



FIRST STEP TO SECOND CHANCES

A guide for people leaving federal prison under the First Step Act



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About the Authors

Root & Rebound and #cut50 partnered to create this guide.

About #cut50

#cut50, an initiative of [The Dream Corps](#), is a national bipartisan effort to reduce the number of people in our prisons and jails while making our communities safer. Through campaigns led by people directly impacted by the justice system, we work with bipartisan coalitions and unlikely allies – formerly and currently incarcerated individuals, community members, crime survivors, local elected officials, and law enforcement – to achieve targeted and comprehensive reforms at all levels of the criminal justice system. By recognizing the humanity of those impacted, we can change laws in order to create safer streets and more peaceful neighborhoods.

About Root & Rebound

[Root & Rebound](#) is a national nonprofit that transfers power and information from the policy and legal communities to the people most impacted by our criminal justice system through public education, direct legal services, and policy advocacy, so that the law serves, rather than harms, low-income communities and communities of color in the U.S.

We have a vision of a world where people impacted by mass criminalization have full restoration of their rights, so that they can move forward with hope, dignity, and opportunity.

Acknowledgements

We would like to thank the dedicated teams of Root & Rebound and #cut50 for their work to create this guide and support people coming home under the First Step Act.

Thank you to the Root & Rebound Team including staff members Katherine Katcher, Chloe Noonan and Sonja Tonnesen; contract writers Wayne Boatwright and Nicole Harris; and volunteers Jubilee Cheung, Teddy Hill-Weld, and Juliet Tochterman.

Thank you to the #cut50 team including staff members Jessica Jackson, Alex Gudich, Erin Haney, Sandhya Kripalani, and Olivia McLarnan; and to the #cut50 Empathy Network of volunteers across the country.

We are grateful for the generous support of The Margaret and Daniel Loeb Foundation and The Deason Foundation, without which the creation of this guide would not be possible.



DISCLAIMER

YOUR RESPONSIBILITY WHEN USING THIS GUIDE: When putting together this guide, #cut50 and Root & Rebound did our best to give you useful and accurate information. However, the laws change frequently and have different interpretations. We do not have the resources to make changes to this informational material every time the law changes. If you use information from this guide, it is your responsibility to make sure that the law has not changed and applies to your particular situation. If you are incarcerated, most of the materials you need should be available in your institution's law library. The guide is not intending to give legal advice, but rather general legal information. No attorney-client relationship is created by using any information in this guide. You should always consult your own attorney if you need legal advice specific to your situation.

What is the First Step to Second Chances guide?

The First Step to Second Chances guide is a reference manual for people who are preparing for or who are in reentry from federal prison. It covers how to navigate the early days out, what your rights are with a record, and where to go for support and resources. Those who support people in reentry—from friends and family members to nonprofits and policymakers—may also find this guide helpful.

This first edition was drafted quickly to make sure it was available to people coming home on July 19, 2019. A longer version of the guide will be released in late summer or early fall 2019. It will include a chapter summarizing the First Step Act, a chapter on navigating federal community supervision, as well as updates to the material contained in this edition. For access to the most updated resource directory and information, visit FirstStepAct.org.

Why we created this guide.

On December 21, 2018, the First Step Act of 2018 (FSA) became federal law with broad bipartisan support. According to The New York Times, the FSA made “the most significant changes to the criminal justice system in a generation.”¹ The FSA has already led to more than 1,000 people being released from federal prison, and over 2,000 people will become eligible for release in July 2019.²

#cut50 was integral to the passage of the FSA, leading a coalition of more than 70 organizations in support. Root & Rebound has built a reputation as an innovator in the field of reentry, offering plain-language resources and training with the goal of transferring power and information to the people most impacted by our criminal justice system. We partnered to create this guide because we recognize how hard it is to get high-quality information about how to navigate the early days out, what your rights are with a record, and where to go for support and resources. This guide is meant to be an answer to that.

Who is this guide for?

The First Step to Second Chances Guide is a reference manual for people who are getting out of federal prison. Family members, friends, service providers, government agencies, and others who support people in reentry may also find this guide helpful.

You will learn about how to navigate the many steps in the reentry process, and how to find help to support you in the process! We'll cover getting identification, voting and civic participation, transportation, housing, employment, finances, as well as healthcare and getting mental health support. You can skip around in the guide and choose to read the sections that you'd like to learn about. We are working to make this a comprehensive, accessible resource, and will release a longer version of the guide in late summer or early fall 2019. We will start by offering this Guide in hard copy and will work to create an online version in the coming months, so that the guide is available to everyone who wants to access it.

¹ Trump Embraces a Path to Revise U.S. Sentencing and Prison Laws, The New York Times, <https://www.nytimes.com/2018/11/14/us/politics/prison-sentencing-trump.html>.

² Letter dated June 7, 2019 from Assistant Attorney General Stephen E. Boyd to the Honorable Jerrold Nadler, Chairman of the House Committee on the Judiciary.

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National Resource Directory *(Find services near you!)*

Chapter 1

Basic Info on the First Step Act

Chapter 1 provides some very basic information on the First Step Act, the new federal law that inspired the creation of this Guide for people returning to their communities from federal prison.

Our team plans to update this guide in 2019 to include many more details on the First Step Act and how it applies to people who are currently incarcerated and preparing for their reentry.

WHAT IS THE FIRST STEP ACT (FSA)?

The First Step Act of 2018 (FSA) became federal law with broad bipartisan support on December 21, 2018. According to The New York Times, the FSA made "the most significant changes to the criminal justice system in a generation."³ These changes include fixing the way the Bureau of Prisons (BOP) calculates good time credits, making the Fair Sentencing Act retroactive and other sentencing reforms, and expanding the use of pre-release custody, among many others.⁴ The FSA has already led to the release of 1,023 people from federal prison. On July 19, 2019, as the changes to the way BOP calculates good time credits goes into effect, some 3,000 people are expected to be released.

WHAT DO I NEED TO KNOW FOR THE FIRST 6 MONTHS OUT OF PRISON?

As you move into reentry, you'll need to get a lot of life basics set up. These include things like finding a place to live, figuring out how to get around, looking for a job, going to the doctor, and more.

WHAT IS THE FEDERAL GOVERNMENT DOING TO SUPPORT REENTRY FROM FEDERAL PRISON?

As part of a holistic approach to putting the FSA into practice, the federal government has announced a number of special projects to support people who are reentering with basic needs:

- The federal Bureau of Prisons (BOP) launched a new "Ready to Work Initiative." According to BOP, this program is meant to help people "quickly secure employment." As a part of the program, acting BOP Director Hugh Hurwitz noted that the BOP is building new partnerships with businesses across the country to provide employment opportunities to people getting out of prison.
- The U.S. Department of Labor has given more than \$2 million to 24 states to fund special bonds that provide insurance for companies that hire people with criminal records.⁵
- The U.S. Department of Education is expanding an initiative that allows people in prison to get Pell Grants to take college or vocational courses and earn a bachelor's degree, associate's degree, or certificate.⁶
- The Office of Personnel Management plans to make the website for the federal government's job listings, USAjobs.gov, available to people in federal prison and upon release.⁷
- The Department of Energy created a new program to inform workers, including people who have been in prison, about jobs in the energy industry.⁸

³ Trump Embraces a Path to Revise U.S. Sentencing and Prison Laws, The New York Times, <https://www.nytimes.com/2018/11/14/us/politics/prison-sentencing-trump.html>.

⁴ Letter dated June 7, 2019 from Assistant Attorney General Stephen E. Boyd to the Honorable Jerrold Nadler, Chairman of the House Committee on the Judiciary.

⁵ U.S. Department of Labor, U.S. Department of Labor awards \$2,234,122 to 24 states for fidelity bonding demonstration grants, <https://www.dol.gov/newsroom/releases/eta/eta20190613-1>.

⁶ U.S. Department of Education, Secretary DeVos Builds on "Rethink Higher Education" Agenda, Expands Opportunities for Students Through Innovative Experimental Sites, <https://www.ed.gov/news/press-releases/secretary-devos-builds-rethink-higher-education-agenda-expands-opportunities-students-through-innovative-experimental-sites>.

⁷ The White House, President Donald J. Trump Is Helping Americans Gain a Second Chance to Build a Brighter Future, <https://www.whitehouse.gov/briefings-statements/president-donald-j-trump-helping-americans-gain-second-chance-build-brighter-future/>.

⁸ The White House, Remarks by President Trump on Second Chance Hiring, <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-second-chance-hiring/>.

- The administration has also been working to allow people with criminal records to apply for affordable housing.⁹
- The administration has also asked the Social Security Administration to make sure that reentering people have a social security card.¹⁰

WHAT ARE PRIVATE COMPANIES AND NONPROFITS DOING TO SUPPORT PEOPLE IN REENTRY?

The federal government has also been working with private companies and nonprofits to support people getting out.

- The government is working with the Salvation Army to assist with housing, especially for people who are expected to get out on July 19, 2019, when good time credits are recalculated.¹¹
- The Society for Human Resource Management has created the *Getting Talent Back to Work Initiative*. This program includes a hiring pledge for companies to sign and a toolkit for recruiting and screening applicants who have criminal records. The pledge commits signers to giving job opportunities to people with records by evaluating, refining, and enhancing their hiring practices. Companies and trade associations representing more than 60% of the American workforce have taken the pledge. These include the U.S. Chamber of Commerce, the National Restaurant Association, the National Retail Federation, the American Staffing Association, SHRM, Koch Industries, and Dave's Killer Bread Foundation.¹²
- Lyft, a rideshare company, has agreed to provide free rides to job interviews for people in reentry through ride vouchers.¹³ For more information about ridesharing and using mobile phone apps for transportation, visit the Transportation Chapter on [p. 47](#).

To learn more about companies and nonprofits that support people in reentry across the country, visit the Resource Directory on [p. 141](#).

⁹ The White House, Remarks by President Trump on Second Chance Hiring, <https://www.whitehouse.gov/briefings-statements/remarks-president-trump-second-chance-hiring/>.

¹⁰ The Marshall Project, White House Pushing to Help Prisoners Before Their Release, <https://www.themarshallproject.org/2019/06/05/white-house-pushing-to-help-prisoners-before-their-release>.

¹¹ The Marshall Project, White House Pushing to Help Prisoners Before Their Release, <https://www.themarshallproject.org/2019/06/05/white-house-pushing-to-help-prisoners-before-their-release>.

¹² The Society for Human Resource Management, Top Organizations Join SHRM Initiative and Pledge to Change Hiring Practices for Those with Criminal Backgrounds, <https://www.shrm.org/about-shrm/press-room/press-releases/pages/pledge-to-consider-those-with-criminal-backgrounds-in-hiring.aspx>; see The Society for Human Resource Management, Getting Talent Back to Work, www.gettingtalentbacktowork.org.

¹³ USA Today, Kim Kardashian West at the White House to announce ride-share program for ex-prisoners, <https://www.usatoday.com/story/life/2019/06/13/kim-kardashian-west-made-visit-promote-hiring-ex-prisoners/1448382001/>.

Chapter 2

Getting ID & Other Key Documents

Chapter 2 focuses on getting identification documents (ID) and other key documents for your reentry. For many people, one of the first steps after release from prison is getting ID. Government agencies give out the most important types of ID to show your full legal name, where you were born, where you live, whether you can drive, and if you are in the U.S. with legal status.

Many places rely on these different types of ID, including employers, schools, banks, and many service providers. You will want ID and other key documents so that you can show who you are and fully participate in all your community has to offer!

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Chapter 2: Table of Contents

Getting ID & Other Key Documents

WHAT WILL I LEARN IN THE ID & KEY DOCUMENTS CHAPTER?

- The difference between various types of ID and other key documents, including: Birth Certificates; Social Security Cards and Social Security Numbers; State IDs and Driver's Licenses; U.S. Passports; Tribal ID cards; and Library Cards
- Which forms of ID are most important
- When and how to get ID after release (and which ones to get first!)
- How to get certain types of ID while you're still incarcerated
- Some options if you are an undocumented person and need ID

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GENERAL TIPS FOR GETTING ID

- **Start as early as you can. You can start gathering some documents while you're incarcerated.**
- **According to the First Step Act, the Bureau of Prisons (BOP) should assist you with getting ID before you're released!**
- **Start by getting your birth certificate (or naturalization certificate if you were born outside the U.S. and later became a citizen). A certified copy of your birth certificate or naturalization certificate is necessary to get all other forms of ID. See p. 11 for more information.**
- **Use your legal name (not an alias) on all official ID.**
- **Keep photocopies of all your important forms as you go.**
- **Before you pay a fee for anything, find out if you can get a "reduced fee" or "fee waiver" based on your income or public benefits. Many forms of ID require that you pay a fee before they are issued, but some of these fees can be reduced or excused for people with limited income.**

I. INTRODUCTION

WHAT ARE IDENTIFICATION DOCUMENTS (ID), AND WHY ARE THEY IMPORTANT?

Identification documents (“ID”) are proof of who you are —your *identity*. Government agencies, workplaces, service providers, schools, and other institutions issue ID cards for people who are members. Examples of ID include birth certificates, social security cards, state IDs and driver’s licenses, U.S. passports, and tribal ID cards. Many forms of ID include a photo and important information about you, such as your address or physical characteristics. Having an ID is important because when you apply for school or work, or sign up for various programs, licenses, and services, you’ll have to show an ID to prove who you are, and to show that you qualify for whatever you’re signing up for.

WHY DO I NEED IDENTIFICATION DOCUMENTS (ID)?

You need specific forms of ID to apply for many important resources and services, including housing, employment, education, medical care, public benefits, transportation, driving privileges, voting, banking, and licenses that allow you to work in certain types of jobs.

I HAVE A PRISON ID. IS THAT ENOUGH TO IDENTIFY MYSELF?

You may already have a prison ID card issued by BOP, but this may not be accepted by all the places that require official government-issued ID. But in the early days of reentry, a prison ID card may help you get *other forms* of ID, like a birth certificate or Social Security card. See p. 12 for information on birth certificates and p. 15 for information on Social Security cards/numbers.

WHAT ARE THE MOST IMPORTANT FORMS OF ID TO HAVE?

As you rebuild your life in the community, there are **3 key documents** for you to have: (1) your **birth certificate**; (2) your **Social Security card (or number)**; and (3) either a **state ID or Driver’s License**.

Once you have your birth certificate and Social Security number (SSN), you will likely be able to get a state ID card or a Driver’s License, the most commonly used forms of ID for everyday purposes. Once in a while, you will need to show a copy of your Social Security card for certain services, but often just knowing your Social Security number (SSN) is enough (without presenting the actual card).

I DON’T HAVE ANY ID. WHERE AND WHEN CAN I START?

Where do I start?

If you do not have any of the 3 most important forms of ID — your birth certificate, your Social Security card (or number), OR a state ID or state Driver’s License — you will have trouble proving your identity.

For most, it is best to **get your birth certificate first**, then your *Social Security card*, and lastly your *state ID or Driver’s License*. To learn more about getting these 3 key documents:

- See p. 11 for information on **birth certificates**.
- See p. 15 for information on **Social Security cards/numbers**.
- See p. 19 for information on **state IDs and Driver’s Licenses**.

When can I start? Can I start getting ID if I am currently incarcerated?

It is never too early to start gathering official ID. It helps to begin while you are still incarcerated as part of your preparation for release.



IMPORTANT: As a result of the First Step Act (FSA), the BOP *must* help people returning from federal prison or community confinement with getting identification – including a Social Security card, Driver’s License or other official photo identification, and a birth certificate – *BEFORE* they get out.¹⁴

I HAVE USED DIFFERENT NAMES (“ALIASES”). WHAT NAME IS BEST TO USE ON MY ID?

Your ID documents must use your “legal” name. This will be *the name that appears on your birth certificate*, unless you have *legally* changed it. Changes in your legal name are typically done through marriage or a court order.



IMPORTANT: Using a false name or false documents to get ID is a federal crime. Don’t do it!

CAN I LEGALLY CHANGE MY NAME?

Maybe. You generally have the right to change your name as you please, though there are some instances in which you might not be able to, such as to avoid debts or obligations. In many states, you can simply start using a new name. This is called “change by usage” or by common law. In other states, you will have to apply to a court to change your name. Contact your local county court system to see what the process is. If you are currently incarcerated and you want your records updated, you will need to provide prison staff with “verifiable documentation” of the name change.¹⁵ In other words, provide a copy of the official court order where the judge granted your name change.

¹⁴ 18 U.S.C. § 4042(6); 34 U.S.C. 60541(b).

¹⁵ BOP Program Statement P5800.15, chapter 4, page 2, https://www.bop.gov/policy/progstat/5800_015.pdf.

I AM AN UNDOCUMENTED PERSON? CAN I GET OFFICIAL ID?

No, you *cannot* get official ID that works for all government purposes if you are an undocumented person living in the U.S. However, some states have created special forms of ID that can be used in *limited circumstances*.

The following key documents may be available to some undocumented people.

1. **Undocumented Person Driver's licenses**, which allow some undocumented people to drive legally within a state;
2. **Consular Identification Cards**; and
3. **Municipal ID Cards** (created by some cities for their local residents).

I AM A TRIBAL MEMBER. CAN I GET A TRIBAL ID CARD?

Tribal identification (ID) cards are issued by tribes as proof of your enrollment and membership in the tribe. Each tribe has its own process for enrolling tribal members and issuing official tribal ID cards. You can check with your tribe to see what its process is for getting members a Tribal ID card.¹⁶ Tribal ID cards can be used as a valid form of government-issued photo ID in many places, such as airports, stores, and banks.¹⁷

I BELIEVE MY IDENTITY WAS STOLEN WHILE I WAS INCARCERATED. WHAT CAN I DO?

According to the Federal Trade Commission, if someone steals your identity, you have the right to:¹⁸

- Create an FTC Identity Theft Report online at <https://identitytheft.gov/Assistant> or by calling 1-877-438-4338.
- If you're online, once you finish your report, the last page should allow you to print a copy of your report (it may be referred to as a fraud affidavit).¹⁹ Be sure to do this, as copies are necessary to exercise your rights under the Fair Credit Reporting Act.
- Place a one-year fraud alert on your credit report by contacting one of the three credit reporting bureaus. The one you contact must tell the others. A fraud alert means banks and other financial institutions must go through extra steps to confirm your identity before they extend credit. Here is the contact information for each of the three credit bureaus:
 - **Equifax** - Address: P.O. Box 105069, Atlanta, GA 30348-5069, Phone number: 1-800-525-6285
 - **Experian** - Address: P.O. Box 4500, Allen, TX 75013, Phone number: 1-888-397-3742
 - **TransUnion** - Address: P.O. Box 2000, Chester, PA 19016, Phone number: 1-800-680-7289
- Place a seven-year extended fraud alert on your credit report by sending a copy of your FTC Identity Theft Report to one of the three credit bureaus. (Again, the one you tell must tell the others.²⁰) Be sure to include contact information and update it if you move or change numbers, since potential creditors must contact you personally before they extend credit if you have this type of alert on your report.
- Place a credit freeze on your credit report. A credit or security freeze prevents access to your credit report.²¹
- Get free copies of your credit report when you place a fraud alert or credit freeze. You should receive information from the three credit bureaus on how to get this copy when you communicate that you want to place the fraud alert.
- Get fraudulent information removed from your credit report (called "blocking") by sending each credit bureau a copy of your FTC Identity Theft Report, proof of your identity, and a letter stating which information is fraudulent.
- Dispute fraudulent or inaccurate information on your credit report by writing the credit bureau that is using the fraudulent or inaccurate information.
- Stop creditors and debt collectors from reporting fraudulent accounts by providing a valid FTC Identity Theft Report to the credit bureaus.
- Get copies of documents related to the identity theft by writing the company that has the documents and including a copy of your FTC Identity Theft Report.
- Stop a debt collector from contacting you by sending them a letter telling them to stop (called a "cease and desist letter").²²

You can access the Federal Trade Commission's free manual, *Identity Theft: A Recovery Plan*, which contains a step-by-step procedure to handling identity theft, available online at <http://IdentityTheft.gov>.²³

IF YOU ARE CURRENTLY INCARCERATED: You will likely need the help of a friend or loved one outside the prison to make calls and advocate on your behalf.

¹⁶ Tribal Enrollment Process, <https://www.doi.gov/tribes/enrollment>.

¹⁷ See e.g., Transportation Security Administration, Identification, <https://www.tsa.gov/travel/security-screening/identification>.

¹⁸ Adapted from Know Your Rights, Federal Trade Commission, <https://identitytheft.gov/Know-Your-Rights>.

¹⁹ You will have to sign your report "under penalty of perjury." This means you swear the information the report contains is correct, and if it's not, you could be found guilty of perjury or lying under oath.

²⁰ Extended Fraud Alerts and Credit Freezes, Federal Trade Commission, <https://www.consumer.ftc.gov/articles/0279-extended-fraud-alerts-and-credit-freezes>.

²¹ Extended Fraud Alerts and Credit Freezes, Federal Trade Commission, <https://www.consumer.ftc.gov/articles/0279-extended-fraud-alerts-and-credit-freezes>.

²² If you do send a cease and desist letter, the debt collector can still contact you in certain instances, such as if they're going to try to sue you or if they're going to stop their collection efforts. 15 U.S. Code §1692c(c). You can actually send such a letter about any kind of debt, even if you owe it. But that can raise the risk of the debt collector filing a collection lawsuit against you. Should I tell a debt collector to stop contacting me? Nolo.com, <https://www.nolo.com/legal-encyclopedia/should-i-tell-debt-collector-stop-contacting-me.html>.

²³ Federal Trade Commission, Identity Theft: A Recovery Plan, https://www.consumer.ftc.gov/articles/pdf-0009_identitytheft_a_recovery_plan.pdf.

THIS CHART SUMMARIZES WHY EACH TYPE OF ID IS IMPORTANT AND THE COST.

