can use the chart below to keep track of your 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 your prison or jail health care records

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

In order to get your health care record, you must request copies from the institution or hospital where you 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 medical records to you ***unless*** giving you those records would risk your health, safety, security, custody, or rehabilitation, or that of other inmates, or the safety of anyone at the correctional institution or responsible for transporting you.[4]

→ If you are or were incarcerated in a California state prison: To request a copy of your medical records from a **CDCR facility**, you will need to send a request for your records with your name, date of birth, CDCR number and the "scope of request" (a fairly detailed description of what records you want). If you are unable to send the request yourself, someone else can send one on your behalf, but they will need to include an HIPAA release authorizing them to receive the information alongside all the information you 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 you are or were incarcerated in a federal prison: To request a copy of your records from a **Federal prison**, you must fill out a BP-A0148 Form (Inmate Request to Staff) and provide it to the prison staff, which will allow you to view your medical records. **You will not be allowed to keep a copy of your records for yourself; however, if you authorize it in writing, you can send a copy to a friend, family member or service provider**. The BOP will not release records if they determine there is a safety risk to you or others if they release them.

→ If you are or were incarcerated in a county jail: To request a copy of your records from a **county jail**, you must find out which policies the county jail has in place, as they are all different. You are entitled to see your medical records, but not entitled to a copy of those records. 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 you request and authorize it in writing.

---

types of public benefits in california

*Below is a **chart** on how your public benefits may be impacted by your 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 I apply while incarcerated?**	**Will my criminal record affect my 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.

[4] 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, you can call the county social services agency to determine whether you will be eligible for GA/ GR (note: special rules may apply if you will be on house arrest).	Maybe. Your county may have special rules restricting who can get this benefit. If one of the following describes your situation, you should contact the local welfare agency to ask about its policy: ● 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. You can only apply for CalWORKS once you have been released from prison or jail AND have active custody of a child as parent or caretaker.	Maybe. Your county may have special rules restricting who can get this benefit. If one of the following describes your situation, you should contact the local welfare agency to ask about its policy: ● Have a conviction for intentional program violation ("welfare fraud"); ● Have an outstanding warrant; or ● Violated parole or probation. *NOTE: As of 2015, drug felonies are no longer a bar to receiving CalWORKs.*
CalFresh	Money for low-income adults and their families to buy food.	Yes.	Maybe. Your county may have special rules restricting who can get this benefit. If one of the following describes your situation, you should contact the local welfare agency to ask about its policy: ● Have a conviction for intentional program violation ("welfare fraud"); ● Have an outstanding warrant; or ● Violated parole or probation. *NOTE: As of 2015, drug felonies are no longer a bar to receiving CalFresh.*
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 monthly benefits may be temporarily suspended if any of these circumstances apply: ● Have an outstanding warrant on a felony charge; ● 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 monthly benefits may be temporarily suspended if any of these circumstances apply: ● Have an outstanding warrant on a felony charge; ● 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 monthly benefits may be temporarily suspended if any of these circumstances apply: ● Have an outstanding warrant on a felony charge; ● 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 benefits may be permanently revoked if any of these circumstances apply: ● Have an outstanding warrant on a felony charge; ● Recently violated a parole or probation on a felony charge; ● Discharged from the military due to a felony conviction; or ● Incarcerated for 60 days or more for a felony conviction.

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. You must have a minor child currently residing with you.	Maybe. Some of your benefits may be revoked, suspended or denied if any of these circumstances apple: • 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 tribe, you will need to check with your 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 you while you are incarcerated. You 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 you are eligible for and which you can apply for before your release.

