



Boston University College of Health & Rehabilitation Sciences:
Sargent College
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Applying for Jobs when you have a Criminal Justice History

We know that people get involved in the criminal justice system, sometimes through no fault of their own. During a job interview, you can and you should talk about what you've learned, the skills you have, and that you've matured and learned from your experiences. It's really important that you be your best advocate. But most importantly, don't be ashamed.

Rap Sheet: If you have a criminal justice history, go to your State Attorney General's office, your Department of State, or your criminal justice agency to get an official copy of your Rap Sheet. Generally with state agencies, there's a waiver process or state agencies, like Legal Aid Society and consumer-run programs that can help you pay the fee. Scrutinize your Rap Sheet because often there are errors. You may see warrants or convictions that didn't happen, and so to really thoroughly review it and take whatever action needed to correct it, which can take time.

Misdemeanor: is a crime where generally you're sentenced to jail for a year or less.

Felony: is a more serious crime where generally you're sent to state prison for one year or more. Although often states build in exceptions if you're able to demonstrate that you're rehabilitated and you participated in the community.

Expungement of a Criminal Record: There are two organizations, [Council for State Governments](#) and the [Legal Action Center](#), that really do a walk-through about criminal justice conviction and the kind of impact that it has. Expungement is a state-specific issue, and so the best place to find that kind of information is to contact your State Attorney General's office.

For individuals with a criminal justice history, there are some collateral consequences. It's state specific, and those resources will help you identify what sorts of employment or what other kinds of the rights of citizenship, that you may temporarily lose either during or following a connection.

Certificate of Relief for Disability: Most states have something that's called a Certificate of Relief for Disability, and that really means that some of your rights that you may lose by virtue of a criminal conviction, that those rights can be restored, and you can actually go before a court and request that on your own.

Re-Entry: Most places, even in small towns, there probably is an organization that focuses on "re-entry," that when a person comes back into the community after an experience, after a period of incarceration in jail or prison. Many jurisdictions have a Re-entry Council or Re-entry Group, where folks come together and talk about what they're doing and their priorities. So that will be a good place to start and receive guidance and support as you begin a job search.

Job Applications: It's illegal on any application to ask about an arrest, but it's important to really look at the application and the kinds of convictions that you have to write about truthfully on your application. But for those jobs where you have to get some sort of clearance, it's important to really understand what your criminal justice record indicates.

Job Interview Tips:

- Use positive language
- Do not be ashamed
- Avoid not telling the truth
- Say that you've accomplished a lot and that you deserve an opportunity

For example, "I'm really enthusiastic about meeting you. I've got skills and talents that I think will be an asset to you and this job position. There was a point in my life where I got involved in activities that I'm not particularly proud of. But since that time, I've done everything that I can to do well and to be an active and engaged citizen. And I really look forward to having an opportunity to work with you. I know I will be a good employee, and I'd like to have a chance to demonstrate that to you."

Because you want someone to interview you, and not just view you through a prism of your criminal justice history. You want someone to really look at your qualities, your interpersonal skills, your work experience, etc. There is reform around criminal justice; and many states, like Massachusetts, or cities, like New York City, have done what we call, Ban the Box. And that means no question can be asked about your conviction until after you've been offered the position. It's intended to eliminate discrimination against people with criminal justice records. One of the challenges with states or localities that have implemented this is there is very little enforcement mechanism if your rights are violated. In other words, there's no place where you can go to complain that an employer asked you about your criminal justice record before you were hired. Rights without due process, makes it really challenging.

It's important that those who have criminal justice records don't walk around with that scarlet letter, that 'A' or, in this case, it would be a 'C' that lets everyone know that you have a criminal justice history when that's just maybe a small part of your life. It's all about your attitude and feeling that you deserve all the rights and privileges as any other citizen in this country has. Don't ever give up, but also take advantage of the support that peer organizations and other organizations can provide as you embark upon this journey.

This Fact Sheet is based on information from an "Ask Me Anything about Employment" webinar with LaVerne Miller, BA, JD, Senior Project Associate at Policy Research Associates in New York.

Resources:

- Baltic Street: (<http://www.balticstreet.org>)
- Hands Across Long Island: (<http://www.hali88.org>)
- Howie the Harp: (<http://www.communityaccess.org/our-work/education/jobreadiness/howie-the-harp>)
- Justice Center: (<https://www.justicecenter.ny.gov>)

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