SUMMARY OF KEY DOCUMENTS		
KEY ID DOCUMENT	COST	WHY IT'S IMPORTANT
CERTIFIED U.S. BIRTH CERTIFICATE	Varies by location (ranges from \$7 to \$34 ²⁴)	This proves your age and legal presence in the United States. It is necessary in order to get most other forms of identification, including your state ID or Driver's License.
NATURALIZATION CERTIFICATE	\$555 (may be free if you show financial hardship)	If you are a naturalized citizen, meaning you were born outside the United States and became a citizen later, you will not have a U.S. birth certificate. Instead, you should use your naturalization certificate.
SOCIAL SECURITY NUMBER/CARD	Free	Your Social Security number (SSN) is required to apply for jobs, education programs, financial aid, and government services. You need it to obtain other forms of ID, such as a state ID or Driver's License.
STATE ID and/or DRIVER'S LICENSE	Varies by location (ranges from \$10 to \$89 ²⁵)	Both a state ID and Driver's License prove your age and identity, and they may prove your legal presence in the United States. Either one can be used as an official photo ID. You will likely need one of these in order to open a bank account, to register to vote, and to apply for jobs, housing, or public benefits. State IDs and Driver's Licenses are generally considered the most common accepted forms of identification. A Driver's License is different from a state ID in that it gives you driving privileges if you can meet all the state requirements.
U.S. PASSPORT	\$145 for a new passport; \$110 for a renewal	This is necessary for traveling abroad and coming back to the United States. It is also considered an official photo ID.
TRIBAL ID CARD	It depends on the tribe.	A Tribal ID proves your enrollment in a particular Indian (Native American or Alaska Native) tribe, and can be used as official photo ID for some places (like federal buildings, airports, and banks), certain services (like the federal Indian Health Service), but not for other purposes (for example, it won't work for notary services in some states).
RAP SHEET	Varies by location	Your RAP sheet is a list of every interaction you have had with law enforcement, including all arrests and convictions. You want to know what shows up on your RAP sheet – and if possible, get legal advice from a free record-cleaning clinic or legal services organization. Some employers, landlords, and public housing authorities, schools, government agencies, professional licensing boards, and others may be able to see some or all of this information, depending upon the state you live in.
VOTER REGISTRATION	Free	When you register to vote, you will be sent a voter registration card in the mail to let you know that you've registered successfully. However, you do not need it to actually vote, as long as you're registered.
SELECTIVE SERVICE REGISTRATION	Free	All male U.S. citizens, and all males living in the United States (except those present on student or visitor visas) must register for the Selective Service if they are aged 18-25. Failure to do so can result in disqualification from, or loss of, certain federal and state benefits. In some states, for instance, if you do not register, you will not be eligible for state student financial aid. (Note: Selective Service used to be called "the Draft.")
LIBRARY CARD (OPTIONAL)	Free	A library card gives you access to free resources from your local public library, such as books, movies, and advice from librarians. It also allows you to use the library's computers and access the Internet. Public library cards are usually free!

²⁴ Birth certificate costs by state, 2018, Ballotpedia, https://ballotpedia.org/Birth_certificate_costs_by_state_2018.

²⁵ Driver's license costs by state, 2018, Ballotpedia, https://ballotpedia.org/Driver%27s_license_costs_by_state_2018.

II. BIRTH CERTIFICATE

WHAT WILL I LEARN ABOUT BIRTH CERTIFICATES?

- How to get a copy of your birth certificate in the following situations: 1) you were born in the United States; 2) you were born in another country; 3) you were adopted and don't know where you were born; 4) you are not a U.S. citizen; or 5) you are a naturalized U.S. citizen.
- How to request your birth certificate.
- How to get a document notarized, whether you are currently or formerly incarcerated.
- Your options if there is no record of your birth.



IMPORTANT: For most, a birth certificate is the most critical ID you will need and the easiest one to get while still incarcerated. **START THE PROCESS AS SOON AS POSSIBLE!**

WHAT IS A BIRTH CERTIFICATE, AND WHY WOULD I NEED IT?

Your birth certificate is important because it proves your legal name, age, birthdate, and birthplace. If you were born in the United States, it also proves your U.S. citizenship. Having a copy of your birth certificate is necessary to get other key forms of ID.

HOW DO I GET A COPY OF MY BIRTH CERTIFICATE?

If you were born in the United States, the process for getting your birth certificate depends on which state you were born in.

Each state maintains its own birth records.²⁶ The federal government does not keep birth records or issue copies of birth certificates.²⁷ For this reason, the requirements and procedures for getting official copies of birth certificates vary from state to state.

If you were born in the U.S., here is the general process for getting a copy of your birth certificate:

- For the *state where you were born*, find out which government agency in that state manages birth records. (It is usually the vital statistics office within the state health department.)
- Get a request form from that government agency, fill it out, and send it in OR write a letter to the agency requesting your *certified* copy of your birth certificate.
- Have the form or request letter *notarized* (if requesting by mail). (Learn how to notarize a document in the box below.)
- Present a photo ID or swear an oath (if requesting in person).
- Pay the state's fee.

See [p. 13](#) for more information on each step.

WHY DO I WANT A CERTIFIED COPY?

It is best to get a *certified* copy of your birth certificate. Only a *certified* copy of your birth certificate can be used as proof of your identity. An informational copy is not accepted as a government-issued ID and, therefore, you cannot use it to obtain other forms of official ID.

CERTIFIED COPY — A certified copy of your birth certificate is any official copy of your birth certificate issued by the Office of the County Recorder in the county where you were born, or from your state's Office of Vital Records. It bears the stamp or seal of the office that issued it.

HELPFUL HINT: HOW DO I GET A DOCUMENT "NOTARIZED"?

- **What is *notarization*?** *Notarization* is when a government-approved person (called a "notary public" or just a "notary") witnesses signatures to an important document to show that it is authentic.
- **What do I bring with me to notarize a document?** Bring the following: (1) The document you need notarized UNSIGNED. Don't sign it before you go—the notary needs to *watch* you sign! (2) Proof of who you are (usually photo ID, though some states let you bring witnesses who know you if you don't have ID). *Before you go, check with the notary public about what you need to bring!*
- **Where do I find a notary public?** Try your local bank, credit union, public library, city hall, courthouse, post office, FedEx or UPS store, senior center, or public school. *Before you go, call the location and check its website to be sure a notary exists, when the notary is available, and the cost!*
IF YOU ARE CURRENTLY INCARCERATED: Federal prisons provide notary-like services.²⁸ Contact your correctional unit counselor to make an appointment, since such services may only be available certain days/times.

WHAT IF I WAS BORN IN ANOTHER COUNTRY?

Whether or not you are a U.S. Citizen, if you were born outside the United States, you must check with the country in which you were born for the procedures to get your birth certificate (see [p. 13](#) for more information).

If you were born outside the United States, but you are a U.S. citizen because one or both of your parents was a U.S. citizen, see [p. 13](#) on how to obtain your birth certificate.

²⁶ Age Search and Birth Records, United States Census Bureau.gov, https://www.census.gov/about/policies/foia/age_search_and_birth_records.html

²⁷ Age Search and Birth Records, United States Census Bureau.gov, https://www.census.gov/about/policies/foia/age_search_and_birth_records.html

²⁸ Federal law permits certain BOP staff to administer oaths and take acknowledgements of people in federal prison. 18 U.S.C. § 4004. BOP Program Statement 1315.07, https://www.bop.gov/policy/progstat/1315_007.pdf. There may, however, be instances where those staff members can't assist and a state-licensed notary is needed. Examples of such instances include real estate deeds, mortgage documents, car titles, business licenses, loan applications, and bills of sale. Prison policies about next steps vary by facility. For example, the Jesup policy on legal activities says that if a person in

- **How much will a notary cost?** Notaries usually cost about \$2 to \$15 per signature.²⁹
- **IF YOU ARE CURRENTLY INCARCERATED:** There may be an administrative fee to use an outside notary.³⁰

IF YOU WERE BORN IN THE U.S.

HOW DO I GET A CERTIFIED COPY OF MY BIRTH CERTIFICATE?

The federal government does not keep a central database for all birth records. Each state maintains its own. Each state has its own procedures for requesting an **authorized, certified** copy of your birth certificate, and the fees vary. The following steps will help you figure out the process in your birth state:

STEP 1: Find the vital statistics office in your birth state.

Each state has a vital statistics office (sometimes called a Vital Records Office) that is in charge of birth records for that state. The Centers for Disease Control and Prevention (CDC) has a list of the address and phone number for each state's vital statistics office, as well as basic information about each state's procedures. You can find this information on the CDC website at: <http://www.cdc.gov/nchs/w2w.htm>. You can also contact the CDC by phone at 1-800-CDC-INFO (1-800-232-4636), or write to:

Centers for Disease Control and Prevention
1600 Clifton Road
Atlanta, GA 30329-4027.³¹

We have included a list of vital records office phone numbers and addresses for each state in Appendix A, p. 29. Because this could change, you should check with the CDC for the most up-to-date information.

STEP 2: Call or write the vital statistics office in the state where you were born and ask what they need from you to send you a certified copy of your birth certificate.

WHAT IF I WAS BORN IN THE U.S., BUT THERE IS NO RECORD OF MY BIRTH?

If you request a copy of your birth certificate from the state or county where you were born, but you receive a notice that there is no record available, you will have to locate a secondary record of your birth to serve the same identifying purpose as a birth certificate does. Secondary records are not considered as reliable as certified birth certificates, but they can still help you prove your identity to obtain other forms of ID. Secondary records include:

- Hospital records;
- Census records;
- Religious records confirming your birthdate (such as a baptism certificate or family bible record);
- Statement from the midwife who delivered you;
- Early school records; and
- Records of immunization.³²

I AM ADOPTED, AND I DON'T KNOW WHERE I WAS BORN. WHAT CAN I DO?

If you are adopted, you must request an application for a *certified copy of your birth certificate* in the *state where you were adopted*, using your *adoptive name*.³³ There may be a place to indicate that you were born out of the country and adopted here on the birth certificate form.³⁴

IF YOU WERE BORN OUTSIDE THE U.S.

I WAS BORN OUTSIDE THE U.S., BUT I AM A U.S. CITIZEN BECAUSE ONE OR BOTH OF MY PARENTS WAS A U.S. CITIZEN. HOW DO I GET CERTIFICATION OF MY BIRTH AND CITIZENSHIP?

If you are a U.S. citizen who was born abroad to U.S. citizen parent(s), your parent(s) should have reported your birth to the nearest U.S. Consulate or Embassy as soon as possible after you were born.³⁵ Under federal law, they should have applied in your name for a "Consular Report of Birth Abroad of a Citizen of the United States of America" (also called "CRBA," or Form FS-240).³⁶

prison is able to prove that the notary service is required, BOP staff can arrange for a notary to come to the facility. Institutional Supplement JES 1315.07G, https://www.bop.gov/locations/institutions/jes/JES_legal_activities.pdf.

The Ray Brook policy, however, indicates that staff members who are also notaries will perform the required notarial services. Institutional Services RBK 1315.07E, https://www.bop.gov/locations/institutions/rbk/RBK_legal_activities.pdf.

²⁹ State Maximum Fees for Common Notarial Acts, NationalNotary.org, <https://www.nationalnotary.org/file%20library/nna/knowledge%20center/outside%20pdfs/state-notary-fees-chart.pdf>

³⁰ See JES 1315.07G, Institutional Supplement Number to BOP Program Statement 1315.07,

https://www.bop.gov/locations/institutions/jes/JES_legal_activities.pdf. Note that this policy says in situations where a person can't pay, a staff notary will perform the service.

³¹ CENTERS FOR DISEASE CONTROL AND PREVENTION, <http://www.cdc.gov/>.

³² Secondary Evidence of U.S. Citizenship, U.S. DEPARTMENT OF STATE, BUREAU OF CONSULAR AFFAIRS, <https://travel.state.gov/content/travel/en/passports/requirements/citizenship-evidence.html>.

³³ When you were adopted in the United States, your birth certificate was changed to reflect your adoptive information—whether you were born in the U.S. or not—and your original birth information was sealed. Therefore, the existing birth record will have your adoptive information.

³⁴ See e.g., CAL. DEP'T OF PUBLIC HEALTH, APPLICATION FOR CERTIFIED COPY OF BIRTH RECORD (FORM VS 111) (2018), <https://www.cdph.ca.gov/cdph%20document%20library/controlledforms/vs111.pdf.201>.

³⁵ Where to Write for Vital Records, CDC, NAT'L CTR. FOR HEALTH STATISTICS, DIVISION OF VITAL STATISTICS, OFFICE OF INFORMATION SERVICES (July 2014), <http://stacks.cdc.gov/view/cdc/22310>.

³⁶ Where to Write for Vital Records, CDC, NAT'L CTR. FOR HEALTH STATISTICS, DIVISION OF VITAL STATISTICS, OFFICE OF INFORMATION SERVICES (July 2014), <http://stacks.cdc.gov/view/cdc/22310>.

If your parents *did* register your birth with a U.S. Consulate or Embassy, the U.S. Department of State should have given them a CRBA in your name. Like a U.S. birth certificate, your CRBA is proof of your U.S. citizenship, and you can use it as official ID to get other key forms of ID, including a U.S. passport.³⁷

The only people who can legally request a copy of your CRBA are: (1) you, (2) an authorized government agent, and (3) a person with written authorization. To request a copy of your CRBA, follow these steps:

STEP 1: Prepare a written (or typed) request. Include all of the following:

1. Your full name at birth, and any adoptive names you had.
2. Your birthdate and birthplace.
3. Your parents' full names.
4. The serial number of your Consular Report of Birth Abroad (also called Form FS-240), if you know it.
5. Any available passport information.
6. Your mailing address and phone number.
7. Your signature. (Leave space for this, but don't actually sign until Step 2, when you're with a Notary Public.)

STEP 2: Get your request notarized by a Notary Public.

See the box on p. 12 to learn how to get a document *notarized*.

STEP 3: Prepare a check or money order for \$50 (no cash). Make it payable to "Department of State."

STEP 4: Mail your request and fee. Address the envelope to:
Department of State, Passport Vital Records Sections
1150 Passport Services Pl, 6th Floor
Dulles, VA 20189-1150.³⁸

WHO CAN I CALL FOR HELP?

For more information, call the Bureau of Consular Affairs at 1-877-487-2778 (TDD/TTY: 1-888-874-7793).

I AM NOT A U.S. CITIZEN. HOW DO I GET MY BIRTH CERTIFICATE FROM A FOREIGN COUNTRY?

Most, but not all, foreign countries record births and will provide birth certificates. You should contact your birth country's nearest Embassy or Consulate in the United States. Addresses and telephone numbers for these offices are available here:

<https://travel.state.gov/content/travel/en/consularnotification/ConsularNotificationandAccess.html>

I AM A NATURALIZED CITIZEN. DO I NEED MY BIRTH CERTIFICATE?

If you were born outside the United States, but immigrated here and became a U.S. citizen at some point in your life, you are a *naturalized citizen*. You should have been issued a *Certificate of Naturalization* at the time you became a citizen. This document is similar to a birth certificate in that it can be used to get other forms of identification documents (ID).³⁹ If your Certificate of Naturalization was lost or destroyed, you can apply for a new one. You will need to fill out an "Application for Replacement Naturalization/Citizenship Document" (Form N-565). You can call the Department of Homeland Security, Citizenship and Immigration Services, National Customer Services Center hotline at 1-800-375-5283 to have the form mailed to you. The form is also available online at <http://www.uscis.gov/n-565>.⁴⁰

³⁷ Note: Until January 3, 2011, the document issued for this purpose was "Certificate of Report of Birth Abroad," or "Form DS-1350," also called "CRBA." The Department of State no longer issues Form DS-1350 for new births. However, if this was the document issued when your parents registered your birth, it is still valid for the same purposes as a Form FS-240, and you can still request a copy by taking the same steps you would to request a Form FS-240. See Foreign Birth and Death Certificates, CDC, <http://www.cdc.gov/nchs/w2w/foreign.htm>; Birth of U.S. Citizens Abroad, U.S. DEPARTMENT OF STATE, BUREAU OF CONSULAR AFFAIRS, <https://travel.state.gov/content/travel/en/international-travel/while-abroad/birth-abroad.html>.

³⁸ See Foreign Birth and Death Certificates, CDC, <http://www.cdc.gov/nchs/w2w/foreign.htm>; How to Replace or Amend a Consular Report of Birth Abroad (CRBA), U.S. DEPARTMENT OF STATE, BUREAU OF CONSULAR AFFAIRS, [HTTPS://TRAVEL.STATE.GOV/CONTENT/TRAVEL/EN/INTERNATIONAL-TRAVEL/WHILE-ABROAD/BIRTH-ABROAD/REPLACE-AMEND-CRBA.HTML](https://travel.state.gov/content/travel/en/international-travel/while-abroad/birth-abroad/replace-amend-crba.html).

³⁹ 8 C.F.R. § 301.01(b).

⁴⁰ Application for Replacement Naturalization/Citizenship Document, U.S. Citizenship and Immigration Services, <http://www.U.S.C.is.gov/n-565>.

III. SOCIAL SECURITY NUMBER & CARD

WHAT WILL I LEARN ABOUT SOCIAL SECURITY NUMBERS AND CARDS?

- The difference between a Social Security number (SSN) and Social Security card, and when you'll need them
- How to find out your SSN if you don't know it
- How to apply for an original Social Security card if you've never received a SSN
- How to apply for a replacement Social Security card if you don't have the original
- How to get a Social Security card even if you don't have a U.S. Passport, State ID, or Driver's License

WHAT IS A SOCIAL SECURITY NUMBER (SSN) AND WHAT IS A SOCIAL SECURITY CARD? DO I NEED BOTH?

If you were born in the U.S., and your birth was reported, the government assigned you a **Social Security number (SSN)**. Your SSN is a 9-digit number that is unique to you. The government uses it primarily to identify you, but also to track your income for tax purposes and to calculate any Social Security benefits you earn as you work. Other institutions—like banks, hospitals, schools, and businesses—will also use your SSN to identify you.⁴¹

A **Social Security card** is a paper card that provides a record of your name and SSN. Social Security cards are issued only by the Social Security Administration of the federal government. Social Security cards are free.⁴²

While there are many situations in which you will need to provide your **SSN**, you will only need to show the actual Social Security card in a few limited situations—most commonly, when filling out employment paperwork. *For this reason, it is a good idea to memorize your SSN, and store your Social Security card in a safe place, only carrying it with you when you know you will need it.*

WHY DO I NEED TO KNOW MY SSN?

Like your birth certificate, your SSN proves who you are. You'll need to provide your 9-digit SSN to access government services and to apply for jobs, public benefits, housing, a Driver's License, health care, school, and financial aid.⁴³

I HAVE AN SSN, BUT I DON'T KNOW WHAT IT IS. HOW DO I FIND OUT?

If you were assigned an SSN at some point in your life, but you don't know it now, you need to request a **replacement card**. This is the only way to get your number because the Social Security Administration (SSA) does not give out SSNs any other way. You can apply for a replacement card by mail or in person at a local SSA Field Office. For more information, see [p. 16](#) if you're incarcerated, or [p. 16](#) if you're out.⁴⁴

I AM A U.S. CITIZEN, BUT I NEVER GOT AN SSN. CAN I GET ONE NOW?

Yes. If you were never assigned an SSN, you will need to apply for an **original card**.⁴⁵ See [p. 18](#) for more information on getting an original card.

PRE-RELEASE PLANNING — GETTING A SOCIAL SECURITY CARD WHILE INCARCERATED

CAN I GET A SOCIAL SECURITY CARD WHILE I AM STILL INCARCERATED?

Maybe. If you never had a Social Security Number (SSN), the Social Security Administration (SSA) will not assign you a new SSN or issue you an "original" Social Security card while you are incarcerated. You will have to wait until you get out.

However, if you were given an SSN at some point in the past, the SSA may issue you a **replacement card** with your original number on it while you are incarcerated—

NOT SURE IF YOU EVER HAD AN SSN?

If you're not sure if you've ever had an SSN, unfortunately there's no easy way to check. There are services that you can pay to check, but it's unclear if they are trustworthy. For this situation, we suggest trying to get a replacement card, and seeing if the SSA tells you that there was no original card to replace.

⁴¹ Social Security Number and Card, Soc. Sec. ADMIN., <http://www.ssa.gov/ssnumber/>.

⁴² Social Security Number and Card, Soc. Sec. ADMIN., <http://www.ssa.gov/ssnumber/>.

⁴³ Social Security Number and Card, Soc. Sec. ADMIN., <http://www.ssa.gov/ssnumber/>.

⁴⁴ How do I apply for a new or replacement Social Security card?, Soc. Sec. ADMIN., <https://faq.ssa.gov/en-us/Topic/article/KA-02017>

⁴⁵ Social Security Number Card, Soc. Sec. ADMIN., <http://www.ssa.gov/ssnumber/>.

under limited circumstances.⁴⁶ See the next question (p. 16) to learn how to get a replacement card while incarcerated.

These rules may be changing soon, however, since the FSA requires BOP to help people get ID before getting out. In fact, according to news reports, the White House has asked the SSA to make sure that people who are getting out in July 2019 as a result of the FSA have a social security card.⁴⁷

HOW DO I GET A REPLACEMENT CARD WHILE I AM INCARCERATED?

You can request a replacement Social Security card up to 180 days before your scheduled release day.⁴⁸ Follow these steps:

STEP 1: Get and fill out the application for a Social Security card (Form SS-5).

You can find Form SS-5 here: <https://www.ssa.gov/forms/ss-5.pdf>. You (or a friend or family member) can also call the Social Security Administration (SSA) at 1-800-772-1213 and ask to have the form mailed to you, or write to your local SSA Field Office or the closest SSA Regional Office.

Keep in mind that each SSA Regional Office serves several states, so it may take some time to process your request. You might also try asking your correctional counselor or other prison services staff if they have the form on hand.

Gather the documents you will need.

You will need to submit two documents with your application:

- **Certification of Inmate Identity:** A designated prison official should verify your identity through prison records and issue a certification of identity to the SSA.⁴⁹
- **Information Release:** You need to sign an information release form, giving the SSA permission to send your Social Security card to your facility. Ask your correctional counselor for this form.

NEVER HAD AN SSN? NEED AN ORIGINAL CARD?

You can only get an original SSN and card after you're released. Go to p. 18 to learn how.