tips for getting help with public benefits applications

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

1. If you are applying for **Medi-Cal, Medicare, CalWORKS, or CalFresh** while ***currently incarcerated***, you can select any adult to serve as an **"Authorized Representative" (AR)** to apply and have the interview on your behalf. To find out how, contact your county social services agency. If you are unsure, request that the person you want to have as your Authorized Representative look up your 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 prison or jail must have an agreement (or "MOU") with a local Social Security Office, allowing a counselor at the facility to serve as your "Authorized Representative." If not, it will be decided on a case-by-case basis whether the local Social Security Office will process your application or not. You 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 potential Authorized Representative can find local Social Security offices here: https://secure.ssa.gov/ICON/main.jsp#officeResults.
3. **If you need help enrolling in Medi-Cal *after release***, you 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, you 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 you are denied public benefits or owe money for a previous "overpayment" (an overpayment is when the government agency sent you too much money one month for benefits), you should talk to a legal aid lawyer as soon as possible for advice. You have 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 you MUST file a "notice of appeal"—usually less than 30 days**—if you want to challenge the denial of benefits. For this reason, if you believe that public benefits were wrongfully denied or ended, you should seek immediate legal advice.



CONSULT A LAWYER: To find a public benefits lawyer, see Appendix A on pg. 86 for a starting list of legal aid organizations across California that may be able to help you. You 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 health care and accessing public benefits if you are low income or have a disability. It is never too early to begin gathering your health care records, learning about which benefits you can apply for, and getting the application forms you need. If you believe your rights to pubic benefits have been violated, contact a legal aid lawyer (see a starting list of legal aid organizations across California in Appendix A, pg. 86). Having a plan for your benefits and health care will go a long way in providing you a sense of security and early access to life-sustaining resources in reentry!

part 11.
FAMILY LAW ISSUES & CHILD REUNIFICATION

SUMMARY - PART 11.

Part 11 provides:

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

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 you have children, you may be working through questions about where your child will stay and what your 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.*

PARENTS & CAREGIVERS: KNOW YOUR RIGHTS!

- **Mothers:** If you gave birth to a child, you have the automatic right to care for that child unless one of the following events have taken place: (1) you have voluntarily given up your parental rights through adoption OR (2) the state limited or took away your 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 you have established paternity OR were married to the child's mother when the child was born, you have the automatic right to care for that child unless one of the following events have taken place: (1) you have voluntarily given up your parental rights through adoption OR (2) the state limited or took away your 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 custody arrangement is written down in a ***court order***. That way, if the other parent makes crucial decisions related to the child without your input or consent, you 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, you do not have an automatic legal right to see or care for your grandchildren, you can make information arrangements to see or care for them and you 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 child(ren), you 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 your parental rights might be ended ("terminated"); and
  - Have the right to respond in court if your parental rights could be ended at that court hearing.
- **As an incarcerated parent, you have 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 you to first attempt to informally come to a visitation agreement with the child's other parent).

starter questions

Family situations can be complicated when you're 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 "FAMILY REUNIFICATION QUESTIONNAIRE" -- Before reading about the legal steps to reunify with family and children through California courts, the following questionnaire can help you and any advocates you are working with figure out where to begin.

STARTER QUESTIONS: FAMILY REUNIFICATION QUESTIONNAIRE

Are you ready to rejoin your family?

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

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

What is the current status of your parental rights?

Are there any court orders or parole/probation conditions in place that prevent you 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 you)
    _____
  - 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 you)
    _____
  - 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 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 my family or children:**
  - Write down any parole or probation rules you must follow that are related to your family members or children here: _____
    _____

Are there any court cases involving your children (that you 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 child(ren)'s current placement *(For example: Is your child in foster care? Placed with a long-term guardian? Was you child adopted?):*
    _____
    _____

- ▢ **Probate Court Guardianship Case:**
  - County case is in:
  - Case number(s):
  - Last hearing date:
  - Information about my child(ren)'s current guardian: _____
  - Do you 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? *(You can write down details here.)*: _____
- ▢ ***I am trying to find my child(ren).***



IMPORTANT INFORMATION FOR PEOPLE CONCERNED ABOUT THEIR IMMIGRATION STATUS OR DETAINED BY IMMIGRATION ENFORCEMENT (ICE): If you are concerned about your current immigration status or have been detained by ICE, and you want to develop a plan for your family and children, please see pg. 83 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 a lot of barriers to keeping in close contact with family—it can be difficult to reach them on the phone or you may have restricted visits. You may need to be creative in how you communicate and also plan ahead so that your phone calls and visits are as meaningful as possible. This is especially true if you have children.