HELPFUL HINT

When sending your request to the SSA, you should send any and all documents showing your identity—the prison staff's certification of your identity, your prison ID card, your birth certificate, etc. The SSA must consider everything you send to verify your identity. Start gathering documents while you're incarcerated. You can also work on getting these forms of ID after you are released. For more information on "other proof of identity" the SSA must consider, see p. 17.

POST-RELEASE — GETTING A SOCIAL SECURITY CARD AFTER YOU'RE OUT

I AM FORMERLY INCARCERATED, AND I USED TO HAVE A SSN. HOW DO I GET A REPLACEMENT SOCIAL SECURITY CARD?

You can apply for a replacement Social Security card at your local SSA office in person or request one by mail. We strongly recommend applying IN PERSON for 3 reasons:

- **REASON 1:** First, if you go in person, the SSA agent can actually see that you are a real person. This helps verify your identity, especially if you are coming out of prison without any other official ID documents.
- **REASON 2:** Second, it will be less of a hassle for you to go in person. If you request a replacement card by mail, you must submit your *original* ID documents with your application. *This means that while your application is being processed, you won't have these ID documents for other purposes.*
- **REASON 3:** Lastly, the in-person process is much faster than the by-mail process. If the SSA accepts your application in person, you can leave with your new Social Security number the same day (and they will mail you the card)! In contrast, applications by mail can take days or weeks to process.

Whichever you decide, you can find more information about the process below—*application in person* (see next section) and application by mail (p. 18).

⁴⁶ SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10225.125 Replacement SSN Cards for Prison Inmates Covered by a Memorandum of Understanding (February 27, 2014), <https://secure.ssa.gov/poms.nsf/lnx/0110225125>.

⁴⁷ The Marshall Project, White House Pushing to Help Prisoners Before Their Release, <https://www.themarshallproject.org/2019/06/05/white-house-pushing-to-help-prisoners-before-their-release>.

⁴⁸ Enhanced access to replacement Social Security cards, BUREAU OF PRISONS, https://www.bop.gov/resources/news/20180222_ssa.jsp

⁴⁹ SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10225.125 Replacement SSN Cards for Prison Inmates Covered by a Memorandum of Understanding (February 27, 2014), <https://secure.ssa.gov/poms.nsf/lnx/0110225125>; 27, 2009), <https://secure.ssa.gov/poms.nsf/lnx/0110225130>; RM 10225.135 Elements of Prisoner Replacement Card Memorandum of Understanding (MOU) (May 4, 2017). A designated prison official is someone listed on your facility's list of officials authorized to sign. SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10225.145 Processing SS-5 (Social Security Card Application) for Prisoners Under Terms of a Memorandum of Understanding (MOU), <https://secure.ssa.gov/poms.nsf/lnx/0110225145>, <https://secure.ssa.gov/poms.nsf/lnx/0110225135>).

Getting a Social Security Card in person

I WANT TO GET A REPLACEMENT SOCIAL SECURITY CARD IN PERSON (RECOMMENDED). HOW DO I DO THAT?

STEP 1: Gather the documents you need to prove your identity.

Your **proof of identity** documents must show 3 key facts about you:

- Proof of your age;
- Proof of your citizenship or legal presence in the United States;
- Proof that you are still alive.⁵⁰

The SSA will accept the following documents as **Primary ID** proving all three of these key facts about you:

- U.S. state-issued Driver's License;
- U.S. state-issued ID card; or
- U.S. passport.⁵¹

If you do not have these forms of ID, then the documents you submit must show your **legal name** AND provide **biographical information** (date of birth, age, or parents' names) as well as **physical information** (a photograph or physical description — height, eye and hair color, etc.). Generally, IDs without an expiration date are acceptable if they were issued in the past two years.⁵² If you don't have the ID you need, find out how to get it on [p. 7](#).

STEP 2: Find your local Social Security Administration (SSA) Field Office or Card Center.

Search online at <http://www.socialsecurity.gov> or call the SSA at 1-800-772-1213.

STEP 3: Go to your local SSA Field Office or Card Center and fill out the application.

STEP 4: Meet with an SSA employee to verify your identity.

Remember, the SSA agent will evaluate all the evidence you bring in and make a judgment call. If you are there in person with as much identifying documentation as possible, hopefully all of your documents combined will be enough to prove your identity (even if each of your documents, considered separately, might not be enough).



IMPORTANT: HOW TO GET A SOCIAL SECURITY CARD WHEN YOU DON'T HAVE PRIMARY ID:

If you have been incarcerated since you were young or for a long time, you may never have had primary ID documents, or they may have been lost or destroyed. Unfortunately, the SSA's rules are not written with your situation in mind.

Fortunately, even if you do not have primary ID, you may be able to get a replacement Social Security card. Gather as much identifying information and documentation as you can, and include it with your application. Then, on a case-by-case basis, the SSA will decide whether or not you have presented enough proof of who you are.

IF YOU DO NOT HAVE PRIMARY ID, USE AS MANY OF THE FOLLOWING AS YOU CAN:

- **Birth Certificate** — Without a primary ID document, your birth certificate will be the most important document you submit. But the birth certificate alone is not enough to prove your identity. The SSA still needs proof that the person named on the birth certificate is alive and that you are that person!
- **Other Proof of Identity** — The more evidence of your identity you provide, the better. Any ID with your photo and name on it, even if it is not government-issued, will make it easier to prove who you are to the SSA. Other proof that can help: an employee ID, a school ID, a library card, a prison ID card, a U.S. Military ID, a health insurance or Medicaid card (not Medicare), or a certified copy of your medical record from a health clinic, doctor, or hospital that treated you.⁵³ SSA employees must consider everything you bring on a case-by-case basis.

⁵⁰ SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10210.405 Evidence of Identity for an SSN Card (Mar 31, 2015).

⁵¹ SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10210.405 Evidence of Identity for an SSN Card (Mar. 31, 2015).

<https://secure.ssa.gov/poms.nsf/lnx/0110210405>; RM 10210.420 Priority List of Acceptable Evidence of Identity Documents (Aug. 30, 2017),

<https://secure.ssa.gov/poms.nsf/lnx/0110210420>.

⁵² See Application for a Social Security Card (Form SS-5), Soc. Sec. Admin. (Aug. 2011).

⁵³ SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10210.405 Evidence of Identity for an SSN Card (Mar. 31, 2015);

<https://secure.ssa.gov/poms.nsf/lnx/0110210405>; RM 10210.420 Priority List of Acceptable Evidence of Identity Documents (Aug. 30, 2017),

<https://secure.ssa.gov/poms.nsf/lnx/0110210420>; RM 10210.430 What Documents Are Not Evidence of Identity for an SSN Card (Apr. 13, 2010),

<https://secure.ssa.gov/poms.nsf/lnx/0110210430>.

Getting a Social Security card by mail

HOW DO I GET A REPLACEMENT SOCIAL SECURITY CARD BY MAIL?

STEP 1: Obtain and fill out the application for a replacement card, Form SS-5.

You can get this form from your local Social Security Administration (SSA) Field Office, download it from the SSA's website at www.socialsecurity.gov/forms/ss-5.pdf, or call the SSA at 1-800-772-1213 and ask to have the form mailed to you. If you decide to call the SSA, be patient. You will likely not speak to a live person, but will have to navigate through several voice prompts before getting to the right function. Gather the documents you will need to prove your identity.

See *STEP 1 on p. 17* — the same types of proof apply by mail.⁵⁴

STEP 2: Mail your application and supporting documents to any SSA Field Office.

To get the address of your local SSA Field Office, call 1-800-772-1213, or visit the SSA's website at: secure.ssa.gov/ICON/main.jsp — and enter your ZIP code.⁵⁵

I AM FORMERLY INCARCERATED, AND I'VE NEVER HAD A SOCIAL SECURITY NUMBER (SSN). HOW DO I GET AN ORIGINAL SSN AND CARD?

If you have never had a Social Security number (SSN)—meaning you were never assigned one at any point in your life—you need to apply for an **original SSN**. The process is similar to the process for getting a replacement card, but *it must be done in person*, and *the proof of identity requirement is stricter*.

STEP 1: Gather the documents you will need to prove your identity.

To get an **original SSN**, you must prove your identity including proof of: (1) your age; (2) your U.S. citizenship or legal presence in the U.S.; and (3) your identity.⁵⁶

To do this, you *must bring more than one document* to prove your identity—including all the types of ID listed on [p. 17](#) for getting a replacement card.⁵⁷ Some documents carry more weight than others: an **authorized, certified birth certificate** (or **proof of naturalization**, or a hospital or religious record of your birth) will be the most important. Remember, the SSA Field Office reviewer has to decide that you are who you claim to be. To give that person every reason to believe you, bring as much proof as possible!

STEP 2: Find your local Social Security Administration (SSA) Field Office or Card Center.

Go to the website <https://secure.ssa.gov/ICON/main.jsp> to locate a local SSA Field Office.

STEP 3: Go to your local SSA Field Office or Card Center and fill out the application (Form SS-5).

STEP 4: Meet with an SSA employee to verify your identity.

Bring with you everything that could help prove who you are — even family members who can vouch for you (they must bring valid ID for themselves)! An SSA Field Office reviewer will interview you and review all the documents you bring. Depending on what you provide, the reviewer may ask for additional evidence of your age, citizenship/legal presence, or identity.⁵⁸ The reviewer will enter all of your documentation into the SSA's electronic application system.⁵⁹ Generally, if the reviewer believes your documents are authentic and that you are who you say you are, your completed electronic application will be sent to a central office, and you'll be issued a Social Security card within about two weeks. If your information needs to be verified, the process can take several weeks or months.⁶⁰

REMEMBER TO MAKE COPIES BEFORE MAILING!

If you are sending your application by mail, you must send the originals of all your ID documents, so you won't have those original documents until your claim has been processed and the IDs have been mailed back to you. Make copies of every document before you send it in!

⁵⁴ SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10210.405 Evidence of Identity for an SSN Card (Mar. 31, 2015), <https://secure.ssa.gov/poms.nsf/lnx/0110210405>.

⁵⁵ Learn What Documents You Need to Get a Social Security Card, SOC. SEC. ADMIN., <http://www.socialsecurity.gov/ssnumber/ss5doc.htm>.

⁵⁶ SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10210.020 Policy for Number of Documents Required for an SSN Card (Sept. 30 2013).

⁵⁷ SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10210.405 Evidence of Identity for an SSN Card (March 20, 2013); RM 10210.420 Priority List of Acceptable Evidence of Identity Documents (Nov. 17, 2014); RM 10210.430 What Documents Are Not Evidence of Identity for an SSN Card (Apr. 13, 2010), <https://secure.ssa.gov/poms.nsf/lnx/0110210430>.

⁵⁸ SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10210.210 Reviewing Age, Identity, Citizenship and Lawful Alien Status Evidence for an SSN Card; RM 10210.410 How Do you Examine, Evaluate, and Assess Documents Submitted as Evidence of Identity (Jul. 21, 2017), <https://secure.ssa.gov/poms.nsf/lnx/0110210210>.

⁵⁹ SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10201.025 Enumeration Process: SSA Component Responsibilities (Jun. 2, 2017), <https://secure.ssa.gov/poms.nsf/lnx/0110201025>.

⁶⁰ SOC. SEC. ADMIN., PROGRAM OPERATIONS MANUAL SYSTEM, RM 10205.100 How Long Does it Take to Get an SSN Card? (May 22, 2018), <https://secure.ssa.gov/poms.nsf/lnx/0110205100>.

IV. STATE ID & DRIVER'S LICENSE

WHAT WILL I LEARN?

- The difference between a state ID and Driver's License, and how to decide which will be most useful to you
- How to apply for a state ID if you: have never had ID; have an expired ID; or are currently incarcerated
- How to apply for a replacement card if you have a non-expired ID but misplaced the original
- How to get the DMV to reduce your application fee for an ID, if you are eligible
- How to get a valid ID or Driver's License if you are undocumented
- How to get a new Driver's License
- What to do if you have an expired Driver's License
- What to do if you have a Driver's License from another state
- What you can do if your Driver's License has been suspended or revoked
- What happens when you have an outstanding traffic ticket in another state

A *state ID card* and a *Driver's License* are the most commonly used forms of identification for most people in their daily lives. The Department of Motor Vehicles (DMV) usually issues both of these documents. The major difference between these two forms of ID is that a state ID card can be used *only* for *identification* purposes, but does not permit you to drive a car. A Driver's License can be used for *identification* AND permits you to *drive* a car.

Once you have an authorized copy of your birth certificate (p. 11) and know your Social Security number (SSN) (p. 15), you have what you need to apply for a state ID card or a Driver's License.

WHICH ONE IS RIGHT FOR ME — A STATE ID CARD OR A DRIVER'S LICENSE? WHAT'S THE DIFFERENCE?

Both a state ID and a Driver's License serve as an official government-issued, photo identification that can be used to prove your identity, age, and legal presence in the United States (unless you have a special state ID or Driver's License for *undocumented* people). For example, either one will allow you to prove your identity to open a bank account, register to vote, or apply for jobs, housing, or public benefits.

If you eventually want to *drive*, you will need to get a Driver's License, but because getting a Driver's License requires testing, we recommend that you get a state ID first, since ID is needed right away after release. Once you get a state ID, you can go back later for a Driver's License.

THIS CHART COMPARES TWO TYPES OF IDENTIFICATION: STATE ID VS. DRIVER'S LICENSE.

STATE ID vs. DRIVER'S LICENSE	
STATE ID	DRIVER'S LICENSE
Government-issued ID; can be used to prove age, identity, and legal presence.	Government-issued ID; can be used to prove age, identity, and legal presence. ****
Requires only birth certificate and SSN.	Requires birth certificate and SSN; plus, you must take and pass a written test and a road test.
Does not authorize you to drive a car.	Authorizes you to drive a car.
There are <i>no</i> restrictions in getting a state ID based on your criminal history.	There <i>could</i> be some restrictions in getting a Driver's License, depending on your criminal history.



****** A NOTE IF YOU ARE UNDOCUMENTED:** In a growing number of states, if you cannot provide proof of legal presence in the United States, but otherwise qualify for a Driver's License, you can apply for a "non-ID" Driver's License.⁶¹ If you hold this license, you can legally drive a motor vehicle in your state; but it does *not* prove legal presence in the U.S. for any purpose and cannot be used in an airport or other federal building.

I WANT TO GET A STATE ID OR DRIVER'S LICENSE. HOW DO I APPLY?

The application process is different from state to state. Check in with your local Department of Motor Vehicles (DMV) for more details about the process for getting a state ID or Driver's License.⁶² Be aware that there might be more than one type of ID and Driver's Licenses to choose from in your state, and some states offer reduced-fee IDs. It is also important to know that if this is your *first* Driver's License, the requirements will likely be different than if you had a Driver's License, but it was suspended, expired, or lost.

⁶¹ <http://www.ncsl.org/research/immigration/states-offering-driver-s-licenses-to-immigrants.aspx>

⁶² This website links to all the states' departments of motor vehicle: https://dmv.com/50_state_dmv_list.html.

STEP 1: Find a DMV office near you. You must apply for a state ID or Driver's License in person at the DMV.

STEP 2: Prepare the required information and documents you need to bring to the DMV office. Check with your DMV office before you go to be sure, but you will likely need at minimum:

- **Your Social Security Number (SSN)** — You will probably need to show your actual Social Security card. (If you don't have or don't know your SSN, go to p. 15 to learn how to get one and start that process first.)
ONE SMALL EXCEPTION: If you are a **noncitizen**, you don't need to bring an SSN to the DMV if you are **legally present** in the U.S. (meaning you have lawful immigration or citizenship status), and you don't have an SSN because you are not authorized to work.
- **Proof of Birthdate and Legal Presence in the U.S.** — You will likely need to prove your *birthdate* and *legal presence* in the United States to get a state ID or Driver's License. The DMV accepts many kinds of documents for this purpose, depending on your situation. Examples include:
 - *If you are a U.S. citizen:* U.S. birth certificate, U.S. certificate of U.S. naturalization or citizenship
 - *If you are NOT a U.S. citizen:* A valid foreign passport with valid I-94; permanent resident alien card ("green card"); U.S. border crossing card with valid I-94; refugee travel document; or judge's order granting you asylum.
- **Proof of Residency** — You usually have to prove your residency to get a state ID. When using a mailing address that is a post office (PO) box or general delivery, you must provide an actual place of residence on your application. The address on the residency documents must match the residence address on your application.
 - Acceptable residency documents often include: Rental/lease agreement with signatures of the owner/landlord and the tenant/resident, home utility bill (including cell phone bill), medical documents, school documents, employment documents, insurance documents, vehicle registration, court documents, letter on letterhead from a shelter (including homeless shelters and shelters for survivors of domestic violence). The DMV will usually accept photocopies, "informational copies," or computer-generated documents for residency purposes.

STEP 3: Go to your local DMV office to submit your application and pay the fee.

- Have your information and documents ready, and complete the application form. Make sure you provide a reliable and accurate mailing address that will be good for several weeks where you can receive your ID.
- At the DMV, you may be asked to give your thumbprint and you will have your photo taken.
- Pay your fee or request a reduced fee or waiver.

STEP 4: Receive your temporary ID, and wait for your official card to come by mail; or you might receive your ID right away, depending on where you live!



IMPORTANT: This is general information only. Be sure to check with the Department of Motor Vehicles (DMV) agency in your state about how to get a Driver's License or state ID.

I AM CURRENTLY INCARCERATED. CAN I APPLY FOR A STATE ID OR DRIVER'S LICENSE?

You usually cannot apply for a Driver's License from prison, as it typically must be done in person. That said, the First Step Act (FSA) requires the federal Bureau of Prisons (BOP) to assist people in prison in getting ID, including Driver's Licenses, *before they get out*.⁶³

DRIVER'S LICENSE SUSPENSIONS & REVOCATIONS

MY DRIVER'S LICENSE HAS BEEN SUSPENDED OR REVOKED. WHAT DOES THIS MEAN?

If your Driver's License was *suspended* or *revoked*, this means you lost your right to drive as a penalty for a driving violation, other violations, and/or an unpaid debt. Here are specific examples of issues that can cause your license to be suspended or revoked:

Driving Violations: Driving under the influence, hit-and-run, fleeing a law enforcement officer, too many accidents in a short time, too many "negative points" on your driving record, or reckless driving (road rage, speeding, racing, etc.).

Other Violations: Vandalism (including graffiti), fleeing a police officer, failing to appear in court, or failing to report an accident.

Unpaid Debts: Failing to pay child support; or failing to pay other debts (such as loans, credit card payments, medical bills, car payments, payday loans, landlord dues, or utility bills) if the person to whom you owe money gets a judgment against you in court.

WHAT HAPPENS IF MY LICENSE IS SUSPENDED?

If your Driver's License is suspended, that means you *temporarily* lose your driving privileges, but not forever. You will not be able to drive for a period of time, anywhere from 30 days to a few years. After your period of suspension has passed, your license may be automatically reinstated or you may have to reapply, depending upon where you live.⁶⁴

⁶³ 18 U.S.C. § 4042(6); 34 U.S.C. 60541(b).

⁶⁴ However, if your license is suspended because of a physical or mental condition or disorder that affects your ability to drive, the suspension will likely be permanent if that condition becomes permanent.

A *restricted license* allows you to drive during a period of suspension, but only for specific purposes that a judge has permitted, such as to attend work, school, or a court-ordered program (for example, a DUI class).⁶⁵

WHAT HAPPENS IF MY DRIVER'S LICENSE IS REVOKED?

If your Driver's License is revoked, your driving privileges are terminated (ended). You may be able to get a Driver's License again, but you likely will have to wait several years. In extreme cases, you may be legally forbidden from ever driving again. If you become eligible for a Driver's License again, you will have to apply for a new license.

IF MY LICENSE WAS SUSPENDED OR REVOKED, CAN I GET MY DRIVING PRIVILEGES BACK?

Maybe. Unless your license was *permanently* revoked, you should be able to regain your driving privileges if (1) the required time period of your suspension or revocation has passed, AND (2) you've fulfilled any conditions of your suspension or revocation. Depending on the reason why your license was suspended, the length of suspension will vary, and the steps you must take to get your license back will also vary. If your Driver's License was suspended or revoked and you want to regain your driving privileges, here are some steps you can take:

STEP 1: Know the details of your situation.

The requirements to reinstate your license will depend on exactly why it was suspended or revoked. Call the DMV, ask them to look up your case, and find out what you need to do. When you call, be prepared with your old Driver's License number and any information the DMV has sent to you.

STEP 2: Make sure that you fulfill the conditions of your suspension or revocation.

- You may be required to complete traffic school, DUI treatment, or jail time, and to provide documents proving that you did so. You may also be required to pay fees and fines, including court-related fees and additional penalties imposed by the DMV.
- Keep all documents proving that you've fulfilled these conditions, such as certificates and pay stubs, and be prepared to submit them as required.
- You will also probably need to submit proof of "financial responsibility," which usually means proof of car insurance.

STEP 3: Prepare all required documents and payments.

Make copies of all your important documents, and keep careful records of all payments.

STEP 4: Submit all required documents and payments to the DMV.

Confirm that you're eligible to reinstate your license, and get proof from the DMV.

Once you've completed these four steps, you may be able to reinstate your Driver's License (if it was *suspended*) or apply for a renewal Driver's License (if it was *revoked*). In some cases, if you've completed some or most of the requirements, you may be able to get a *restricted license* if your suspension or revocation period hasn't ended yet.

MY LICENSE WAS SUSPENDED IN ANOTHER STATE. WILL I BE ABLE TO GET A DRIVER'S LICENSE IN A NEW STATE?

Unfortunately, if your Driver's License was suspended or revoked in another state, you generally cannot get a Driver's License until:

- You fix the violation and complete all the requirements to get your license reinstated in the state where the suspension or revocation happened; and/or
- The period of suspension or revocation is over or more than one year has passed since the revocation.

To figure out your situation and what steps you need to take, it's best to contact the DMV agency in the state where your license was suspended or revoked. If you do not know which state this happened in, call the National Driver Register to find out (see next question).

WHAT LAWS COULD NEGATIVELY AFFECT ME IF I AM TRYING TO GET (OR KEEP) A DRIVER'S LICENSE?

Several laws and policies, explained below, may affect your ability to get or keep a Driver's License.

National Driver Register (NDR)⁶⁶

When you apply for a Driver's License, the DMV will check to see whether your name is listed in the NDR's Problem Driver Pointer System.⁶⁷ The NDR database contains information about all drivers who have had their licenses denied, revoked, or suspended, or who have been convicted of serious traffic violations such as driving under the influence of alcohol or drugs.⁶⁸ The NDR has information on drivers from *all 50 states*.

If your name appears in the NDR database, the DMV will investigate the reason and decide whether or not to issue you a Driver's License. If your license was suspended or revoked in another state, the DMV will not issue you a Driver's License until you fulfill the conditions of suspension or revocation in the other state (including paying all fines and reinstatement fees).⁶⁹

⁶⁵ States have different names for this, such as limited license and conditional license.

⁶⁶ 49 U.S.C. § 30301 et seq.; 23 C.F.R. § 1327.1 et seq.

⁶⁷ 49 U.S.C. § 30305(a).

⁶⁸ 49 U.S.C. §§ 30302(a), 30304; NATIONAL DRIVER REGISTER (NDR), [http://www.nhtsa.gov/Data/National+Driver+Register+\(NDR\)](http://www.nhtsa.gov/Data/National+Driver+Register+(NDR)). All state DMV agencies are required to provide NDR with the names of individuals who have lost their privileges or who have been convicted of a serious traffic violation.

⁶⁹ NATIONAL DRIVER REGISTER (NDR), [http://www.nhtsa.gov/Data/National+Driver+Register+\(NDR\)](http://www.nhtsa.gov/Data/National+Driver+Register+(NDR)).

How do I find out if my name is in the NDR database?

You can find out if your name is in the NDR database and check your driver status *for free* by sending a request letter to the NDR.⁷⁰ Although the database does not contain details about your driving record (i.e., it will not tell you *why* your license was suspended), it will tell you the status of your Driver's License and the state where any problem occurred (called the "State-of-Record").⁷¹ If you already know the state in which your offense occurred, it may be faster and easier to contact that state's DMV agency directly for information.

To check your NDR status, write and send a notarized letter (also called a "privacy act request") to the NDR, stating that you would like an NDR file check. Be sure to include your full legal name, date of birth, gender, height, weight, eye color, and your previous Driver's License number and state (if you know them); your Social Security Number is optional.⁷² If your name is in the NDR database, your Driver's License may have been suspended, cancelled, revoked, or denied because of a serious traffic violation.⁷³

What can I do if my name is in the NDR database?

Once you know where the problem occurred, you must contact that state's DMV agency directly to find out how to fix the issue and reinstate your license.⁷⁴ You may need to request a copy of your driving record from that state to learn why your license was suspended or revoked.⁷⁵ If you think the NDR database is incorrect, you still need to contact the state DMV agency where the problem supposedly occurred. You need to resolve the error directly with that agency before the NDR can correct or delete your record.⁷⁶

Driver's License Compact (DLC)

The DLC is an agreement among most states to share driver records and information about traffic violations. When you apply for a Driver's License, the DMV will check to see if you ever had a Driver's License in another state. If your license from another state was *suspended*, the DMV will not issue a new license to you until the suspension period is over. If your license from another state was *revoked*, the DMV will not issue a new license to you until the revocation period is over or one year has passed since the revocation (whichever comes first). In addition, the DLC requires each state to enforce any traffic convictions that happened in other states — including by suspending or revoking your license for serious violations.

Nonresident Violator Compact (NRVC)⁷⁷

The NRVC is an agreement among most U.S. states to enforce out-of-state traffic violations. If you get an out-of-state ticket and then fail to pay the fine or fail to appear in court, the state where you got the ticket will tell your home state (where your Driver's License is from). Your home state can then suspend your license based on your failure to comply with the out-of-state ticket.

In states that are *not* part of the NRVC, failing to comply with an out-of-state ticket may not affect your home state Driver's License. (Though your home state DMV can still penalize you for the traffic violation that caused your out-of-state ticket — just not for your failure to pay the ticket or appear in court.) On the other hand, if you receive a ticket in a non-NRVC state and your Driver's License is from another state, you may have to pay the traffic fine or post bail immediately (or risk arrest if you cannot pay right away), and/or you may lose the right to drive in that state.

Driver's License Agreement⁷⁸

The Driver's License Agreement combines the DLC and NRVC into a single agreement, and increases enforcement of out-of-state traffic violations, making the rules stricter and more severe.⁷⁹ However, this agreement is still very new and doesn't apply in most states.⁸⁰

⁷⁰ 49 U.S.C. § 30305(b)(11); NATIONAL DRIVER REGISTER (NDR), [http://www.nhtsa.gov/Data/National+Driver+Register+\(NDR\)](http://www.nhtsa.gov/Data/National+Driver+Register+(NDR)).

⁷¹ NATIONAL DRIVER REGISTER (NDR), [http://www.nhtsa.gov/Data/National+Driver+Register+\(NDR\)](http://www.nhtsa.gov/Data/National+Driver+Register+(NDR)).

⁷² Under the Privacy Act, you are entitled to request a file search to see if your name is listed (i.e., if have a record) in the NDR database. To do so, you must send a notarized letter (also called a "privacy act request") to the NDR stating that you would like an NDR file check. Mail your request to the National Driver Register, 1200 New Jersey Avenue, S.E., Washington, D.C. 20590. In your request, make sure to include your full legal name, DOB, State and Driver's License Number, Sex, Height, Weight, and Eye Color (your social security number is optional). There is no charge for this service. 23 C.F.R. § 1327.7; NATIONAL DRIVER REGISTER (NDR), [http://www.nhtsa.gov/Data/National+Driver+Register+\(NDR\)](http://www.nhtsa.gov/Data/National+Driver+Register+(NDR)). You can also request your status online, by visiting the NDR website at http://www.nationaldriverregister-forms.org/national_driver_register_file_check_forms.html (note: the link for Individual File Check Forms was broken as of Dec. 1, 2014). It may take the NDR 45 days or more to respond to your request.

⁷³ Your NDR Driver's License status may be any of the following:

No Match: The individual does not have record a on the NDR.

Licensed (LIC): Licensed means the individual holds a license in that State and the privilege to drive is valid.

Eligible (ELG): The individual privilege to drive or apply for a license in a State(s) is valid.

Not: The individual privilege to drive in a State(s) is invalid.

NEN: The individual privilege to drive in a State(s) is invalid due to a non-moving violation.

NDR, [http://www.nhtsa.gov/Data/National+Driver+Register+\(NDR\)](http://www.nhtsa.gov/Data/National+Driver+Register+(NDR)).

⁷⁴ NDR, [http://www.nhtsa.gov/Data/National+Driver+Register+\(NDR\)](http://www.nhtsa.gov/Data/National+Driver+Register+(NDR)). You should also contact the state DMV agency if you think that the NDR database is incorrect.

⁷⁵ The NDR provides online driver record request forms for each state on its website for a fee of \$15. NDR, http://www.nationaldriverregister-forms.org/ndr/state_forms/national_driver_register_-_state_driver_record_request_forms.html.

⁷⁶ NDR, http://www.nationaldriverregister-forms.org/ndr/state_forms/national_driver_register_-_state_driver_record_request_forms.html.

⁷⁷ Nonresident Violator Compact, COUNCIL OF STATE GOV'TS (2011), <http://apps.csg.org/ncic/PDF/Nonresident%20Violator%20Compact.pdf>; The

Nonresident Violator Compact—Administrative Procedures Manual, NHSTA (rev'd Apr. 1994), http://www.aamva.org/uploadedFiles/MainSite/Content/DriverLicensingIdentification/DL_ID_Compacts/NRVC%20Procedures%20Manual.pdf.

⁷⁸ Driver's License Agreement (July 2004).

⁷⁹ For example, the Driver's License Agreement expands enforcement of out-of-state violations to include equipment, registration, and parking violations (which are not currently covered by the NRVC); requires drivers who receive out-of-state tickets to comply with all court orders (e.g., fixing equipment, completing community service, etc.), in addition to paying fines; and requires enforcement of out-of-state violations even if the law is different in the driver's home state (i.e., if you receive a ticket for doing something that is legal in your home state, but illegal in the state where you received a ticket, your home state must still enforce the violation) or if the violation occurred in a non-member state.

⁸⁰ To date, only Connecticut, Arkansas, and Massachusetts have adopted the Driver's License Agreement.

DOES GETTING MY CRIMINAL CONVICTION EXPUNGED HELP ME GET MY SUSPENDED OR REVOKED DRIVER'S LICENSE BACK?

No. Unfortunately, an "expungement" (a dismissal) won't get your Driver's License back if the DMV suspended or revoked it. The only way to get your license back is to satisfy the requirements of the DMV.



NOTE: This section of the guide covers license suspensions and revocations generally. Since each state handles them differently, be sure to check with your local DMV to find out what you'll need to do in your state if your license has been suspended or revoked.

V. U.S. PASSPORT

WHAT WILL I LEARN ABOUT U.S. PASSPORTS?

- What a U.S. passport is and why it's useful
- Whether you are eligible to apply for a U.S. passport
- How to apply for a U.S. passport if you are on probation, parole, or other supervision
- Whether you must apply for a passport in person or can apply by mail
- How to find your local Passport Office or Acceptance Facility and apply for a U.S. passport in person
- How to apply for a U.S. passport by mail
- What documents and information you will need to apply for a U.S. passport
- How long it takes to get your passport after you have applied
- How to get your passport quickly when you have an emergency

WHAT IS A U.S. PASSPORT? WHY MIGHT I NEED ONE?

If you have a U.S. passport, you can lawfully travel outside the United States and return home by air, sea, or land. A passport can be useful if you need to visit family abroad, especially in case of an emergency like illness or death.⁸¹ A passport also counts as a government-issued photo ID for all purposes. For these reasons, if you are eligible OR when you become eligible for a U.S. passport, it is useful to have one!

WHO IS ELIGIBLE FOR A U.S. PASSPORT?

To be eligible for a U.S. passport, you must:⁸²

- Be a U.S. citizen or U.S. national;
- Provide a Social Security Number, proof of citizenship, and proof of identity;
- Get permission from your probation officer if you are under any form of supervision but are allowed to leave the country;
- NOT be currently "under sentence" (incarcerated, on probation, or on parole) for any federal or state drug felony committed *while using a passport or crossing international borders (drug trafficking)*;⁸³
- NOT have a conviction for sex trafficking;⁸⁴
- NOT be under a court order or sentence condition forbidding you from leaving the country — for example, if your conditions of probation or some other type of supervision *forbid you* from leaving the U.S.,⁸⁵ you need to ask your probation officer or the court for permission to get a U.S. passport or to change the conditions;
- NOT have any state or federal warrants out for your arrest;⁸⁶
- NOT owe \$2,500 or more in child support.⁸⁷



IMPORTANT! GET PERMISSION FROM YOUR PAROLE OR PROBATION OFFICER BEFORE YOU APPLY FOR A PASSPORT OR TRAVEL: If you are on supervision (like federal probation, supervised release, or parole), you **MUST** get permission from your probation officer to apply for a passport (even if you are legally allowed to leave the country).⁸⁸ The officer can write a letter on your behalf giving the passport agency permission to issue you a U.S. passport. You must submit this letter *with* your application. You are required to do this even if you only want to use the passport as photo ID, and don't plan to travel outside the country. If you apply for a U.S. passport without first getting written approval from your supervising officer, you could face legal consequences, such as your probation being revoked or an arrest warrant.⁸⁹

HOW DO I APPLY FOR A U.S. PASSPORT?

It depends on your situation. Some people can apply *by mail*, while others must apply *in person*.

You can apply for a U.S. passport *BY MAIL* if you:

- Currently have a U.S. passport;
- Your U.S. passport is undamaged;
- Your U.S. passport can be sent in with your application;
- Your U.S. passport was issued when you were age 16 or older;
- Your U.S. passport was issued less than 15 years ago; AND

⁸¹ U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/FAQs.html>.

⁸² U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/apply.html>.

⁸³ 22 U.S.C. § 2714; see also 22 C.F.R. § 51.61. There are also a few misdemeanor offenses, such as federal and state drug offenses, that would make someone ineligible for a U.S. passport. See 22 U.S.C. § 2714.

⁸⁴ 22 U.S.C. § 212a.

⁸⁵ 22 C.F.R. § 51.70(a)(2).

⁸⁶ 22 C.F.R. § 51.60.

⁸⁷ 22 C.F.R. § 51.60.

⁸⁸ E-mail from National Passport Information Center Agent 2019 (Jan. 21, 2015, 0:15 p.m.) (on file with author).

⁸⁹ Telephone call with agent at the U.S. Department of State Office of Legal Affairs (Jan. 21, 2015).

- Your U.S. passport was issued in your current name.⁹⁰
- If ALL of the above requirements are true for you, then you can simply apply *by mail* to renew your U.S. passport. Go to [p. 27](#) to learn how.

You must apply for a U.S. passport *IN PERSON* if:

- You have never had a passport before; OR
- Your previous U.S. passport was lost, stolen, or damaged; OR
- Your previous U.S. passport was issued when you were age 15 or younger; OR
- Your previous U.S. passport was issued more than 15 years ago; OR
- Your name has legally changed since your U.S. passport was issued, and you don't have official documents proving your legal name change (like government-issued papers showing your legal name change or an original or certified copy of your marriage certificate, if you changed it for marriage).⁹¹

If you are required to apply in person, you will need to find a local Passport Office. You can also apply at any Passport Acceptance Facility, which is a broad category of places that includes post offices, court clerk's offices, public libraries, and any other government office that accepts passport applications.⁹² To find passport offices or Passport Acceptance Facilities near you, you can check your local yellow pages, call "Information" at 4-1-1, or look online at: <http://iafdb.travel.state.gov/>

HOW DO I APPLY IN PERSON FOR A NEW U.S. PASSPORT?

STEP 1: Put together the required information and documents.

To apply for a U.S. passport, you will need ALL of the following types of documents: (1) Social Security Number, (2) proof of citizenship or naturalization, (3) photo ID, and (4) proof that you are off probation or parole. Here are more details about each of these four documents:⁹³

1. **Social Security Number (SSN)** — You must provide your 9-digit SSN, if you have one (but you don't need to show your actual Social Security card).⁹⁴ (See [p. 15](#) for information on how to request an original SSN or a replacement Social Security card).⁹⁵ If you don't have an SSN, you might still be able to get a U.S. passport. You have the option of entering zeros on the application instead, but this will delay the processing of your application and may be used as a reason to deny it.
2. **Proof of U.S. Citizenship or Naturalization** — You can use any ONE of the following documents as *primary evidence* of citizenship:
 - An authorized birth certificate (see [p. 11](#) for how to get one);
 - A previous U.S. passport (can be expired, but must be undamaged);
 - A Consular Report of Birth Abroad (see [p. 13](#) for how to get one); OR
 - A Certificate of Naturalization or Citizenship (see [p. 14](#) for how to get one).⁹⁶

If you don't have any of the above, you must provide *secondary evidence* of citizenship⁹⁷ such as:

- A delayed birth certificate (one that was filed more than one year after birth);
- A combination of early public records (any records showing your name, birthdate, and birthplace, preferably created in the first five years of your life, for example, hospital/doctor records, early school records, religious records, or census records).⁹⁸

For this category ("Proof of U.S. Citizenship or Naturalization"), you will have to submit the *ORIGINAL* documents with your application. They will all be mailed back to you.

3. **Photo ID** — You can use any ONE of these documents as a *primary ID*:
 - Valid, current Driver's License from the state where you now live;
 - U.S. passport (must be undamaged, and must have been issued less than 15 years ago);
 - Certificate of Naturalization;
 - Valid city, state, or federal government ID (see [p. 19](#) for how to get one); OR
 - Valid military ID.⁹⁹

A NOTE ABOUT EMERGENCIES

In certain situations, you can request to get your U.S. passport much faster — but you'll need to meet special requirements, and you'll have to pay extra. If you have an emergency that requires you to get a passport quickly, visit the website: <http://travel.state.gov/content/passports/english/passports/services/expressed.html> to learn what to do. From the U.S., you can also call 1-877-487-2778 (TDD/TTY: 1-888-874-7793), and speak with a representative during normal business hours, which are Monday-Friday, 8 a.m. to 10 p.m. (excluding federal holidays). If it's a life-or-death emergency and you need to call outside of normal business hours, please call: 1-202-647-4000.

⁹⁰ Exception to this last condition: If you legally changed your name since your most recent passport, you can still apply by mail if you provide official documents proving your name change. Acceptable documents include: an original or certified copy of your marriage certificate, or government-issued papers showing your legal name change. U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/renew.html>.
⁹¹ U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/new.html>.
⁹² U.S. DEPARTMENT OF STATE, BUREAU OF CONSULAR AFFAIRS, <http://iafdb.travel.state.gov/>.
⁹³ NOTE: If your name or gender is different on your evidence of citizenship and/or ID, you may need to submit additional documentation. For more details, see U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE.
⁹⁴ If you don't, your application may be significantly delayed and/or denied. 26 U.S.C. 6039E; see also U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/new.html>.
⁹⁵ U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/FAQs.html>.
⁹⁶ U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/apply.html>.
⁹⁷ U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/apply.html>.
⁹⁸ Other forms of "secondary evidence" of citizenship: (3) a state-issued Letter of No Record; (4) a notarized Birth Affidavit: Form DS-10. For more details on these forms of evidence, see U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/information/secondary-evidence.html>.
⁹⁹ U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/apply.html>.

If you don't have any of the above, you must provide a **COMBINATION** of *secondary* ID documents that have your name, photo, and signature. Bring all the documents you have. Examples of *secondary* ID documents include:

- Expired Driver's License;
- Driver's License from a state where you no longer live;
- Expired state ID card;
- Student ID card; and
- Employee ID card from your workplace.¹⁰⁰

The original ID documents in this category don't need to be sent in with your application, but copies do. *Bring the original ID document(s) to show in person when you apply, plus a copy of each ID document to submit with your form.*

- 4. Proof that you're no longer on probation, parole, or any other community supervision (for people with certain drug trafficking¹⁰¹ or sex trafficking convictions¹⁰²), OR a letter from your supervising officer to the passport agency allowing you to apply for a U.S. passport.**
- **IF YOU'RE NO LONGER UNDER COMMUNITY SUPERVISION SUCH AS PROBATION OR PAROLE**, you may apply for a U.S. passport if you meet all other eligibility requirements (see the full list of requirements on [p. 24](#) above).
 - **IF YOU'RE STILL UNDER COMMUNITY SUPERVISION SUCH AS PROBATION OR PAROLE — and you are allowed to leave the country** — the passport agency may allow you to get a U.S. passport if you provide a letter from your supervising officer supporting your application (for more information about getting permission from your supervising officer, see the pop-out box on [p. 24](#) above).

STEP 2: Obtain and Complete the Application (Form DS-11).

This form is available at any Passport Office, and also may be available from some Passport Acceptance Facilities. You can go on the Internet from any computer and download the form on one of these websites:

<http://www.state.gov/documents/organization/212239.pdf> or <https://pptform.state.gov>. You may also contact the Department of State and have the form mailed to you (although this takes the longest). You can call the Department of State at 1-212-647-4000, or write to:

U.S. Department of State
2201 C Street NW
Washington, DC 20520.



IMPORTANT: Do not sign the form at home. You must sign it in front of a passport agent. If you fill out the form at home, wait until the agent asks you to sign it at the passport office.

STEP 3: Get a passport photo taken and pay for two copies.¹⁰³

You must provide two passport photos with your application. Passport photos must meet strict requirements, so be sure to have the photo taken by a professional who is familiar with these requirements (most pharmacies have photo centers where you can get passport photos taken). Do not attach your photos to the application form, but bring them with you.

STEP 4: Go to your local Passport Office or Passport Acceptance Facility with all your documents (see [p. 25](#) to learn how to find a location near you), submit your application, and pay the fees.

You must pay \$110 for your new passport, and \$25 for processing ("execution fee") — that's \$135 total.¹⁰⁴ You can pay using cash, check, credit card, or money order.¹⁰⁵ If paying by check, make it payable to "U.S. Department of State," and make sure that your full name and birthdate are typed or printed on the front (use the "Memo" or "For" line). Ask the passport agent if you have any questions!

STEP 5: Receive your passport in 4-6 weeks, and set a reminder about when it needs to be renewed.¹⁰⁶

After you submit your passport application, it may take about 4-6 weeks to receive your U.S. passport in the mail. If you were age 16 or older when your U.S. passport was issued, it will be valid for *10 years*. If you were age 15 or younger when your U.S. passport was issued, it will be valid for *five years*.¹⁰⁷ (Note: If possible, it's best to renew your passport about nine months before it expires. Some countries require that your passport be valid at least six months *beyond the dates of your trip*. Some airlines will not allow you to board if this requirement is not met.)

If you have Internet access, you can track the status of your passport application online: go to <http://travel.state.gov/content/passports/english.html>, and click "Check Your Application Status."

¹⁰⁰ U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/apply.html>.

¹⁰¹ 22 U.S.C. § 2714.

¹⁰² 22 U.S.C. § 212a.

¹⁰³ You can use a photo you take yourself. However, to ensure your photo is acceptable, it may be a good idea to have a professional passport photo service take your photo for about \$12. You can find these services at many post offices, print shops, grocery stores, and drug stores.

¹⁰⁴ But you can pay an extra \$60 fee for "Expedited Service"—quicker processing and delivery of your new passport. U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/new.html>, U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/information/costs.html>.

¹⁰⁵ U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/information/costs.html>.

¹⁰⁶ If you're paying an extra \$60 fee for Expedited Service, it should take 3 weeks. U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/information/processing-times.html>.

¹⁰⁷ U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/information/processing-times.html>.

HOW DO I APPLY BY MAIL FOR A RENEWAL OF MY U.S. PASSPORT?