→ Tips for Currently Incarcerated Parents:

If you have children, communicating with them while ensuring that the children feel understood and cared for can be difficult. Here are a few ideas and tips for starting and maintaining communication with your children while incarcerated.[5] These tips will not only maintain your relationship with your children while you are in custody, but they will also help you generate documentation you may need for future child custody or visitation hearings.

- **Make a Record.** You can keep records of all communication with your children and about your children. Once released, you 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 you can take to make a record:*
  - **Get a notebook or journal and use it only to keep track of communication about your child.** In this notebook, you should write the date and time of:
    - Any calls with your children;
    - Each time your children visit prison or jail;
    - Any calls with your children's caregiver (and what the call was about);
    - Any calls with social workers (and what the call was about);
    - Any calls with your loved one's attorney; and
    - Each meeting you have with your attorney.
- **Write letters to your children (or draw pictures).** Whenever you write a letter to your children, save a copy for your own records too. If your children are too young to read, you can draw them pictures.
- **Ask to see your children's report cards and ask about school assignments and projects.** 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 you are taking steps to better yourself and prepare for an active role in your children's lives. You should keep track of any certificates received from classes or programs.

[5] 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.

→ *Tips for phone calls between you and your children:*

- Ask your child(ren)'s caregiver the best times to reach the child by phone.
- Before the phone call, prepare a list of things you would like to ask your child about.
- If possible, ask the caregiver to give your child a photo of you to look at during the phone call.[6]

→ *Tips for your 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 you.
- The caregiver can include copies of your child's report cards, artwork, or other important experiences or events in letters to the incarcerated parent.[7]

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. Do what is best for you and your family.



HELPFUL RESOURCES FOR INCARCERATED PARENTS:

- ***Legal Services for Prisoners with Children (LSPC)—*** For more information about parental rights, custody, and visitation, you 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 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 children's care before or during your 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 you are asking a court (whether family, dependency or probate court) to give you custody or visitation for your children, think about whether your declarations and supporting documents show: 1) personal accountability; 2) that you are able to be the parent that your child needs you to be; and 3) why your involvement in the child's life is in their *best interest*.

Step 1: Find out if there are any *court orders* that could limit or stop you from contacting your 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 you from visiting your child in the future.

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

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

Step 3: [If applicable] Locate your child. If you don't know where your child is living, you can learn more by:
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.

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

Step 4: Find out if there are any court cases involving your child. Depending on the county in which your child is located, you may be able to access limited family law case information on the county court's website. If that service is unavailable, you 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 your child, you 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 your child, you 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 you want to gain custody, visitation, or guardianship of your child, you may need to file a petition.



TIPS FOR THE COURT PROCESS:

- ***If you are an incarcerated parents, know your rights and tips for staying engaged with your child(ren) while incarcerated—*** see the "know your rights" box on pg. 75 and tips starting on pg. 77.
- ***If you have Internet access, find California court forms online*** at www.courts.ca.gov/forms/htm. You can also request help from your 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 you 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 you to show the judge that you are responsible and have a healthy relationship with your children.



HELPFUL FAMILY LAW RESOURCE: Every family court in the state of California has a Family Law/Self-Help Facilitator, which can help you with filling out court forms and provide general information about family law issues if you do not have a lawyer. To find your 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 you to pay child support but you did not while incarcerated, you may be responsible for paying the balance upon your release, depending on your circumstances. Having child support debt can seriously impact your reentry—it can be taken out of your wages or public benefits; it can affect your housing; and it can be a condition of your community supervision. Whether you are incarcerated or not, it is best to figure out the status of your child support payments and make a plan to manage them as soon as possible!