STEP 1: Make sure you're eligible and prepared to renew your passport. This means:

You have a previously issued U.S. passport, and ALL of the following is true about it:

- It is undamaged, and it can be sent in with your renewal application;
- It was issued when you were age 16 or older;
- It was issued less than 15 years ago;
- It was issued in your current name;¹⁰⁸ AND
- Lastly, depending on what convictions are on your record, and depending on the conditions of your supervision, you may need to be off parole, probation, and any other type of community supervision; or you may need to have permission from your supervising officer. See [p. 24](#) above for details.¹⁰⁹

STEP 2: Put together the required documents.

If your legal name *hasn't changed*, you just need to provide your previously issued passport — nothing more.

If your legal name *has changed*, you need to provide two additional items: (1) your previously issued U.S. passport, and (2) official documents showing your legal name change, such as a certified copy of your marriage certificate or a court order.

NOTE: You need to submit the *original* documents. They will all be mailed back to you.

STEP 3: Complete and sign the application form (DS-82).¹¹⁰

This form is available at any Passport Office, and may be available from some Passport Acceptance Facilities as well (see above on [p. 25](#) for how to locate these offices). The form is available online at: <http://www.state.gov/documents/organization/212241.pdf>, and a copy is available in Appendix [p. 40](#).

STEP 4: Get two passport photos taken.¹¹¹

You must provide two passport photos with your application. Passport photos must meet strict requirements, so be sure to have the photo taken by a professional who is familiar with these requirements (most pharmacies have photo centers where you can get these photos taken). Do *not* attach your photo to the application form.

STEP 5: Pay the fee.

The fee for a renewal passport is \$110. There is no additional processing fee.¹¹² You must pay using a personal check or money order — not cash. If paying by check, make it payable to “U.S. Department of State,” and make sure your full name and birthdate are typed or printed on the front (use the “Memo” or “For” line).¹¹³ Ask the passport agent if you have any questions.

STEP 6: Mail your renewal application materials.

Make sure you include ALL of the following:

- Your completed DS-82 with photo attached,
- Your previous passport,
- Your fee payment of \$110, AND
- Official documents showing your legal name change (if necessary).

Address the envelope to:

National Passport Processing Center
P.O. Box 90155
Philadelphia, PA 19190-0155

STEP 7: Receive your passport in 4-6 weeks, and set up a reminder to yourself about when it needs to be renewed.¹¹⁴

After you submit your application, it may take about 4-6 weeks to receive your U.S. passport in the mail. If you are age 16 or older when your U.S. passport is issued, it will be valid for *10 years*. If you are age 15 or younger when your U.S. passport is issued, it will be valid for *five years*.¹¹⁵ (Note: If possible, it's best to renew your passport about nine months before it expires. Some countries require that your passport be valid at least six months *beyond the dates of your trip*. Some airlines will not allow you to board if this requirement is not met.)

If you have Internet access, you can track the status of your passport application online: go to <http://travel.state.gov/content/passports/english.html>, and click “Check Your Application Status.”

¹⁰⁸ Exception to this last condition: If you legally changed your name since your most recent passport, you can still apply by mail if you provide official documents proving your name change. Acceptable documents include: an original or certified copy of your marriage certificate, or government-issued papers showing your legal name change. U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/renew.html>.

¹⁰⁹ U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/renew.html>.

¹¹⁰ U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/renew.html>.

¹¹¹ You can use a photo you take yourself. However, to ensure your photo is acceptable, it may be a good idea to have a professional passport photo service take your photo for about \$12. You can find these services at many post offices, print shops, grocery stores, and drug stores.

¹¹² But you can pay an extra \$60 fee for “Expedited Service” — quicker processing and delivery of your new passport. U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/renew.html>; <http://travel.state.gov/content/passports/english/passports/information/costs.html>.

¹¹³ U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/renew.html>.

¹¹⁴ If you're paying an extra \$60 fee for Expedited Service, it should take 3 weeks. U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/information/processing-times.html>.

¹¹⁵ U.S. PASSPORTS & INT'L TRAVEL, U.S. DEP'T OF STATE, <http://travel.state.gov/content/passports/english/passports/information/processing-times.html>.

APPENDIX A

A Listing of Vital Statistics Office Phone Numbers for Each State

This Appendix provides a chart that contact information for the Vital Statistics Office (also called Vital Records Office) in each state. However, because these addresses and phone numbers are subject to change, you should check with the CDC for the most up-to-date information. You can:

- Visit the CDC website at <http://www.cdc.gov/nchs/w2w.htm>
- Call the CDC directly by phone at 1-800-CDC-INFO (1-800-232-4636)
OR
- Write to the CDC at:
Centers for Disease Control and Prevention
1600 Clifton Road
Atlanta, GA 30329-4027

Once you locate the Vital Statistics Office in the state where you were born, let them know that you are trying to get an *authorized certified copy* of your birth certificate. Ask (1) what their procedures are; (2) what you need to send the Vital Statistics Office; and (3) the cost.

IMPORTANT NOTE IF YOU ONLY HAVE A PRISON ID CARD:

If the only identification (ID) that you currently have is a valid prison ID card, it may be enough in some states to request your birth certificate. First, call the state where you were born, follow the instructions to be connected to an operator, and confirm what document you need to provide to get your *certified birth certificate*.

If you only have a prison ID card, here are a few examples of what states will ask you to provide in addition to that card:

- **Idaho and Delaware accept a current prison ID card (no older than the current year), with a photo on it, to be copied and sent with your application and payment for a birth certificate.**
- **Arizona, on the other hand, needs only a notarized signature along with full payment, and does not require a copy of your prison/jail ID card.¹¹⁶**
- **Oregon has a long list of acceptable forms of ID. If you do not have one of the primary forms of ID (such as a Driver's License or passport) you may need to include as many as three documents to prove your identity. These can include parole papers showing date of birth and identity, your prison/jail ID card, vehicle registration or title, hospital card, and utility bills, among other possibilities.¹¹⁷**

The point is, it's best to call ahead and ask!

¹¹⁶ Arizona Dep't of Health, <http://www.azdhs.gov/documents/licensing/vital-records/application-certificate-birth.pdf>.

¹¹⁷ <https://public.health.oregon.gov/BirthDeathCertificates/GetVitalRecords/Pages/recordinformation.aspx>.

CONTACT INFORMATION OF VITAL STATISTICS OFFICES IN EVERY STATE

STATE	MAILING ADDRESS	PHONE	COST, AND WHERE TO SEND PAYMENT
Alabama	Alabama Vital Records P.O. Box 5625 Montgomery, AL 36103-5625	(334) 206-5418	\$15.00 (Additional copies \$6.00 each, and to expedite a request is an additional \$15.00) Check or money order should be made payable to "State Board of Health"
Alaska	Department of Health and Social Services Alaska Health Analytics & Vital Records Section P.O. Box 110675 Juneau, AK 99811-0675	(907) 465-3391	\$30.00 (Additional copies are \$25.00 each) Personal check or money order should be made payable to "Bureau of Vital Statistics" SPECIAL NOTES: You must include a copy of government-issued picture ID with your application (e.g., Identification Card, Driver's License, a Prison/Jail ID Card, etc.) While copying/scanning picture ID, enlarge the copy and lighten the picture on the computer or printer as much as possible to be sure that it is clear and readable when sent to Alaska's Bureau of Vital Statistics. REQUIRED: After copying your picture ID, you must sign the paper you submit along with the application itself.
American Samoa	American Samoa Government Dept. of Homeland Security Office of Vital Statistics P.O. Box 6894 Pago Pago, AS 96799	(684) 633-1405/1406. For Health Information Office, Health and Vital Statistics call (684) 633-4606/2262	\$5.00 Money order should be made payable to "The Office of Vital Statistics/ASG." Personal checks are not accepted.
Arizona	The Bureau of Vital Records Arizona Department of Health Services P.O. Box 6018 Phoenix, AZ 85005	(602) 364-1300	\$20.00 Cashier's checks and money orders must be for the exact amount and made payable to "Bureau of Vital Records" SPECIAL NOTES: Acceptable payment methods are cashier's check, money order, Visa or MasterCard. If you pay by credit/debit card, you must include the full number and expiration date on your application.
Arkansas	Arkansas Dept. of Health 4815 West Markham St. Little Rock, AR 72205	(501) 661-2336	\$12.00 (\$10.00 for each additional copy) Personal check or money order should be made payable to "Arkansas Dept. of Health"
California	CA Dept. of Public Health—Vital Records MS: 5103 P.O. Box 997410 Sacramento, CA 95899-7410	(916) 445-2684	\$25.00 A personal check or money order should be made payable to "CDPH Vital Records"
Canal Zone	Vital Records Section Passport Services U.S. Dept. of State 1111 19th St. NW, Suite 510 Washington, DC 20522-1705	(202) 955-0307	\$30.00 (Additional copies of the same record requested at the same time are \$20.00 each.) Personal check or money order must be signed, dated and made payable to "U.S. Department of State"
Colorado	Vital Records Section CO Dept. of Public Health and Environment 4300 Cherry Creek Drive South HSVRD-VS-A1 Denver, CO 80246-1530	(303) 692- 2200	\$20.00 (Additional copies of the same birth record ordered at the same time are \$13.00 each.) Personal check or money order should be made payable to "Vital Records Section"

Connecticut	CT Dept. of Public Health 410 Capitol Ave., MS #11 VRS Hartford, CT 06134	(860) 509-7897	\$30.00 (state issued); \$20.00 (city/town issued) Requests sent to the State Vital Records Office require a postal money order made payable to the "Treasurer, State of Connecticut"
Delaware	Office of Vital Statistics Division of Public Health 417 Federal St. Dover, DE 19901	(302) 744-4549	\$25.00 Personal check or money order should be made payable to "Office of Vital Statistics"
District of Colombia	Vital Records Division 899 North Capitol St. NE, First Floor Washington, DC 20002	(202) 671- 5000	\$23.00 Personal check or money order should be made payable to "DC Treasurer"
Florida	Dept. of Health Bureau of Vital Statistics P.O. Box 210 1217 Pearl St. (Zip 32202) Jacksonville, FL 32231-0042	(904) 359-6900	\$9.00 Personal check or money order should be made payable to "Bureau of Vital Statistics"
Georgia	<u>MAIL-IN REQUEST:</u> State Vital Records Office 2600 Skyland Dr., NE Atlanta, GA 30319 <u>IN-PERSON REQUEST:</u> There are 159 counties in Georgia. You can go to the office in the county where you were born. If you aren't sure, call the phone number listed to the right.	(404) 679-4702 Call this phone number if you need the mailing address or telephone of a specific county's Vital Records office in Georgia.	\$25.00 (Additional copies of the same record ordered at the same time are \$5.00.) A certified check or money order should be made payable to "Georgia Department of Public Health" SPECIAL NOTES: All requests for vital records include the signature and photocopy picture ID of the requestor and the proper fee.
Guam	Office of Vital Statistics 123 Chalan Kareta Mangilao, Guam 96913	(671) 735-7292	\$5.00 Money order should be made payable to "Treasurer of Guam"
Hawaii	State Dept. of Health Office of Health Status Monitoring Issuance/Vital Statistics Section P.O. Box 3378 Honolulu, HI 96801	(808) 586-4533	\$10.00 (Additional copies ordered at the same time are \$4.00 each.) Online Vital Records Ordering and Tracking System, https://vitrec.hawaii.gov/vitalrecords/
Idaho	Vital Records Unit Bureau of Vital Records and Health Statistics P.O. Box 83720 Boise, ID 83720-0036	(208) 334- 5988	\$16.00 Personal check or money order should be made payable to "Idaho Vital Records"
Illinois	Division of Vital Records Illinois Dept. of Public Health 925 E Ridgely Ave. Springfield, IL 62702	(217) 782-6553	\$15.00 (Additional certifications of the same record ordered at the same time are \$2.00 each.) Money orders, certified checks, or personal checks should be made payable to "Illinois Department of Public Health"
Indiana	Vital Records Indiana State Dept. of Health P.O. Box 7125 Indianapolis, IN 46206-7125	(317) 233-2700	\$10.00 (Additional copies of the same birth record ordered at the same time are \$4.00 each.) Personal check or money order should be made payable to "Indiana State Department of Health"
Iowa	Iowa Dept. of Public Health Bureau of Vital Records Lucas Office Building 1st Floor 321 East 12th St. Des Moines, IA 50319-0075	(515) 281-4944	\$20.00 Personal check or money order should be made payable to "Iowa Department of Public Health"
Kansas	Office of Vital Statistics, Curtis State Office Building 1000 SW Jackson St., Suite 120 Topeka, Kansas 66612-2221	(785) 296-1400	\$15.00 (Additional copies of the same record ordered at the same time are \$15.00 each.) Personal check or money order should be made payable to "Vital Statistics"

Kentucky	Office of Vital Statistics Dept. for Public Health, Cabinet for Health and Family Services 275 East Main St. 1E-A Frankfort, KY 40621-0001	(502) 564- 4212	\$10.00 Personal check or money order should be made payable to "Kentucky State Treasurer"
Louisiana	Bureau of Vital Records and Statistics P.O. Box 60630 New Orleans, LA 70160	(504) 593-5100 Fax: (504) 568-8716	Louisiana (LA) Birth Certificate Types: Birth Long: (SUGGESTED, CERTIFIED) A certified birth certificate that can typically be used for travel, passport, proof of citizenship, social security, Driver's License, school registration, personal identification and other legal purposes. Birth Certificates are available for events that occurred in the State of Louisiana within the last 100 years. First Long Copy: \$15.00; Additional Copies: \$15.00 Birth Short—Card: The Birth Short—Card is a wallet size version of the Birth Certificate that can be used for INFORMATIONAL PURPOSES ONLY. THIS CANNOT BE USED TO OBTAIN A PASSPORT, DRIVER'S LICENSE OR TRAVEL. First Copy: \$9.00; Additional Copies: \$9.00 Checks made payable to "Louisiana Vital Records" SPECIAL NOTES: Walk-in services only accept cash, check, or money order payment (no credit/debit cards).
Maine	Maine Center for Disease Control and Prevention 11 State House Station 220 Capitol St. Augusta, Maine 04333-0011	(207) 287-3181, or toll-free at 1-888-664-949	Certified \$15.00. Non-Certified \$10.00. (Additional copies of same record ordered at same time are \$6.00 each.) Personal check or money order should be made payable to "Treasurer, State of Maine"
Maryland	Division of Vital Records Dept. of Health 6764-B Reisterstown Road P.O. Box 68760 Baltimore, MD 21215-0036	(410) 260-6400	\$10.00 Personal check or money order should be made payable to "Division of Vital Records"
Massachusetts	Registry of Vital Records and Statistics 150 Mount Vernon St., 1st Floor Dorchester, MA 02125-3105	If your birth certificate is from <i>the year 1925 or earlier</i> , CALL (617) 727-2816 If your birth certificate is from <i>the year 1926 or later</i> , CALL (617) 740-2600	\$20.00 (In-person Request) \$32.00 (Mail-In request) <i>Additional \$3.00 for Birth Certificated from year 1920 or earlier</i> Personal check or money order should be made payable to "Commonwealth of Massachusetts" SPECIAL NOTES: State office has no records previous to 1921. For earlier records, write to The Massachusetts Archives at Columbia Point, 220 Morrissey Blvd., Boston, MA 02125 (617) 727-2816.
Michigan	Vital Records Request P.O. Box 30721 Lansing, MI 48909	To request an application, call the recorded message at (517) 335-8656 to leave your name and mailing address with type of application needed. To speak to a customer service representative call (517)- 335-8666 and press option #4	\$34.00 (Only \$14.00 for Senior Citizens age 65+ if requesting their own birth record) Rush fee additional \$12.00. Additional copies of any record ordered at the same time are \$16.00 each.) Personal check or money order should be made payable to "State of Michigan"

Minnesota	Minnesota Dept. of Health Central Cashiering – Vital Records P.O. Box 64499 St. Paul, MN 55164	(651) 201-5970	\$26.00 (Additional copies of the birth record when ordered at the same time are \$19.00.) Personal check or money order should be made payable to “Minnesota Department of Health”
Mississippi	Mississippi Vital Records State Dept. of Health P.O. Box 1700 Jackson, MS 39215-1700	To verify current fees, the telephone number is (601) 206-8200. A recorded message may be reached on (601) 206-8200	\$17.00 (Additional copies of same record ordered at the same time are \$6.00 each.) Personal check, bank or postal money order or bank cashier’s check are accepted and should be made payable to “Mississippi State Department of Health”
Missouri	Missouri Dept. of Health and Senior Services Bureau of Vital Records 930 Wildwood P.O. Box 570 Jefferson City, MO 65102-0570	(573) 751-6387	\$15.00 (Copies of these records are \$15.00 each) Personal check or money order should be made payable to “Missouri Department of Health and Senior Services” SPECIAL NOTES: Please include a legal size self-addressed stamped envelope.
Montana	Office of Vital Statistics, MT Dept. of Public Health and Human Services 111 N Sanders, Rm. 6 P.O. Box 4210 Helena, MT 59604	(406) 444- 2685	\$12.00 (Additional copies of the same record requested at the same time are \$5.00.) Personal check or money order should be made payable to “Montana Vital Records”
Nebraska	Nebraska Vital Records P.O. Box 95065 Lincoln, NE 68509-5065	(402) 471- 2871	\$17.00 Personal check or money order should be made payable to “Nebraska Vital Records”
Nevada	Office of Vital Records 4150 Technology Way, Suite 104 Carson City, NV 89706	(775) 684- 4242	\$20.00 Personal check or money order should be made payable to “Office of Vital Records”
New Hampshire	Division of Vital Records Administration— Archives Building 71 South Fruit St. Concord, NH 03301-2410	(603) 271-4651	\$15.00 (Additional copies ordered at the same time are \$10.00 each) Personal check or money should be made payable to “Treasurer, State of New Hampshire” Recent records (birth since 1982) may be obtained from ANY City or Town running the Vital Records Automated software called NHVRIN.
New Jersey	New Jersey Dept. of Health Office of Vital Statistics and Registry P.O. Box 370 Trenton, NJ 08625-0370	TOLL FREE (866) 649-8726 (OR visit online at http://www.state.nj.us/health/vital for up-to-date information on ordering)	\$25.00 (Additional copies of the same record ordered at the same time are \$2.00 each.) SPECIAL NOTES: For information on Express Mail or In persons order visit https://www.state.nj.us/health/vital/contact-us/
New Mexico	New Mexico Vital Records P.O. Box 25767 Albuquerque, NM 87125	TOLL FREE (866) 534-0051	\$10.00 Personal check or money order should be made payable to “NM Vital Records”
New York	Certification Unit Vital Records Section, 2nd Floor 800 North Pearl St. Menands, NY 12204	1-855-322-1022	\$30.00 Personal check or money order should be made payable to “New York State Department of Health”

New York City	NYC Health Department Office of Vital Records 125 Worth St., CN4, Rm. 133 New York, NY 10013	(212) 639-9675	\$15.00 (Additional copies \$15.00) SPECIAL NOTES: The office has birth records for people who were born and/or died in the five boroughs of New York City: Brooklyn, the Bronx, Manhattan, Queens, or Staten Island—for birth records issued before 1910 and death records issued before 1949, please visit https://www1.nyc.gov/site/records/historical-records/historical-records.page , please visit https://prod.firsttofile.com/mofo/login.html . For more information please visit https://www1.nyc.gov/site/doh/services/birth-certificates.page or write to Dept. of Records and Information Services, 31 Chambers St., New York, NY 10007.
North Carolina	NC Vital Records 1903 Mail Service Center Raleigh, NC 27699-1903	(919) 733- 3000	\$24.00 (Additional copies \$15.00) Business or certified check or money order should be made payable to “NC Vital Records”
North Dakota	ND Dept. of Health Division of Vital Records 600 East Blvd. Ave., Dept. 301 Bismarck, ND 58505-0200	(701) 328- 2360	\$7.00 (Additional copies of birth records are \$4.00) Personal check or money order should be made payable to “ND Department of Health”
North Mariana Islands	Commonwealth Healthcare Corporation Vital Statistics Office P.O. Box 500409 Saipan, MP 96950	(670) 236-8717 or (670) 236-8702	\$25.00 Money order or bank cashier’s check should be made payable to “Commonwealth Healthcare Corporation”
Ohio	Vital Statistics Ohio Dept. of Health P.O. Box 15098 Columbus, OH 43215-0098	(614) 466- 2531	\$21.50 Personal check or money order should be made payable to “Treasury, State of Ohio”
Oklahoma	Vital Records Service Oklahoma State Dept. of Health P.O. Box 53551 Oklahoma City, OK 73152	(405) 271-4040	\$15.00 (Additional Copies \$ 15.00 each) Personal check or money order should be made payable to “OSDH”
Oregon	Oregon Vital Records P.O. Box 14050 Portland, OR 97293-0050	(971) 673-1190	\$25.00 (Additional copies of the same record ordered at the same time are \$5.00 each.) Personal check or money order should be made payable to “OHA/Vital Records”
Pennsylvania	Division of Vital Records P.O. Box 1528 New Castle, PA 16103	(724) 656-3100	\$20.00 (fee waved for armed forces members) Personal check or money order should be made payable to “Vital Records”
Puerto Rico	Dept. of Health Demographic Registry P.O. Box 11854 Fernández Juncos Station San Juan, PR 00910 Express Mail: Dept. of Health Demographic Registry 414 Barbosa Avenue Lincoln Building San Juan, Puerto Rico 00925	(787) 765-2929 Ext. 6131	\$5.00 (\$4.00 each additional copy requested on the same application. Registrants over 60 years of age and Veterans of the United States Armed Forces can obtain copies of their birth records free of charge.) Payment method via money orders, which should be made payable to the “Secretary of Treasury” SPECIAL NOTES: Maximum three (3) copies per registrant per year. Beneficiaries of a Veteran of the United States Armed Forces can obtain copies of their death records free of charge (widow or children under 21 years of age).

Rhode Island	RI Dept. of Health Office of Vital Records, Room 101 3 Capitol Hill Providence, RI 02908-5097	To verify current fees after office hours, the telephone number is (401) 222-2811. To verify current fees and general information during office hours, please call the Health Hot Line at (401) 222-5960	\$20.00 (Additional copies of the same record ordered at the same time are \$15.00 each.) Personal check or money order should be made payable to "General Treasurer, State of Rhode Island"
South Carolina	Office of Vital Records, SCDHEC 2600 Bull St. Columbia, SC 29201	(803) 898-3630	\$12.00 (Additional copies of the same birth records ordered at the same time of certification are \$3.00 each.) Acceptable methods of payment include money order or cashier's check made payable to "SCDHEC- Vital Records."
South Dakota	Vital Records, State Dept. of Health 207 E Missouri Ave, Suite 1-A Pierre, SD 57501	(605) 773-4961	\$15.00 Personal check or money order should be made payable to "South Dakota Department of Health." SPECIAL NOTE: Mail-in applicants must send in a clear copy of a government-issued photo ID OR have their signature notarized.
Tennessee	Tennessee Vital Records Central Services Building 4215th Ave. North Nashville, TN 37243	(615) 741-1763	Long form \$15.00 Short form \$ 8.00 (Additional copies of the same birth, marriage, or divorce record requested at the same time are \$5.00 each.) Personal check or money order should be made payable to "Tennessee Vital Records"
Texas	Texas Vital Records Dept. of State Health Services P.O. Box 12040 Austin, TX 78711-2040	(512) 776- 7111	\$22.00 (Additional copies of the birth record ordered at same time are \$22.00 each.) Mail-in requests must be made by personal check or money order made payable to "DSHS"
Utah	Office of Vital Records and Statistics Utah Department of Health 288 North 1460 West P.O. Box 141012 Salt Lake City, UT 84114-1012	(801) 538-6105	\$20.00 (Additional copies, when requested at the same time, are \$10.00 each.) Personal check or money order should be made payable to "Vital Records" SPECIAL NOTES: ID is now required to purchase a Utah Birth Certificate. Mailed request must include an enlarged and easily identifiable photocopy of the front and back of your ID. If no proofs are enclosed, your application will be returned.
Vermont	VT Dept. of Health Vital Records Section P.O. Box 70 108 Cherry St. Burlington, VT 05402-0070	(802) 863-7275	\$10.00. Personal check or money order should be made payable to "Vermont Department of Health"
Virginia	Division of Vital Records P.O. Box 1000 Richmond, VA 23218-1000	(804) 662-6200	\$12.00 Personal check or money order should be made payable to "State Health Department" SPECIAL NOTES: Must submit a photocopy of their ID.
Virgin Islands	Dept. of Health Vital Statistics, Charles Harwood Memorial Hospital St. Croix, VI 00820	(340) 774-9000 ext. 4685 or 4686	\$15.00 (mail requests). \$12.00 (in person). Money order for birth records should be made payable to "Department of Health" SPECIAL NOTES: Personal checks are not accepted

Washington	Department of Health Center for Health Statistics P.O. Box 47814 Olympia, WA 98504-7814	(360) 236-4300	\$20.00 (For Expedited Delivery must add Express Mail, an additional \$18.30) Personal check or money order should be made payable to "Department of Health"
West Virginia	Vital Registration Office, Room 165 350 Capitol St. Charleston, WV 25301-3701	(304) 558-2931 VitalChek Phone: (877) 448-3953 Fax: (866) 870-8723	\$12.00 (By Mail or In Person) \$30.50 + shipping (By Phone, Internet, or Fax) (Non-Rush Fee Charged by VitalChek) \$35.50 + shipping (Rush Fee Charged by VitalChek) SPECIAL NOTES: Can order in person, by mail, by phone, Internet or fax (Credit Card/ Debit Card Only). Personal check or money order should be made payable to "Vital Registration"
Wisconsin	WI Vital Records Office 1 West Wilson St. P.O. Box 309 Madison, WI 53701-0309	For 24/7 automated assistance, call (608) 266-1371. If you want to talk to a live person, call the service counter 8:00 A.M. to 4:15 P.M. (Central Time), Monday through Friday at (608) 266-1373	\$20.00 (Additional copies of the same record ordered at the same time are \$3.00 each.) Personal check or money order should be made payable to "State of Wis. Vital Records" SPECIAL NOTES: A stamped, self-addressed business size (#10) envelope should be include with the request. A copy of valid photo ID and a signature is required of the applicant.
Wyoming	Vital Statistics Services Hathaway Building 2300 Capitol Avenue Cheyenne, WY 82002	(307) 777-7591	\$20.00 Personal check or money order should be made payable to "Vital Statistics Services" SPECIAL NOTES: Please enclose a self-addressed, stamped envelope with the request. All personal checks are only accepted when: (1) the requestor is entitled to the record and the check in personalized and on the account of the person making the request; (2) third party or non-bank checks will not be processed. A legible photocopy of a current state issued ID or passport which bears the signature of the applicant is required. ID with no expiration date is not accepted unless recently issued and additional proof of identification may be requested.

APPENDIX B

Application for a Social Security Card, Form SS-5

See next page.

SOCIAL SECURITY ADMINISTRATION

Application for a Social Security Card

Form Approved
OMB No. 0960-0066

1	NAME TO BE SHOWN ON CARD		First	Full Middle Name	Last
	FULL NAME AT BIRTH IF OTHER THAN ABOVE		First	Full Middle Name	Last
	OTHER NAMES USED				
2	Social Security number previously assigned to the person listed in item 1			<input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/>	
3	PLACE OF BIRTH (Do Not Abbreviate) City State or Foreign Country			4	DATE OF BIRTH MM/DD/YYYY
5		CITIZENSHIP (Check One) <input type="checkbox"/> U.S. Citizen <input type="checkbox"/> Legal Alien Allowed To Work <input type="checkbox"/> Legal Alien Not Allowed To Work (See Instructions On Page 3) <input type="checkbox"/> Other (See Instructions On Page 3)			
6	ETHNICITY Are You Hispanic or Latino? (Your Response is Voluntary) <input type="checkbox"/> Yes <input type="checkbox"/> No		7	RACE Select One or More (Your Response is Voluntary) <input type="checkbox"/> Native Hawaiian <input type="checkbox"/> American Indian <input type="checkbox"/> Other Pacific Islander <input type="checkbox"/> Alaska Native <input type="checkbox"/> Black/African American <input type="checkbox"/> White <input type="checkbox"/> Asian	
8	SEX <input type="checkbox"/> Male <input type="checkbox"/> Female				
9	A. PARENT/ MOTHER'S NAME AT HER BIRTH		First	Full Middle Name	Last
	B. PARENT/ MOTHER'S SOCIAL SECURITY NUMBER (See instructions for 9 B on Page 3)			<input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="checkbox"/> Unknown	
10	A. PARENT/ FATHER'S NAME		First	Full Middle Name	Last
	B. PARENT/ FATHER'S SOCIAL SECURITY NUMBER (See instructions for 10B on Page 3)			<input type="text"/> <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> - <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="text"/> <input type="checkbox"/> Unknown	
11	Has the person listed in item 1 or anyone acting on his/her behalf ever filed for or received a Social Security number card before? <input type="checkbox"/> Yes (If "yes" answer questions 12-13) <input type="checkbox"/> No <input type="checkbox"/> Don't Know (If "don't know," skip to question 14.)				
12	Name shown on the most recent Social Security card issued for the person listed in item 1		First	Full Middle Name	Last
13	Enter any different date of birth if used on an earlier application for a card			MM/DD/YYYY	
14	TODAY'S DATE MM/DD/YYYY		15	DAYTIME PHONE NUMBER Area Code Number	
16	MAILING ADDRESS (Do Not Abbreviate)		Street Address, Apt. No., PO Box, Rural Route No.		
		City	State/Foreign Country		ZIP Code
17	YOUR SIGNATURE		18	YOUR RELATIONSHIP TO THE PERSON IN ITEM 1 IS: <input type="checkbox"/> Self <input type="checkbox"/> Natural Or Adoptive Parent <input type="checkbox"/> Legal Guardian <input type="checkbox"/> Other Specify _____	
DO NOT WRITE BELOW THIS LINE (FOR SSA USE ONLY)					
NPN		DOC	NTI	CAN	
ITV		PBC		EVI	EVA
EVC		PRA	NWR	DNR	UNIT
EVIDENCE SUBMITTED			SIGNATURE AND TITLE OF EMPLOYEE(S) REVIEWING EVIDENCE AND/OR CONDUCTING INTERVIEW		
			DATE		
			DATE		

APPENDIX C

A Full List of Countries that Issue Consular Identification Cards (CIDs)

ARGENTINA: Matrícula Consular Argentina; Website: www.embassyofargentina.us/espanol/consuladosargentinoseneeuu/consuladosargentinoseneeuu.htm; Embassy Phone Number: (202) 238-6401

BRAZIL: Matrícula de Cidadão Brasileiro; Website: www.brasilemb.org/consulado/consular_jurisdictions.shtml; Embassy Phone Number: (202) 238-2828

COLOMBIA: Tarjeta de Registro Consular ; website: <http://www.colombiaemb.org/openccms/openccms/consulates/consulates.html>; Embassy Phone Number: (202) 387-8338

GUATEMALA: Tarjeta de Identificación Consular; Website: http://www.guatemala-embassy.org/main.php?parent_id=7&id_area=109; Embassy Phone Number: (202) 745-4952

GUINEA: Website: <http://www.guineaembassy.com>; Embassy Phone Number: (202) 986-4300

MALI: Carte d'Identité Consulaire; Website: <http://www.maliembassy.us>; Embassy Phone Number: (202) 332-2249; Consulate General of Mali in NY: (212) 737-4150

MEXICO: Mexican Matrícula Consular de Alta Seguridad; To find your consulate, visit <http://www.embassyofmexico.org> or <http://directorio.gob.mx> and click on Relaciones Exteriores, Embajadas y Consulados, Consulados de México en el extranjero. Embassy Phone Number: (202) 728-1600

SENEGAL: Carte Consulaire; Website: <http://www.senegalembassy-us.org/enOurReps.htm>; Embassy Phone Number: (202) 234-0540 or (202) 234-0541

DOMINICAN REPUBLIC: To find your local consulate, visit: <http://www.domrep.org>; Embassy Phone Number: (202) 332-6280

ECUADOR: Website: <http://www.ecuador.us/info/consulate.htm>; Embassy Phone Number: (202) 234-7200 ext. 224

EL SALVADOR: Website: <http://www.elsalvador.org/home.nsf/infoconsular>
Embassy Phone Number: (202) 265-9671

HONDURAS: Website: <http://www.hondurasemb.org>; Embassy Phone Number: (202) 737-2972

NIGERIA: Atlanta's Nigeria Consulate Website: <http://www.nigeria-consulate-atl.org>; Phone Number: (770) 394-6261. New York's Consulate Website: <http://www.nigeria-consulate-ny.org>; Phone Number (212) 850-2200; Embassy Phone Number: (202) 986-8400

PAKISTAN: Consulate General of Pakistan; Website: <http://www.pakistanconsulateny.org>; Embassy Phone Number: (212) 879-5800

PERU: Documento Nacional de Identificación, Peruvian consulates do not offer consular ID cards. However, their national ID may be accepted as form of ID by some institutions or companies. Website: <http://www.consuladoperu.com/archivos/jurisdicciones.com>; Information Hotline: (800) 535-3953; Embassy Phone Number: (202) 833-9860/69

APPENDIX D

U.S. Passport Renewal Application, Form DS-82

See next page.



U.S. PASSPORT RENEWAL APPLICATION FOR ELIGIBLE INDIVIDUALS

PLEASE DETACH AND RETAIN THIS INSTRUCTION SHEET FOR YOUR RECORDS

Date of Application: _____

CAN I USE THIS FORM?

Complete the checklist to determine your eligibility to use this form

- I can submit my most recent U.S. passport book and/or U.S. passport card with this application. Yes No
 - I was at least 16 years old when my most recent U.S. passport book and/or passport card was issued. Yes No
 - I was issued my most recent U.S. passport book and/or passport card less than 15 years ago. Yes No
 - My most recent U.S. passport book and/or U.S. passport card that I am renewing has not been lost, stolen, mutilated, or damaged. Yes No
 - My U.S. passport has not been limited from the normal ten year validity period due to passport damage/mutilation, multiple passport thefts/losses, or non-compliance with 22 C.F.R. 51.41. (Please refer to the back pages of your U.S. passport book for endorsement information.) Yes No
 - I use the same name as on my recent U.S. passport book and/or U.S. passport card. Yes No
- OR--**
- I have had my name changed by marriage or court order and can submit proper documentation to reflect my name change. Yes No

**If you answered NO to any of the statements above,
STOP - You cannot use this form!**

You must apply on application form DS-11 by making a personal appearance before an acceptance agent authorized to accept passport applications. Visit travel.state.gov to find your nearest acceptance facility.

U.S. PASSPORTS, EITHER IN BOOK OR CARD FORMAT, ARE ISSUED ONLY TO U.S. CITIZENS OR NON-CITIZEN NATIONALS. EACH PERSON MUST OBTAIN HIS OR HER OWN U.S. PASSPORT BOOK OR PASSPORT CARD. THE PASSPORT CARD IS A U.S. PASSPORT ISSUED IN CARD FORMAT. LIKE THE TRADITIONAL PASSPORT BOOK, IT REFLECTS THE BEARER'S ORIGIN, IDENTITY, AND NATIONALITY AND IS SUBJECT TO EXISTING PASSPORT LAWS AND REGULATIONS. UNLIKE THE PASSPORT BOOK, THE PASSPORT CARD IS VALID ONLY FOR ENTRY TO THE UNITED STATES AT LAND BORDER CROSSINGS AND SEA PORTS OF ENTRY WHEN TRAVELING FROM CANADA, MEXICO, THE CARIBBEAN, AND BERMUDA. THE U.S. PASSPORT CARD IS NOT VALID FOR INTERNATIONAL AIR TRAVEL.

PLEASE NOTE: YOUR NEW PASSPORT WILL HAVE A DIFFERENT PASSPORT NUMBER THAN YOUR PREVIOUS PASSPORT.

INFORMATION, QUESTIONS, AND INQUIRIES

Please visit our website at travel.state.gov. In addition, you may contact the National Passport Information Center (NPIC) toll-free at 1-877-487-2778 (TDD: 1-888-874-7793) or by email at NPIC@state.gov. Customer Service Representatives are available Monday-Friday 8:00a.m.-10:00p.m. Eastern Time (excluding federal holidays.) Automated information is available 24 hours a day, 7 days a week.

FAILURE TO PROVIDE INFORMATION REQUESTED ON THIS FORM, INCLUDING YOUR SOCIAL SECURITY NUMBER, MAY RESULT IN SIGNIFICANT PROCESSING DELAYS AND/OR THE DENIAL OF YOUR APPLICATION.

NOTICE TO APPLICANTS RESIDING ABROAD

United States citizens residing abroad CANNOT submit this form to the domestic address listed on the Instruction Page 2. Such applicants should contact the nearest U.S. Embassy or Consulate for procedures to be followed when applying overseas.

WARNING: False statements made knowingly and willfully in passport applications, including affidavits or other documents submitted to support this application, are punishable by fine and/or imprisonment under U.S. law, including the provisions of 18 U.S.C. 1001, 18 U.S.C. 1542, and/or 18 U.S.C. 1621. Alteration or mutilation of a passport issued pursuant to this application is punishable by fine and/or imprisonment under the provisions of 18 U.S.C. 1543. The use of a passport in violation of the restrictions contained therein or of the passport regulations is punishable by fine and/or imprisonment under 18 U.S.C. 1544. All statements and documents are subject to verification.

See page 2 of the instructions for detailed information on the completion and submission of this form.

WHAT DO I SEND WITH THIS APPLICATION FORM?

- Your most recent U.S. passport book and/or card;
- A certified copy of your marriage certificate or court order if your name has changed;
- Fees; and
- A recent color photograph.

See below for more detailed information.

1. YOUR MOST RECENTLY ISSUED U.S. PASSPORT (BOOK AND/OR CARD FORMAT).

● Submit your **most recently issued** U.S. passport book and/or card. When submitting a U.S. passport book and/or card with this form, please verify that the document was issued at age 16 or older in your current name (or see item #2 below) and issued within the past 15 years. You are also eligible to use this form if you currently have a U.S. passport book and/or card that complies with the previously listed criteria, and would like to obtain an alternative product (U.S. passport book and/or card) for the first time. However, you must submit the product you currently have (U.S. passport book and/or card) with this application. If your U.S. passport book and/or card has been lost, stolen, damaged, or mutilated, you must apply on the DS-11 application form as specified below.

2. A CERTIFIED MARRIAGE CERTIFICATE OR COURT ORDER. (PHOTOCOPIES ARE NOT ACCEPTED)

● If the name you are currently using differs from the name on your most recent U.S. passport, you must submit a certified copy of your marriage certificate or court order showing the change of name. All documents will be returned to you by mail. If you are unable to document your name change in this manner, you must apply on the DS-11 application form by making a personal appearance at (1) a passport agency; (2) U.S. Embassy or Consulate, if abroad; (3) any federal or state court of record or any probate court accepting passport applications; (4) a designated municipal or county official; or (5) a post office, which has been selected to accept passport applications.

3. THE CURRENT PASSPORT FEE.

● Enclose the fee in the form of a personal check or money order. **MAKE CHECKS PAYABLE TO "U.S. DEPARTMENT OF STATE." THE FULL NAME AND DATE OF BIRTH OF THE APPLICANT MUST BE TYPED OR PRINTED ON THE FRONT OF THE CHECK. DO NOT SEND CASH.** Passport Services cannot be responsible for cash sent through the mail. By law, the fees are non-refundable. Please visit our website at travel.state.gov for detailed information regarding current fees.

OVERNIGHT DELIVERY SERVICE: If you desire overnight delivery service for the return of your U.S. passport, please include the appropriate fee with your payment.

FASTER PROCESSING: For an additional fee, you may request expedited service. Please include this fee in your payment and submit the application to the appropriate address. **Please write "Expedite" on the outer envelope when mailing. Also, TO ENSURE MINIMAL PROCESSING TIME for expedited passport book applications, Passport Services recommends using overnight delivery when submitting the application AND including the appropriate postage fee for return overnight delivery for the newly issued passport book.** Expedited service is available only in the United States. Overnight return delivery is only available for passport books. Please visit travel.state.gov for updated information regarding fees, processing times, or to check the status of your passport application online.

4. A RECENT COLOR PHOTOGRAPH.

● Submit a color photograph of you alone, sufficiently recent to be a good likeness of you (**taken within the last six months**), and 2x2 inches in size. The image size measured from the bottom of your chin to the top of your head (including hair) should not be less than 1 inch, and not more than 1 3/8 inches. The photograph must be color, clear, with a full front view of your face, and printed on thin paper with plain light (white or off-white) background. The photograph must be taken in normal street attire, without a hat, head covering, or dark glasses unless a signed statement is submitted by the applicant verifying the item is worn daily for religious purposes or a signed doctor's statement is submitted verifying the item is used daily for medical purposes. Headphones, "bluetooth", or similar devices must **not** be worn in the passport photograph. Any photograph retouched so that your appearance is changed is unacceptable. A snapshot, most vending machine prints, and magazine or full-length photographs are unacceptable. A digital photo must meet the previously stated qualifications, and will be accepted for use at the discretion of Passport Services. Please visit our website at travel.state.gov for details and information.

WHERE DO I MAIL THIS APPLICATION?

FOR ROUTINE SERVICE:

National Passport Processing Center
Post Office Box 90155
Philadelphia, PA 19190-0155

FOR EXPEDITED SERVICE (Additional Fee):

National Passport Processing Center
Post Office Box 90955
Philadelphia, PA 19190-0955

Due to the sensitivity of the enclosed documents, Passport Services recommends using trackable mailing service when submitting your application.

NOTE REGARDING MAILING ADDRESSES: Passport Services will not mail a passport to a private address outside the United States. If you do not live at the address listed in the "mailing address", then you must put the name of the person and mark it as "In Care Of." If your mailing address changes prior to receipt of your new passport, please contact the National Passport Information Center (NPIC) at 1-877-487-2778 or visit travel.state.gov.

NOTE: You may receive your newly issued document and your returned citizenship evidence in separate mailings. If you are applying for both a passport book and/or card, you may receive **three separate mailings**; one with your returned citizenship evidence; one with your newly issued passport book, and one with your newly printed passport card.

If you choose to provide your email address in Item #6 on this application, Passport Services may use that address to contact you in the event there is a problem with your application or if additional information is required.

FEDERAL TAX LAW

Section 6039E of the Internal Revenue Code (26 USC 6039E) requires you to provide your Social Security number (SSN), if you have one, when you apply for a U.S. passport or renewal of a U.S. passport. If you have not been issued a SSN, enter zeros in box #5 of this form. If you are residing abroad, you must also provide the name of the foreign country in which you are residing. The U.S. Department of State must provide your SSN and foreign residence information to the U.S. Department of Treasury. If you fail to provide the information, you are subject to a \$500 penalty enforced by the IRS. All questions on this matter should be directed to the nearest IRS office.

NOTICE TO CUSTOMERS APPLYING OUTSIDE A STATE DEPARTMENT FACILITY

If you send us a check, it will be converted into an electronic funds transfer (EFT). This means we will copy your check and use the account information on it to electronically debit your account for the amount of the check. The debit from your account will usually occur within 24 hours and will be shown on your regular account statement.

You will not receive your original check back. We will destroy your original check, but we will keep the copy of it. If the EFT cannot be processed for technical reasons, you authorize us to process the copy in place of your original check. If the EFT cannot be completed because of insufficient funds, we may try to make the transfer up to two times, and we will charge you a one-time fee of \$25, which we will also collect by EFT.

REMITTANCE OF FEES

Passport service fees are established by law and regulation (see 22 U.S.C. 214, 22 C.F.R. 22.1, and 22 C.F.R. 51.50-56), and are collected at the time you apply for the passport service. If the Department fails to receive full payment of the applicable fees because, for example, your check is returned for any reason or you dispute a passport fee charge to your credit card, the U.S. Department of State will take action to collect the delinquent fees from you under 22 C.F.R. Part 34, and the Federal Claims Collection Standards (see 31 C.F.R. Parts 900-904). In accordance with the Debt Collection Improvement Act (Pub.L. 104-134), if the fees remain unpaid after 180 days and no repayment arrangements have been made, the Department will refer the debt to the U.S. Department of Treasury for collection. Debt collection procedures used by the U.S. Department of Treasury may include referral of the debt to private collection agencies, reporting of the debt to credit bureaus, garnishment of private wages and administrative offset of the debt by reducing, or withholding eligible federal payments (e.g., tax refunds, social security payments, federal retirement, etc.) by the amount of your debt, including any interest penalties or other costs incurred. In addition, non-payment of passport fees may result in the invalidation of your U.S. passport book and/or card. An invalidated passport card cannot be used for travel.