→ If your child support order was issued on or after July 1, 2011 AND you were incarcerated for at least 90 days, your child support payments should have stopped while you were incarcerated. If they didn't, you can petition the court to adjust your child support arrears (money that you owe) to reflect your 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 child support debt was issued before July 1, 2011 OR you were incarcerated for less than 90 days, your options depend on whether you owe money to the state or to the other parent. You can find this out by asking your Local Child Support Agency (LCSA) for a detailed list of your arrears.

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

Conclusion

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

part 12.
REENTRY RESOURCES FOR IMMIGRANTS

SUMMARY - PART 12.

Part 12 provides:

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

starter questions

ACTION STEP! If you don't know the answers to the starter questions below, it may help to talk to a lawyer to get support. See a list of immigration rights organizations in Appendix C, pg. 91.

STARTER QUESTIONS: IMMIGRATION & CRIMINAL RECORDS

- *Do you know your current immigration status?*
- *If you are currently in custody, do you have an immigration (ICE) detainer on you (also called a "hold")?*
- *If you are at risk of being detained by ICE and if you have children, what is your plan for their care while you are in custody?*
- *Have you looked into record-cleaning options that might reduce some of the immigration consequences of your past convictions?*

immigration & criminal records

Contact with the criminal justice system can have serious consequences for people who are not United States citizens. Even if you are 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 you (your client, your loved one) 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).[8]

IMPORTANT! If you are not a citizen of the United States, it is critical that you seek legal help as soon as possible after contact with the criminal justice system. An immigration attorney may be able to help you 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 you are not deported, contact with the criminal justice system can* ***delay or prevent your 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.*

[8] 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 case, you may be able to **challenge your plea agreement** if you were not adequately advised on the immigration consequences of your plea deal. Consult with a lawyer who specializes in criminal and immigration law to find out what makes sense under your particular circumstances. *See Appendix C on pg. 91 for referrals to immigration rights legal organizations.*

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

Some of California's "record-cleaning" laws may help you **reduce certain felonies to misdemeanors, and/or dismiss certain convictions** – which in some cases can also help reduce your 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. You are considered to have a conviction for immigration purposes if you 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 guilty plea for immigration purposes as well. Upon completion of the court-ordered DEJ program, you 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 you were not sentenced to state prison.
    - Under California's **Proposition 47**, you 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**, you may be able to change your record (called "reclassification") if you have a conviction for a marijuana offense, which means you 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 you were convicted of a misdemeanor before January 1, 2015**, and were sentenced to a term of one year, you must proactively ask ("petition") the court that sentenced you to change your 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:

- **Don't use marijuana or carry anything that may indicate your use of marijuana.** If you have 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 you ever have used or possessed marijuana***, unless you have expert legal advice that this is OK. If a federal official asks you about marijuana, say that you don't want to talk to them and you want to speak to a lawyer. You have 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 rights when it comes to Immigration and Customs Enforcement ("ICE") detention or proceedings, especially if you fear being separated from your 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 you are Detained by ICE:

If you are detained by ICE and have children, these initial steps may help:

1. **Try to get released.**
    a. Tell the processing staff (who put your information into the computer) at the detention center that you have children, especially if you are the only person who cares for them. Ask ICE if you can be released so you 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 if you can be released to care for your children, even if ICE does not release you at first. If you ask to be released but ICE will not release you, keep asking, especially if there are any changes to your children's custody status or concern about their safety.
2. **Tell ICE that you need to make a phone call right away to make sure they are being cared for properly.** ICE does not have to give you more than one free phone call when you arrive in detention, but they may be willing to help you, so it's worth a try.
3. **Request a Bond Hearing.**
    a. You should also ask your 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. Make sure your Deportation Officer (sometimes called a Case Officer) knows you have children, especially if you are a single parent or the main caregiver for your children. Ask him or her to exercise discretion in your case (discretion is a word that has a particular meaning for ICE, so use this word when asking).