OTHER USES OF SOCIAL SECURITY NUMBER

Your Social Security number will be provided to the U.S. Department of Treasury, used in connection with debt collection and checked against lists of persons ineligible or potentially ineligible to receive a U.S. passport book and/or card, among other authorized uses.

NOTICE TO APPLICANTS FOR OFFICIAL, DIPLOMATIC, OR NO-FEE PASSPORTS

You may use this application if you meet all of the provisions listed on Instruction Page 2, however, you must CONSULT YOUR SPONSORING AGENCY FOR INSTRUCTIONS ON PROPER ROUTING PROCEDURES BEFORE FORWARDING THIS APPLICATION. Your completed passport will be released to your sponsoring agency for forwarding to you.

IMPORTANT NOTICE TO APPLICANTS WHO HAVE LOST OR HAD A PREVIOUS U.S. PASSPORT BOOK AND/OR PASSPORT CARD STOLEN

A United States citizen may not normally bear more than one valid or potentially valid U.S. passport book or more than one valid or potentially valid U.S. passport card at a time. Therefore, when a valid or potentially valid U.S. passport book or U.S. passport card cannot be presented with a new application, it is necessary to submit a Form DS-64, Statement Regarding a Lost or Stolen U.S. Passport. Your statement must detail why the previous U.S. passport book or U.S. passport card cannot be presented.

The information you provide regarding your lost or stolen U.S. passport book or passport card will be placed into our Consular Lost or Stolen Passport System. This system is designed to prevent the misuse of your lost or stolen U.S. passport book or passport card. Anyone using the passport book or passport card reported as lost or stolen may be detained upon entry into the United States. Should you locate the U.S. passport book or passport card reported lost or stolen at a later time, report it as found, and submit it for cancellation. It has been invalidated. You may not use that passport book or passport card for travel.

PROTECT YOURSELF AGAINST IDENTITY THEFT! REPORT YOUR LOST OR STOLEN U.S. PASSPORT BOOK OR PASSPORT CARD!

For more information or to report your lost or stolen U.S. passport book or passport card by phone, call NPIC at: 1-877-487-2778 or visit our website at travel.state.gov.

SPECIAL NOTICE TO U.S. PASSPORT CARD APPLICANTS ONLY

The maximum number of letters provided for your given name (first and middle) on the U.S. passport card is 24 characters. The 24 characters may be shortened due to printing restrictions. If both your given names are more than 24 characters, you must shorten one of your given names you list on item 1 of this form.

ACTS OR CONDITIONS

If any of the below-mentioned acts or conditions have been performed by or apply to the applicant, the portion which applies should be lined out, and a supplementary explanatory statement under oath (or affirmation) by the applicant should be attached and made a part of this application.

I have not, since acquiring United States citizenship/nationality, been naturalized as a citizen of a foreign state; taken an oath or made an affirmation or other formal declaration of allegiance to a foreign state; entered or served in the armed forces of a foreign state; accepted or performed the duties of any office, post, or employment under the government of a foreign state or political subdivision thereof; made a formal renunciation of nationality either in the United States, or before a diplomatic or consular officer of the United States in a foreign state; or been convicted by a court or court martial of competent jurisdiction of committing any act of treason against, or attempting by force to overthrow, or bearing arms against the United States, or conspiring to overthrow, put down, or to destroy by force, the government of the United States.

Furthermore, I have not been convicted of a federal or state drug offense or convicted for "sex tourism" crimes statute, and I am not the subject of an outstanding federal, state, or local warrant of arrest for a felony; a criminal court order forbidding my departure from the United States; a subpoena received from the United States in a matter involving federal prosecution for, or grand jury investigation of, a felony.

PRIVACY ACT STATEMENT

AUTHORITIES: Collection of this information is authorized by 22 U.S.C. 211a et seq.; 8 U.S.C. 1104; 26 U.S.C. 6039E; Executive Order 11295 (August 5, 1966); and 22 C.F.R. parts 50 and 51.

PURPOSE: We are requesting this information in order to determine your eligibility to be issued a U.S. passport.

Your Social Security number is requested in order to verify your identity. Failure to provide your Social Security number on this form may delay processing of your application.

ROUTINE USES: This information may be disclosed to another domestic government agency, a private contractor, a foreign government agency, or to a private person or private employer in accordance with certain approved routine uses. These routine uses include, but are not limited to, law enforcement activities, employment verification, fraud prevention, border security, counterterrorism, litigation activities, and activities that meet the Secretary of State's responsibility to protect U.S. citizens and non-citizen nationals abroad.

More information on the Routine Uses for the system can be found in System of Records Notices State-05, Overseas Citizen Services Records and State-26, Passport Records.

DISCLOSURE: Providing your Social Security number and the other information on this form is voluntary, but failure to provide the information on this form may, given the form's purpose of verification of identity and entitlement to a U.S. passport, result in processing delays or denial of the passport application.


Failure to provide your Social Security number may also subject you to a penalty enforced by the Internal Revenue Service, as described in the Federal Tax Law section of the instructions to this form. Your Social Security number will be provided to the Department of the Treasury and may be used in connection with debt collection, among other purposes as authorized and generally described in this section. Providing your Social Security number and other information requested on this form is otherwise voluntary.

ELECTRONIC PASSPORT STATEMENT

The U.S. Department of State now issues an "Electronic Passport" book, which contains an embedded electronic chip. The electronic passport book continues to be proof of the bearer's United States citizenship/nationality and identity, and looks and functions in the same way as a passport without a chip. The addition of an electronic chip in the back cover enables the passport book to carry a duplicate electronic copy of all information from the data page. The electronic passport book is usable at all ports-of-entry, including those that do not yet have electronic chip readers.

Use of the electronic format provides the traveler the additional security protections inherent in chip technology. Moreover, when used at ports-of-entry equipped with electronic chip readers, the electronic passport book provides for faster clearance through some of the port-of-entry processes.

The electronic passport book does not require special handling or treatment, but like previous versions should be protected from extreme heat, bending, and from immersion in water. The electronic chip must be read using specially formatted readers, which protects the data on the chip from unauthorized reading.

The cover of the electronic passport book is printed with a special symbol representing the embedded chip. The symbol  will appear in port-of-entry areas where the electronic passport book can be read.

PAPERWORK REDUCTION ACT STATEMENT

Public reporting burden for this collection of information is estimated to average 40 minutes per response, including the time required for searching existing data sources, gathering the necessary data, providing the information and/or documentation required, and reviewing the final collection. You do not have to supply this information unless this collection displays a currently valid OMB control number. If you have comments on the accuracy of this burden estimate and/or recommendations for reducing it, please send them to: U.S. Department of State, Bureau of Consular Affairs, Passport Services, Office of Program Management and Operational Support, 2201 C Street NW, Washington, D.C. 20520.



U.S. PASSPORT RENEWAL APPLICATION FOR ELIGIBLE INDIVIDUALS

OMB CONTROL NO. 1405-0020
OMB EXPIRATION DATE: 12-31-2016
ESTIMATED BURDEN: 40 MIN

Please Print Legibly Using Black Ink Only

Attention: Read WARNING on page 1 of instructions

Please select the document(s) for which you are applying:

U.S. Passport Book U.S. Passport Card Both

The U.S. passport card is **not** valid for international air travel. For more information see page 1 of instructions.

28 Page Book (Standard) 52 Page Book (Non-Standard)

Note: The 52 page option is for those who frequently travel abroad during the passport validity period, and is recommended for applicants who have previously required the addition of visa pages.

1. Name Last

First

Middle

D O DP DOTS Code _____
End. # _____ Exp. _____

2. Date of Birth (mm/dd/yyyy)

3. Sex

M F

4. Place of Birth (City & State if in the U.S., or City & Country as it is presently known.)

5. Social Security Number

6. Email Address (e.g., my_email@domain.com)

7. Primary Contact Phone Number

8. Mailing Address: Line 1: Street/RFD#, P.O. Box, or URB.

Address Line 2: **Clearly label** Apartment, Company, Suite, Unit, Building, Floor, In Care Of or Attention if applicable. (e.g., In Care Of - Jane Doe, Apt # 100)

City

State

Zip Code

Country, if outside the United States

9. List all other names you have used. (Examples: Birth Name, Maiden, Previous Marriage, Legal Name Change. Attach additional pages if needed)

A.

B.

10. Passport Book and/or Passport Card Information

Your name as printed on your most recent U.S. passport book and/or passport card

Most recent passport book number

Issue date (mm/dd/yyyy)

Most recent passport card number

Issue date (mm/dd/yyyy)

11. Name Change Information Complete if name is different than last U.S. passport book or passport card

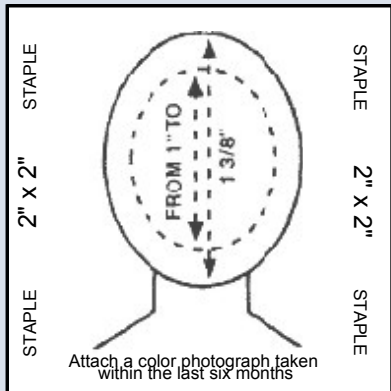
Changed by Marriage

Place of Name Change (City/State)

Date (mm/dd/yyyy)

Changed by Court Order

Please submit a certified copy. (Photocopies are not accepted!)



CONTINUE TO PAGE 2

YOU MUST SIGN AND DATE THE APPLICATION IN THE DESIGNATED AREA BELOW

I declare under penalty of perjury all of the following: 1) I am a citizen or non-citizen national of the United States and have not, since acquiring U.S. citizenship or nationality, performed any of the acts listed under "Acts or Conditions" on page four of the instructions of this application (unless explanatory statement is attached); 2) the statements made on the application are true and correct; 3) I have not knowingly and willfully made false statements or included false documents in support of this application; 4) the photograph submitted with this application is a genuine, current photograph of me; and 5) I have read and understood the warning on page one of the instructions to the application form.

x _____
Applicant's Legal Signature

_____ Date

FOR ISSUING OFFICE ONLY

PPT BK C/R PPT BK S/R PPT CD C/R PPT CD S/R

Marriage Certificate Date of Marriage/Place Issued:

Court Order Date Filed/Court:

From _____

To: _____

Other:

Attached:



* DS 82 C 08 2013 1 *

For Issuing Office Only → Bk Fee _____ Cd Fee _____ EF _____ Postage _____ Other _____

Name of Applicant <i>(Last, First & Middle)</i>	Date of Birth <i>(mm/dd/yyyy)</i>

12. Height	13. Hair Color	14. Eye Color	15. Occupation	16. Employer or School <i>(if applicable)</i>

17. Additional Contact Phone Numbers			
<input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work <input type="checkbox"/> _____	<input type="checkbox"/> Home <input type="checkbox"/> Cell <input type="checkbox"/> Work <input type="checkbox"/> _____		

18. Permanent Address: <i>If P.O. Box is listed under Mailing Address <u>or</u> if residence is different from Mailing Address.</i>	
Street/RFD # or URB (No P.O. Box)	Apartment/Unit
City	State Zip Code

19. Emergency Contact - <i>Provide the information of a person not traveling with you to be contacted in the event of an emergency.</i>				
Name	Address: Street/RFD # or P.O. Box		Apartment/Unit	
City	State	Zip Code	Phone Number	Relationship

20. Travel Plans		
Departure Date <i>(mm/dd/yyyy)</i>	Return Date <i>(mm/dd/yyyy)</i>	Countries to be visited

STOP! YOU HAVE COMPLETED YOUR APPLICATION
BE SURE TO SIGN AND DATE PAGE ONE



Chapter 3

Transportation

Chapter 3 focuses on Transportation. It explains different options for getting where you need to go when you're out of prison. This includes information about how to get from prison to the place you're being released to, and how to use transportation after your release. We'll talk about options like buying or leasing a car, riding a bike, taking public transportation such as the bus or subway, using rideshare mobile apps through your phone, and more!

DISCLAIMER

YOUR RESPONSIBILITY WHEN USING THIS GUIDE: When putting together this guide, #cut50 and Root & Rebound did our best to give you useful and accurate information. However, the laws change frequently and have different interpretations. We do not have the resources to make changes to this informational material every time the law changes. If you use information from this guide, it is your responsibility to make sure that the law has not changed and applies to your particular situation. If you are incarcerated, most of the materials you need should be available in your institution's law library. The guide is not intending to give legal advice, but rather general legal information. No attorney-client relationship is created by using any information in this guide. You should always consult your own attorney if you need legal advice specific to your situation.

Chapter 3: Table of Contents

Transportation

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- Why transportation is an important part of reentry
- The different options for getting around after you leave prison
- Possible ways to get financial assistance for your transportation needs

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KEY TERMS IN THE TRANSPORTATION CHAPTER

Gate Money (a.k.a. Release Gratuity)— a small amount of money from the prison to help with costs related to your release.

Ridesharing— a program where a driver picks you up in their own car and drives you to your destination for a fee.

Carsharing—a program where you pick up a car and drive it to your destination, and you often have to pay a monthly membership fee and pay hourly or mileage use fees. Similar to a short-term rental car program.

Mobile app—an abbreviation of "mobile application," a mobile app is a kind of application software that you download onto a mobile electronic device, like a smartphone or tablet. There are thousands of kinds of mobile apps, and today mobile apps are often used to navigate transportation such as buses and subways. Mobile apps are also used to access ridesharing programs.

I. INTRODUCTION

WHY IS TRANSPORTATION IMPORTANT?

Getting around is a very important need in reentry. First, you'll need transportation to get from prison to where you'll be staying. Then, when you're out, you'll need transportation to get to job interviews, family visits and other appointments. There have been some changes in the past few years in the way people get around. And all these changes can feel overwhelming to someone experiencing them for the first time. This **Transportation Chapter** aims to prepare you for these changes and more, so you'll be able to navigate them easily and effortlessly. It explains how you can get from prison to where you're staying, how to get around when you're out, and how you might be able to get financial help for transportation.

HOW WILL I GET FROM PRISON TO WHERE I'M STAYING AFTER RELEASE?

You can get from prison to where you're staying in a lot of different ways. It's important to know that by law, BOP has to pay for your transportation to where you're going to live (your residence) or the place where you were convicted.¹¹⁸ This means that prison staff will probably put you on a bus back home or to a halfway house. If you're far away from where you'll be staying, BOP might put you on a plane.

- If you're going back to your home (and not to a halfway house), you can choose another mode of transportation, so long as you or your family pays for it. In that case, BOP won't cover the cost.¹¹⁹ For instance, your family may be able to come to pick you up. Your family could arrange for a cab or **ridesharing app service**, like Lyft or Uber, to come and pick you up. There might be other ways to get home in your community, too.¹²⁰ Be sure to talk with your reentry counselor about transportation as you're going through reentry planning.
- If you're being released to spend the last part of your sentence in a halfway house, however, and you want to choose a different way to get there, you should talk with your reentry counselor. According to BOP policy, the warden may allow you to choose how you get there, as long as you pay for it. Whether you use the prison's transportation plan or get permission for an alternative plan, you are expected to go straight to the halfway house.¹²¹

WHAT'S A RIDESHARING-APP SERVICE?

Ridesharing-app services are a relatively new way for people to get around. They work a lot like taxis. But instead of calling a cab service, people order a car through a program (called a "mobile app") that is downloaded on their cell phone. People connect their credit card or bank information to pay for the car through this mobile app. Two of popular ridesharing apps are called **Lyft** and **Uber**.

HELPFUL HINT: *Release Clothing*

In addition to transportation, BOP must provide appropriate clothes for your release day.¹²² That means if it's winter and you're heading home to Chicago, Illinois, BOP should give you a winter coat. If it's summer and you're heading to Los Angeles, California, on the other hand, BOP probably won't need to set you up with much more than the basics.

You can also request work clothing from BOP. Whether you get the work clothes will depend on whether they're available — except if you're being transferred to a halfway house, BOP should give you clothing so you can search for a job. If you decide to have your release clothing mailed or brought to you in prison before you're released, you or your family will have to cover any costs.¹²³

WILL BOP GIVE ME "GATE MONEY" (A.K.A. "RELEASE GRATUITY")?

You may be able to get gate money (or as BOP calls it, "release gratuity"), a small amount of money to help with your release.¹²⁴ BOP policy says that people without funds or community resources will be more likely to receive gate money. Gate money may also be available to people being transferred to a halfway house.

In deciding whether to provide you gate money, BOP will look at what resources are already available to you, such as veterans' benefits, bank savings, your trust fund balance, and community resources, including any public or private assistance programs you're receiving. BOP will also look at your immediate release needs, including transportation and clothes. Finally, BOP will consider whether you took part in the **Financial Responsibility Program**,¹²⁵ what your spending habits were, and what prison resources are available.

¹¹⁸ 18 U.S. Code § 3624 (2018); 28 CFR § 571.22; BOP Program Statement 5873.06, https://www.bop.gov/policy/progstat/5873_006.pdf.

¹¹⁹ BOP Program Statement 5873.06, p 6, https://www.bop.gov/policy/progstat/5873_006.pdf.

¹²⁰ For example, the Ride Home Project in California provides transportation to people going to a halfway house. Experienced reentry counselors who have been incarcerated themselves pick up people getting out of prison and spend the day with them, including getting meals and shopping for new clothes and toiletries. In 2015, the Program expanded its services to federal prisoners who received executive clemency from President Obama. The Ride Home Program, www.ridehomeprogram.org/.

¹²¹ BOP Program Statement 5280.08, p. 8, https://www.bop.gov/policy/progstat/5280_008.pdf.

¹²² BOP Program Statement 5873.06, p 5, https://www.bop.gov/policy/progstat/5873_006.pdf.

¹²³ BOP Program Statement 5873.06, p 6, https://www.bop.gov/policy/progstat/5873_006.pdf.

¹²⁴ People in prison for a crime that was committed before November 1, 1987, may get up to \$100. 18 U.S.C. § 4281. People in prison for a crime committed after November 1, 1987, may get up to \$500. 18 U.S.C. § 3624(d). BOP policy says that unit staff may recommend up to \$250 in gate money with the approval of the case management coordinator. If unit staff think more than \$250 is called for, the warden must approve of the amount. BOP Program Statement 5873.06, p 2.

¹²⁵ A person who does not take part in the Inmate Financial Responsibility Program will not normally receive gate money unless approved by the warden. If the person being released is really in need of the support, however, the unit team may recommend that the warden provide gate money. BOP Program Statement 5873.06, p 4, https://www.bop.gov/policy/progstat/5873_006.pdf. People must take part in the Inmate Financial Responsibility Plan if they own fines or restitution. It's like a payment plan. See BOP Program Statement P5380.05, https://www.bop.gov/policy/progstat/5380_008.pdf

II. OPTIONS FOR GETTING AROUND

HOW CAN I GET AROUND WHEN I'M OUT OF PRISON?

When you get out, you will need to get around to job interviews and then to work, to appointments with your probation officer, and to connect with referrals listed on your release plan. A lot of different transportation options have come out in the past few years. Of course, there's *walking, biking, taking public transit, or driving a car*. In addition, many cities across the country have seen the rise of **shared mobility programs**, where people pay per use or through a monthly or annual subscription for use of a bike or car. In some places, you can even rent an electric scooter to get around. Then there's *ridesharing app services*, where users order a ride (usually in someone's private vehicle) and pay through a mobile app on their phone. These shared mobility programs are sometimes called "last-mile" or "first-mile" solutions, which means their aim is often to help people get to and from public transportation.¹²⁶ This section covers each of these ways to get around once you're out.

➤ WALKING

Walking is a fantastic way to get around for several reasons. It's a great way to stay in shape and connect with nature.¹²⁷ Plus it doesn't cost anything, and it's healthy for the environment. So if you are able to get somewhere by foot, consider walking there!

➤ BIKING

Biking is another wonderful way to get around. Like walking, it's good for your body and for the environment. It's also usually pretty low-cost. If you're interested in biking, you might have a few options, depending on where you live.

First, you could **get a bike of your own**. Your community might have a bike shop that assists low-income residents in getting a bicycle (a "**community bike shop**"). Here's a listing of many of the country's community bike shops: www.bikecollectives.org/wiki/index.php?title=Community_Bicycle_Organizations#United_States.¹²⁸ Community bike shops sometimes provide classes, space, tools, and resources so you can learn to fix your own bike. In some cases, you can even learn how to make a bike! For example:

- Delta Bike Project is a non-profit organization dedicated to improving access to bicycle transportation in Mobile, Alabama, offering classes on do-it-yourself bicycle repair and low-cost used and donated bicycles.¹²⁹
- KickStand Bicycle Collective in Knoxville, Tennessee, is a volunteer-run initiative that operates community bike shops, teaches bike mechanics, maintenance, and safe practice. Participants can even earn a bike through volunteering hours!¹³⁰

If you can't find a **community bike shop** near you, you might be able to find an inexpensive bike at a used bike shop or online. There's a lot that can go into buying a bike – like do you want a road bike or a racing bike, are you looking for a single speed or multi-gear – so it's a good idea to do your research first and get help from someone who knows bikes! You can talk to friends and family who bike, the sellers, and you can research online.¹³¹ When you're ready to purchase, you can look for used bikes on Craigslist (a website that operates a lot like your local classified section of the newspaper, www.craigslist.org) or Ebay (a website where people from all over the world can buy and sell new and used goods, www.ebay.com).

TOOL LIBRARIES

Did you know that you can check out an Allen wrench just like you can check out a book at a library? Find a tool lending library near you at localtools.org/find.

HELPFUL HINT

Protect Yourself When Buying Used

If you buy used, be sure to protect yourself against buying a stolen bike! Even if you didn't know that the bike was stolen, you can still get in trouble if prosecutors can prove you "should have known" that the bike was stolen. Here's a step-by-step process recommended online:¹³²

Step 1: Check the ad for any red flags. Red flags can be a price that's too good to be true and short ads that lack key information.