→ Additional Steps to Take if ICE Does Not Immediately Release You:

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

1. **If you do not know where your children are, try to find out where they are as soon as you can.** Once you find out where your children are, ask relatives or friends outside to put money into your detainee account so you can call and talk to your children and the person taking care of them. If this is not possible, tell ICE you need to make arrangements for your children and ask if you can make free calls to deal with child custody issues.
2. If you think your 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")**, you should talk to your 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 you if your child is in CFSA custody or there is a Family Court case. Communicate with your child's lawyer or the Law Guardian.
4. **Contact your country's nearest Consulate.** Register your children with the Consulate: Your U.S. citizen children will keep their U.S. citizenship even if you register them with the consulate of your home country. Apply for Passports for children - If you are deported and want to take your children with you, it will be much easier to do this if they have passports.
5. **Maintain Contact with your Children.** You should stay as involved with your children as much as possible. You should write letters to them. You are allowed to receive letters and pictures from them even in detention. Take notes on everything you send to your children and receive from them, and save everything you receive. – **Maintaining contact and involvement in your 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 your 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 you cannot be there. Alert Family Court or CFSA that your **detention is CIVIL** and not a criminal matter. Provide A Number to CFSA/Family Court.
8. **You have the right to an interpreter in family court proceedings.** ICE can also provide you with access to interpretation if you need help communicating with people in the immigration detention system. If you do not speak English or if you cannot read or write, do not be afraid to ask the family court, the child welfare caseworker, your lawyer(s) or ICE and detention center staff to provide you with an interpreter and/or other assistance.
9. **Do not sign any documents related to your immigration or child welfare case if you don't understand what they say.**
10. If your children are in the child welfare system, you may be assigned a **case plan (also called a service plan or a reunification plan).** Make sure you do what is asked of you in the case plan because this will impact the outcome of your case. If you cannot do certain things that the plan requires because you are detained or have been deported, make sure everyone involved in the child welfare case knows this. **Do your best to complete the services required by the case plan.**

→ ***Choosing Someone to Care for Children While Detained:***
There are different ways in which you can give a relative or friend permission to care for your children while you 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 you can have your children stay with a babysitter without signing any papers, you can choose to have your children live with someone for a longer period of time without signing any papers. You simply need to talk to the person and get his or her verbal agreement that they will care for your children. This type of arrangement may work well for you if you expect to be detained for only a short time. Make sure that the caregiver you choose does not need public benefits in order to care for your children (like Medicaid or food stamps). Be sure to **choose someone whom you 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 child's school or health care provider so a non-parent relative can enroll your child in public school, make school-related medical decisions, and make other important decisions on your child's behalf if you are unable to. **It allows non-relatives to enroll your 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 your children). **A Caregiver's Authorization Affidavit does not affect your rights as your child's parent – you still have custody and control of your child.**
3) **FORMAL Arrangement— Family court-approved custody** - When you make court-approved arrangements, you 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 children. They will give the caregiver the right to make decisions for your children, but be aware that they are more difficult to end. You should get advice from a lawyer to decide if this kind of arrangement is the right choice for you.

See Appendix C on pg. 91 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 you have a criminal record and have immigration concerns, as well as tips for making plans with your family if you 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 you have to clean up an old criminal record to reduce negative immigration consequences, you 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 your reentry planning process and for navigating life with an arrest or conviction record. We hope some of the information can **empower** you in being your own best advocate!

As we have mentioned throughout this Toolkit: reentry looks different to different people. Your 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 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 reentry, the goal was to provide useful conversation starters, suggested timelines, practical steps, and simple information about your legal rights with a record – tools you can use to create a strong plan for reentry, and prepare for many of the things to come.



FIND MORE KNOW-YOUR-RIGHTS LEGAL INFORMATION IN THE *ROADMAP TO REENTRY* LEGAL GUIDE:
Do you 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 (we accept collect calls from people in custody); write us confidential, legal mail at: 1730 Franklin Street, Suite 300, Oakland, CA 94612 (ATTN: Katherine Katcher, SBN: 295448); or view our online resources at rootandrebound.org/roadmap.

APPENDIX A: Legal Aid Referrals Across California

*In Appendix A, you will find a list of statewide resources that can help you 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 you with family court forms, answer questions, provide general information about family law issues, and walk you through the steps of your case if you do not have a lawyer. To find your 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.lsnc.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.lsnc.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.lsnc.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.lafsbc.org
k. Legal Aid Society of San Diego
Location: San Diego, CA
Phone: (877) 534-2524
Website: http://www.lassd.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 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/allofus-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.bbisb.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.tentoesin.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 you need, 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 you reside in Contra Costa County, *Stand Together Contra Costa* may be able to provide you 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.ailalawyer.org

iAmerica: www.iamerica.org
Note: iAmerica's website also includes "KNOW YOUR RIGHTS" fact sheets and "RESOURCES." Their newest resource immi.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 you need to have transitional housing secured to present to the California Board of Parole Hearings, this list may be a helpful starting place.*[9]

For more information on the different programs, you 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/hivaids-residential-housing/. *Note: Referral needed.*

[9] This list was adapter 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.

- **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.*
- **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:

- In2rekovery Foundation: 5152 Sepulveda Blvd #184, Sherman Oaks, CA 91403, Phone: (818) 800-262, Website: https://in2rekovery.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 you prepare for life after incarceration. It can include everything from your **"big picture" goals** to **very specific information** about your 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 if you need it**.

The "sample reentry plan" below includes questions and checklists meant to help you think through and write down your plans for the transition process from incarceration to community. It may help you to keep track of all your 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 you!*

PART 1: Starting Over Strong in Reentry

STARTER QUESTIONS:

- What are your *biggest goals* for your reentry?
- What do you expect to be the *biggest challenges* for your reentry? OR What is the biggest challenge for you now?
- What do you want others to know about your experiences with the criminal justice system?
- What kind of help will you need or do you need in addressing your history of incarceration or past involvement with the criminal justice system?
- How can your family or friends support you?
- How can a community group support you (like those listed in Appendix A, pg. 86, or Appendix B, pg. 89)?

MAKING COMMITMENTS:

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

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

Consider referring back to these commitments as daily motivations in your reentry. When you reach certain goals, feel free to check off old commitments and add new ones.

WAYS I WILL TAKE CARE OF MYSELF:
(If therapy or relapse prevention are part of your self-care plan, see pg. 14 for some ideas.)

- _____
- _____
- _____

[If applicable] **MY RELAPSE PREVENTION PLAN INCLUDES:**

- _____
- _____
- _____

PEOPLE I CAN ASK TO HELP ME INCLUDE:
(This could include family, friends, and loved ones as well as professionals.)

- _____
- _____
- _____

RESOURCES I WANT 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:

I *already have* the following forms of ID:

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

I *still need* 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 I will take to get the ID I need are:

- _____
- _____
- _____

IF I HAVE A LEGAL ISSUE RELATED TO GETTING MY ID, I WILL CALL: _____
(You can 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. 86, for a list of legal aid organizations across California.)

I NEED HELP GETTING THESE OTHER BASICS AND USEFUL ITEMS IN MY REENTRY:

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

PEOPLE I CAN ASK TO HELP ME INCLUDE:
(This could include family, friends, and loved ones as well as professionals.)

- _____
- _____
- _____

PART 3: Voting Rights

VOTING IS IMPORTANT TO ME BECAUSE:

I AM ELIGIBLE TO VOTE ON THE FOLLOWING DATE: _____
(This is the date you are no longer in prison and off state parole. Unless you are incarcerated in state or federal prison ***or*** on state parole, you can vote in CA!)

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

- _____
- _____
- _____

PART 4: Creating a Housing Plan

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

MY SHORT-TERM HOUSING PLAN:
When I first get out of jail or prison, I will live at: _____
*(This might be a shelter or transitional housing. You may also be **required** to live in transitional housing, especially if you are on state parole after a life term.)*

I can live here for _____ months.

I will be living with other people, including: _____
If you will be living with family or friends after release, have you checked to make sure that their lease allows you to live there? Do they know about how parole and probation have the right to do searches in the residence? Will you 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 *back-up plan* is: _____
_____.

MY LONG-TERM HOUSING PLAN:
My long-term/permanent housing plan (meaning my housing plan after living in a shelter or in transitional housing) includes: _____
_____.

SPECIAL SITUATIONS:
Check the box of any situations that apply to you, and write notes that may be helpful below.

- ☐ *I have disabilities that I need my housing to accommodate, including: _____*
  _____
- ☐ *I need to find a place that will allow me to live with my children.*
- ☐ *I need LGBTQIA-safe housing.*
- ☐ *I have no-contact orders that affect where I can live. (Include any notes you wish to here).*
- ☐ *Other: _____*

PEOPLE I CAN ASK TO HELP ME WITH MY HOUSING PLAN INCLUDE:
(This could include family, friends, and loved ones as well as professionals.)

- _____
- _____
- _____

IF I HAVE A LEGAL ISSUE RELATED TO GETTING MY HOUSING, I WILL CALL: _____
(You can 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, page 86, for a list of legal aid referrals across California.

PART 5: Creating an Employment Plan

STARTER QUESTIONS:

- What type of jobs have you had in the past? What are you interested in doing now?
- Do you still have a good relationship with any of your past employers?
- Did you receive, or are you receiving, any vocational training while incarcerated?
- Do any of the jobs you are interested in have restrictions based on your criminal record? Or do they require an occupational license or certificate? If so, make notes about your plan to research and prepare for these job or licensing/certificate barriers below.

EMPLOYMENT-READY CHECKLIST:

I have the following documents I 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

I have 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 my desired job.
- ▢ "Cleaned up" my criminal record, where possible, by meeting with a reentry lawyer at a record-cleaning clinic.

LIST OF EMPLOYERS I 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 I CAN ASK TO HELP ME WITH MY EMPLOYMENT PLAN INCLUDE:

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

- _____
- _____
- _____

IF I HAVE A LEGAL ISSUE RELATED TO EMPLOYMENT OR OCCUPATIONAL LICENSING, I WILL CALL:

_____

(You can 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, page 86, for a list of legal aid referrals across California.

Part 6: Continuing Education

STARTER QUESTIONS:

- What level of education/schooling have you completed?
- Did you receive any education or career training while incarcerated?
- Are you interested in furthering your education?
- What academic subjects or career fields are you interested in learning more about?
- Do your career goals require special training, degrees, or licenses?
- Are there any barriers you might face to entering that career because of your arrest or conviction record (*also see the Employment Section of this Toolkit*)?
- Will you need financial aid or scholarships to help pay for school? If so, what aid do you plan to apply for?
- How much time do you have to dedicate to school each week?
- [If applicable] If you have to register as a sex offender, please note you will need to register with campus police and be aware of other campus rules and requirements.

SCHOOL-READY CHECKLIST [some may not apply to you]:

- ▢ Get official identification documents (ID).
- ▢ Get transcripts from previous coursework/credits I 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 my high school equivalency certificate (like the GED) or classes for my 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 me and my educational goals.
- ▢ Complete online applications, including a personal essay.

PEOPLE I CAN ASK TO HELP ME WITH MY 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 expected release date is: _____
  - This date could change if: _____

I WILL BE ON THE FOLLOWING TYPE OF SUPERVISION AFTER RELEASE OR I AM 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)
- ❑ I'm not sure.

LENGTH OF SUPERVISION

- The length of time of time that I will be under supervision is: _____
- My expected release date off of supervision is: _____
- To request early discharge, I can do the following: _____

CONDITIONS OF SUPERVISION:

*My **general conditions** are:*

- If yes, they are:

- ***The search and seizure law that apply to me include:*** _____
  - *These search laws could also affect the people I live with in the following ways:*

I also have special (extra) conditions of supervision: (Yes / No)

- If yes, they are:

I have registration requirements (Yes / No)

- If yes, I think I have the following registration requirement(s):

I have a "no contact" or "stay away" order with the victim in my case? (Yes / No)

- If yes, what steps can I to make sure I comply with the no contact order?

IMPORTANT CONTACT INFORMATION FOR MY SUPERVISION:

*I will be supervised in the following **county** (if on county probation or state parole) OR **district** (if on federal supervision):*	
The office address where I have to report is:	
The name of my supervising officer is:	
My supervising officer's contact information is:	Office Phone: Cell Phone: Email:
Other important information I want to remember:	

PART 8: Managing Court-Ordered Debt

STARTER QUESTIONS

***Do you 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 you?

- 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 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 *major goals* in cleaning up your record?

NEXT STEPS I WILL TAKE INCLUDE:

- ▢ Getting a copy of my 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 me.
- ▢ Other: _____

INFORMATION I NEED TO HAVE AVAILABLE TO GET RECORD-CLEANING HELP FRM A LAWYER:

(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 my **RAP sheet**.
- ▢ Information about my citizenship status (this is important because a lawyer may recommend different options if you are *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 have you <u>received in the past</u> and which ones <u>do you plan to apply for</u>?***
  Fill out the checklist below.

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

- ***Are you currently receiving treatment for a health-related diagnosis or condition?***
  Circle: Yes or No
  If yes, write more information here:

- ***Are you 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:

- ***Do you have health insurance?*** *Circle: Yes or No*
  If yes, fill in the information below. If you 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:**
☐ General practitioner:	*Address:* *Phone number:* *Appointment time:*
☐ Optometrist:	*Address:* *Phone number:* *Appointment time:*
☐ Gynecologist:	*Address:* *Phone number:* *Appointment time:*
☐ Dentist:	*Address:* *Phone number:* *Appointment time:*
☐ Specialist:	*Address:* *Phone number:* *Appointment time:*
☐ Physical Therapist:	*Address:* *Phone number:* *Appointment time:*

PART 11: Planning for Family & Child Reunification

STARTER QUESTIONS

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

- What have you been doing to stay in touch while you have been in custody?

- Are you ready to rejoin your family? How involved with the children do you want to be?

- What is the status of your parental rights?

COURT CASES & ORDERS INVOLVING FAMILY AND CHILDREN

Are there any court orders or supervision conditions that may affect your ability to be involved with your 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 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 I PLAN 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:

Do you owe ongoing child support payments? Circle: Yes or No.
If yes, how much do you owe each month? _____

Do you have child support arrears (meaning back-payments and interest that are overdue)?
If yes… How much do you owe in child support arrears? _____
Out of what county is your child support? _____
What is the account number? _____
PLEASE NOTE: A good place to start is researching if your county has a **COAP program!*

PART 12: Immigration & Reentry

STARTER QUESTIONS:

- Do you know your current immigration status?
- If you are currently in custody, do you have an immigration (ICE) detainer on you (also called a "hold")?
- If you are at risk of being detained by ICE and if you have children, what is your plan for their care while you are in custody?
- Have you looked into record-cleaning options that might reduce some of the immigration consequences of your past convictions?

PEOPLE I CAN ASK TO HELP ME WITH MY IMMIGRATION ISSUES ARE:
(This could include family, friends, and loved ones as well as professionals.)

- _____
- _____

IF I HAVE A LEGAL ISSUE RELATED TO MY IMMIGRATION STATUS, I WILL CALL: _____
(You can 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. 91, for a list of immigrant rights organizations in California).