Step 2: Check the seller. If they don't provide much information on themselves or if they've got a lot of bikes for sale, be wary!

Step 3: Check the serial number at www.bikeindex.org/stolen. Ask for the serial number before you meet up with the seller.

Step 4: Check the bike. Listen to your gut. If the bike doesn't match the description or the seller doesn't seem to know much about it, proceed with caution.

¹²⁶ See Mineta Transportation Institute, *Using Bicycles for the First and Last Mile of a Commute*, <http://transweb.sjsu.edu/sites/default/files/BikeCommute.pdf>.

¹²⁷ Moderate walking has been shown to lower blood pressure, reduce body fat, and improve mental wellbeing. Bloomberg, R., et al., *Pedestrian Transportation: A Look Forward*, <http://onlinepubs.trb.org/onlinepubs/millennium/00088.pdf>.

¹²⁸ Volunteers update this list. While it is the most complete list we could find, it may not be the most current.

¹²⁹ <http://www.deltabikeproject.org/about-us/>.

¹³⁰ <http://www.knoxbikecollective.com/What.html>

¹³¹ How to Buy a Bike, JimLangley.net, <https://jimlangley.net/crank/howtobuyabike1.html>; How To Find The Best Cheap Bicycles – Online And In Real Life, IceBike.org, <https://www.icebike.org/best-cheap-bicycles/>; Buying a Cheap or Used Bike: What to Know, Bike Exchange, <https://www.bikeexchange.com/blog/buying-a-cheap-bike-what-to-know>

¹³² How Not To Buy A Stolen Bike, Mission Bicycle Company, <https://www.missionbicycle.com/blog/how-not-buy-stolen-bike>

Where you live might have a new **bike-sharing program**. Be sure to check with your local library to start – as of March 2018, around 20 local libraries have begun lending bikes!¹³³ For example, Athens County Public Libraries in Ohio, the Bethlehem Area Public Library in Pennsylvania, the Sierra Vista Public Library in Arizona, and the Georgetown Public Library in Texas all have started bike-lending programs.

In bigger cities, bike-sharing programs place hundreds or even thousands of bicycles across the city. Sometimes they are at a docking station where you can pick up a bike and return it (though you usually don't have to return it to the same docking station). In other cases, there is no centrally located docking station, but you can download a mobile app on your cell phone to find bikes nearby. Most bike-sharing systems require users to pay a fee for use or buy a monthly or annual membership.¹³⁴ If you don't travel by bike frequently, this kind of system can be cheaper than owning and maintaining your own bike.

Since the summer of 2018, electric scooters have swept the nation.¹³⁵ These scooters work a lot like dockless shared bikes. You can find and unlock them with a smartphone mobile app.

BIKE REPAIR STATIONS

Self-service bike repair stations are popping up all over the place! These stations have all the tools you'll need to fix your bike—for free. Find one near you at dero.com/fixitmap/fixitmap.html

➤ **TAKING PUBLIC TRANSPORTATION (A.K.A. public transit)**

Another typically low-cost way to get around is taking public transportation (also known as public transport, public transit, or mass transit). Depending on where you live, your local public transit system may include buses, light rail, ferries, subways, and/or commuter trains. However, public transit in many U.S. metro areas can be very limited. And in many places, especially rural locations, there is no public transit.¹³⁶

To get around on public transit, you will have to figure out how your system works. For example, you usually have to buy a ticket as you enter the station. On buses, though, you can often pay with cash instead of presenting a ticket. Sometimes you have to get your ticket punched before getting into a station. Other times, you have to get your ticket punched once you get onto the public transportation. In some systems, you'll only need your ticket to get in. In other systems, you'll need to keep your ticket and use it to get out of the station. There are so many ways that public transit can work—so feel free to ask a transit employee if you need help!

HOW DO I FIND A BUS OR SUBWAY SCHEDULE?

Here are some ways to find public transit routes and schedules:

- **Online** – The majority of bus agencies, particularly those in larger metropolitan areas, have trip planners on their websites. Interested users can go to the website and enter their origin and destination to find routes and schedules. Here is a listing of the country's bus transit systems: https://en.wikipedia.org/wiki/List_of_bus_transit_systems_in_the_United_States
- **By phone** – The federal government has designated “5-1-1” as the single travel information telephone number, made available to states and local jurisdictions across the country. More than two-thirds of states have adopted 5-1-1. Anyone with access to a phone in those states can dial 511 to get departure times for public transportation agencies, real-time updates for both traffic and transit, and more general information on certain programs. 5-1-1 is free.
- **By App** – Reliable transit information is available through smartphone apps. Users can quickly identify the location of the nearest bus stop, arrival time, ride alters, and the estimated fare through the use of an app. Apps include but are not limited to:
 - Transit
 - NextBus
 - CityMapper
 - Google Maps
- **By Text** – Transit users can get real-time transit information for when the next bus or train is due to arrive at a stop by sending a text message with a cell phone. Text the stop number to a specified number (probably found through your local public transportation website or on a sign related to your route).

¹³³ Bike Check-Out: Coming Soon to a Library Near You?, Public Library Association, <http://publiclibrariesonline.org/2018/03/bike-check-out-coming-soon-to-a-library-near-you/>

¹³⁴ Here's a listing of all the bike-sharing systems across the country: https://en.wikipedia.org/wiki/List_of_bicycle-sharing_systems#United_States.

¹³⁵ Mapping the impact of dockless vehicles, Smart Cities Dive, <https://www.smartcitiesdive.com/news/mapping-the-impact-of-dockless-vehicles/539263/>.

¹³⁶ About 40% of rural counties have no public transit service. Car Programs for Low-Income Families: Transporting Families Toward Financial Stability and Success, Annie E. Casey Foundation, <https://www.aecf.org/resources/affordable-car-ownership-programs/>.

HELPFUL HINT

How to Read a Public Transit (Bus or Subway) Schedule

A schedule lists the major stops along a bus or subway route. You can find the departure time for the transit you need by reading down the column of your desired stop location. The schedule is read from left to right.

Route number and day of the week the schedule operates

Route 10 – Monday to Saturday

	Alexandria Arena Depart	Leduc County Centre Nisku Depart	Premium Outlet Mall Arrive	Premium Outlet Mall Depart	Edmonton International Airport Arrive	Edmonton International Airport Depart	Premium Outlet Mall Arrive	Premium Outlet Mall Depart	Leduc County Centre Nisku Depart	Alexandria Arena Arrive
	G	F	Z	Z	K	K	Z	Z	F	G
	Stop 112	Stop 300	Stop 401	Stop 401	Stop 400	Stop 400	Stop 401	Stop 401	Stop 300	Stop 112
A.M.	8:50	9:02	9:09	9:11	9:19	9:22	9:28	9:30	9:36	9:48
	9:50	10:02	10:09	10:11	10:19	10:22	10:28	10:30	10:36	10:48
	10:50	11:02	11:09	11:11	11:19	11:22	11:28	11:30	11:36	11:48
	12:08	12:20	12:27	12:29	12:37	12:40	12:46	12:48	12:54	1:06
P.M.	1:08	1:20	1:27	1:29	1:37	1:40	1:46	1:48	1:54	2:06
	2:08	2:20	2:27	2:29	2:37	2:40	2:46	2:48	2:54	3:06
	3:08	3:20	3:27	3:29	3:37	3:40	3:46	3:48	-	4:06
	4:08	4:20	4:27	4:29	4:37	4:40	4:46	4:48	-	5:06
	5:08	5:20	5:27	5:29	5:37	5:40	5:46	5:48	-	6:06
	6:08	6:20	6:27	6:29	6:37	6:40	6:46	6:48	6:54	7:06
	7:08	7:20	7:27	7:29	7:37	7:40	7:46	7:48	7:54	8:06
	8:08	8:20	8:27	8:29	8:37	8:40	8:46	8:48	8:54	9:06
9:08	9:20	9:27	9:29	9:37	9:40	9:46	9:48	9:54	10:06	

Timing points are selected bus stops along the route that correspond to times listed under each location. The letter in the column can be found on the route map to pinpoint location.

Read down the column to find the time your bus leaves your location

Read across the row to find the time your bus arrives at the next timing point

Source: Leduc Transit, How to Read a Bus Schedule, <https://www.leductransit.ca/routes-and-schedules>

➤ DRIVING A CAR OR OTHER MOTOR VEHICLE

Finally, there's getting around in a car or other motor vehicle. In a few U.S. cities, carsharing programs are available.¹³⁷ Carsharing is just like bike- or scooter-sharing: it's essentially a short-term rental of the vehicle when needed. In a lot of places, though, carsharing isn't available – at least not yet.

WHAT'S THE DIFFERENCE BETWEEN "RIDESHARING" AND "CARSHARING"?

Ridesharing is where a driver picks you up in their own car and drives you to your destination. You pay per trip. It's like a private taxi. Carsharing is where you pick up a car and drive it to your destination. You often have to pay a monthly membership fee and pay hourly or mileage use fees. It's like a short-term rental car.

WHAT IF I WANT TO HAVE MY OWN CAR?

Depending upon where you live and work and how much you need to travel, you may decide to get a car. You can either buy one or lease one.¹³⁸

- *Buying a new or used vehicle* requires either paying full price or getting a preapproved loan from a bank, credit union, financing company, or online bank.¹³⁹ At the end of the loan period, the car is yours (and you get the title, the document establishing that you are the legal owner of a vehicle).
- *Leasing a new or used vehicle* often involves paying little or nothing down for the long-term but temporary use of a vehicle. At the end of the lease period, you turn the car in and often get a new one. You do not get the car title when you lease unless you buy the car outright.

In either situation, your credit report will be a factor in decisions about whether and how much to lend to you, so it's a good idea to know what's on your credit report. (You can read more about credit reports in the Finance section on p. 107. The Federal Trade Commission has several helpful resources on Buying & Owning a Car at <https://www.consumer.ftc.gov/topics/buying-owning-car>.

¹³⁷ Carsharing companies include Zipcar, car2go, and Getaround. Rental companies like Enterprise and Hertz have gotten in on the business line as well.

¹³⁸ In fact, a third manner of payment is increasing in popularity: car subscription services. If you subscribe, you pay an all-inclusive monthly fee for the use of a car. This fee usually includes car insurance, roadside assistance, and maintenance. At the end of the period, you do not own the vehicle – just like in leasing. Unlike leasing, there are often restrictions on your use of the car, and the cars can even be tracked. What Are Car Subscription Services?., Edmunds.com, <https://www.edmunds.com/car-leasing/what-are-car-subscription-services.html>

¹³⁹ Preapproved means you should look for the loan first. That way you'll also have a budget to work with.

HOW CAN I GET CAR INSURANCE?

Three states provide auto insurance to help people with low income: California, Hawaii, and New Jersey. California offers liability and underinsured motorist protection for eligible drivers. Hawaii offers free insurance to people with disabilities or who are 65 years or older. And New Jersey provides the bare minimum: covering only emergency medical costs if there's an accident.¹⁴⁰

If you're not in one of those three states, you can save money on car insurance by owning a car that's inexpensive to insure (typically older, smaller, and equipped with more safety features). You could also choose to decrease the level of optional coverage or increase the deductibles on your policy. You should also be aware of common car insurance discounts, which include safe driver, senior driver, reduced mileage, and advanced payment. And don't let your insurance lapse if you want to be sure to keep costs down.

HELPFUL HINTS

Things to Keep in Mind When Buying a Car on a Limited Income

1. Decide whether you need a car and if you can afford it. In addition to buying or leasing the car, you'll need to pay for insurance, registration, maintenance, and fuel.
2. Get a copy of your credit report and know what it says.
3. Understand the basics of debt-income ratio (the lower debt-to-income ratio you have, the better; lenders like to see below 40%).
4. Be prepared that you might need a cosigner (someone who assumes equal responsibility for the contract), and you might need to make a higher down payment.
5. If you don't meet a lender's requirements, you may qualify for a car ownership program or financial assistance from your state government, which is discussed in the next section.¹⁴¹

III. FINANCIAL HELP FOR TRANSPORTATION

You may be able to get financial help for transportation. What kind and how much you'll be eligible for will probably depend on where you live, what transit options are available to you, and how much you make.

To find out if you qualify for financial help, you can call 211 or your county human services agency office.

➤ **FINANCIAL HELP WITH PUBLIC TRANSIT AND SHARED MOBILITY**

Many public transit systems have special discounts for people with low income. It all depends on where you live, so be sure to check in with your local public transportation agency about whether they offer reduced fares. For example, Metro Transit in the Minneapolis/St. Paul metropolitan area offers a Transit Assistance Program (TAP) for low-income riders. Once they sign up, riders can get \$1 fares for a year.¹⁴² Similarly, SunTran in Tucson, AZ, offers reduced fares for eligible riders.¹⁴³

Other shared mobility programs, like shared bikes and scooters, offer discounts for people with low income.¹⁴⁴ For example, Lime Access, which is associated with Lime bike- and scooter-share, offers qualifying users at least half off.¹⁴⁵ Lime also offers Access customers the ability to pay in cash at PayNearMe locations.¹⁴⁶ Lyft offers the community pass in many locations for \$5 a month.¹⁴⁷

➤ **FINANCIAL HELP WITH MOTOR VEHICLES**

You may be eligible for financial help to get or fix a car. The Temporary Assistance for Needy Families (often called TANF) program is a federal grant program administered by state departments of human services. The program offers cash benefits for necessities like food, clothing, and shelter to families that need them. Eligibility varies by state but generally includes people with low incomes and at least one child who lives at home.¹⁴⁸ Since access to reliable transportation tends to make finding and keeping employment easier, working families can generally use a portion of their TANF funds for transportation expenses.¹⁴⁹ Some states even have specific transportation

¹⁴⁰ See California's Low Cost Auto Insurance Program, California Department of Insurance, <http://www.insurance.ca.gov/01-consumers/105-type/95-guides/01-auto/lca/>; Hawaii Financial and SNAP Benefits Rights and Responsibilities, Hawaii Department of Human Services, <https://humanservices.hawaii.gov/bessd/fnsrandr/>; Aid to the Aged, Blind, and Disabled (AABD), Hawaii Department of Human Services, <http://humanservices.hawaii.gov/bessd/aabd/>; Special Automobile Insurance Policy (SAIP), State of New Jersey Department of Banking & Insurance, https://www.state.nj.us/dobi/division_consumers/insurance/saip.htm.

¹⁴¹ Financing or Leasing a Car, Federal Trade Commission, <https://www.consumer.ftc.gov/articles/0056-financing-or-leasing-car#Whatabout>.

¹⁴² Enroll now in the Transit Assistance Program (TAP), Metro Transit, <https://www.metrotransit.org/tap-riders>.

¹⁴³ SunGo & Fares, SunTran, https://suntran.com/fares_red_lowinc.php.

¹⁴⁴ 10 Bike Share Programs with Low Income Discounts, <https://lowincomerelief.com/bike-share-discounts/>.

¹⁴⁵ Lime Access, Lime, <https://www.li.me/community-impact>.

¹⁴⁶ For more information on how PayNearMe works: <https://home.paynearme.com/how-it-works/>.

¹⁴⁷ Scooters, Lyft, <https://www.lyft.com/scooters/>.

¹⁴⁸ See if you're eligible at <https://www.benefits.gov/>. You might have heard that the TANF program bans people who have felony drug convictions from getting benefits, but many states have lifted or softened the ban in their administration of TANF. 10 states still ban people with felony drug convictions from getting help. See CLASP, No More Double Punishments Lifting the Ban on SNAP and TANF for People with Prior Felony Drug Convictions, State SNAP and TANF Bans as of March 2019, p. 7, <https://www.clasp.org/sites/default/files/publications/2019/04/2019.03.15%20No%20More%20Double%20Punishments.pdf>.

Congress is looking at getting rid of this ban at the federal and state levels. Reps. Elijah Cummings (D-MD), Jerrold Nadler (D-NY), and Karen Bass (D-CA) introduced the REDEEM Act in the House (H.R. 2410, <https://www.congress.gov/bill/116th-congress/house-bill/2410>); see also the Next Step Act, H.R.1893). And Sen. Cory Booker (D-NJ) introduced a Senate version in the Next Step Act of 2019 (S.697). One of its provisions would end the federal ban on TANF (and Supplemental Nutrition Assistance Program SNAP, or food stamps) for people convicted of drug-related felonies.

¹⁴⁹ TANF-ACF-PA-2000-02 (Updated joint guidance regarding the ways in which TANF, Welfare-to-Work (WtW), and Job Access funds can be used to help States and communities provide transportation services to eligible individuals), U.S. Department of Health & Human Services Office of Family Assistance, <https://www.acf.hhs.gov/ofa/resource/policy/pa-ofa/2000/pa200002>.

programs: for example, Michigan Department of Health and Human Services offers \$2,000 toward purchasing a car; \$900 toward fixing a car.¹⁵⁰

Some states and counties may offer car ownership programs, providing low-income workers, families, and others who qualify with a used (or in some cases new) vehicle. Eligibility for these programs varies. In some cases, eligibility is tied to whether the person applying for the help is receiving TANF (but sometimes it isn't!). Often governments work with local nonprofits to deliver the program. There are three main car ownership program models.

- The first involves the state or county providing funds to purchase a car or connecting people who need cars to charities or ministries that take in donated cars.
 - Goodwill of Northern Michigan runs a Workers on Wheels program, which connects people with donated cars.¹⁵¹
- The second involves financing: special terms or discounted rates to assist people with poor credit to buy a vehicle.
 - The national Ways to Work car loan program uses this model as it “provides small, short-term, low-interest loans to working poor families with challenging credit histories.”¹⁵²
 - Goodwill San Antonio also offers low-interest loans for cars.¹⁵³
- The third involves helping people save for a car through matched savings programs.¹⁵⁴
 - This is usually through what’s called an Individual Development Account, which is matched with TANF funds.¹⁵⁵

You may be able to find a local car program through the National Consumer Law Center website:
<http://www.workingcarsforworkingfamilies.org/find-a-program/application>

Lastly, in some states, the DMV helps low-income people whose cars failed emissions testing. For example, both California and Texas offer financial help to low-income drivers so they can fix their car to improve emissions and air quality.¹⁵⁶

➤ **OTHER FINANCIAL HELP POSSIBILITIES**

Beyond governmental programs, employers often provide transportation subsidies to employees to encourage them to commute by public transit. For instance, some employers offer pre-tax commuter benefits. In these programs, employees have their monthly transportation costs deducted from their paycheck before taxes. Other employers may offer transit passes.

Previously, a federal bicycle commuting reimbursement was available to people who commuted by bike, but Congress suspended it in 2018.¹⁵⁷

¹⁵⁰ Direct Support Services, Michigan Department of Health and Human Services, p 16 <https://dhhs.michigan.gov/OLMWEB/EX/BP/Public/BEM/232.pdf>

¹⁵¹ Buying a Car Makes Sense for Some Job Seekers, Goodwill Blog, <https://www.goodwill.org/blog/career-and-financial-advice/buying-a-car-makes-sense-for-some-job-seekers/>.

¹⁵² See Ways to Work Program Helps Workers Gain Mobility and Self-sufficiency, Northern Virginia Family Service, <https://www.nvfs.org/ways-to-work-program-helps-workers-gain-mobility-and-self-sufficiency/>; Ways To Work Transportation Loan Program, Wesley Family Services, <https://wfspa.org/service/ways-to-work-transportation-loan-program/>.

¹⁵³ Buying a Car Makes Sense for Some Job Seekers, Goodwill Blog, <https://www.goodwill.org/blog/career-and-financial-advice/buying-a-car-makes-sense-for-some-job-seekers/>.

¹⁵⁴ State and County Supported Car Ownership Programs Can Help Low-income Families Secure and Keep Jobs, Center on Budget and Policy Priorities, <https://www.cbpp.org/archiveSite/11-8-01wel.pdf>. Note this document may not be current.

¹⁵⁵ Individual Development Account (IDA), Investopedia, <https://www.investopedia.com/terms/i/ida.asp>.

¹⁵⁶ See Consumer Assistance Program Repair Assistance, https://www.bar.ca.gov/Consumer/Consumer_Assistance_Program/CAP_Repair_Assistance_Program.html; AirCheckTexas Drive a Clean Machine — Vehicle Repair Assistance Program, <https://www.tceq.texas.gov/airquality/mobilesource/vim/driveclean.html> (note that the Texas program is not accepting applications currently; it is unclear whether this is closure is temporary—as in the program is not accepting more applications this year—or permanent).

¹⁵⁷ But note that there is a bill in the U.S. House of Representatives that would bring this program back, H.R. 1507, the Bicycle Commuter Act of 2019. <https://www.congress.gov/bill/116th-congress/house-bill/1507>.

Chapter 4

HOUSING

Chapter 4 focuses on housing. Housing is one of the most immediate and important parts of a strong reentry. In the HOUSING CHAPTER, you will learn more about your housing options and legal rights; what kind of housing you can and cannot get into because of your criminal record; and things you can do if your legal rights are violated.

DISCLAIMER

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- How to put your best foot forward in applying for housing
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KEY TERMS IN THE HOUSING CHAPTER

Public Housing Authority (PHA)—a government organization that assists with the development and/or operation of housing for low-income individuals and families.

Private Owner/Landlord—the owner of a private house or apartment that is rented or leased.

Owner of Government-Assisted Housing—a private owner/landlord who receives some form of government assistance to make housing more affordable for certain categories of people.

Lease/Rental Agreement—a legal document that explains the terms under which you are renting your housing.

Background Checks (“Tenant Reports”)—the process of looking up and compiling criminal, consumer, and financial records of an individual.

Credit Report—a detailed report of your credit history prepared by a credit bureau and used by a lender or homeowner to determine your creditworthiness. It includes your personal data (current and previous addresses, social security number, employment history), detailed account information (current balances, payment amounts, payment history), inquiries into your credit history, etc.

Eviction (“Unlawful Detainer”)—action by a landlord that forces you to leave the premises through a legal process, for example for non-payment of rent.

I. INTRODUCTION

WHY IS HOUSING AN IMPORTANT ISSUE IN REENTRY?

Housing is an essential part of reentry. Having a stable place to live provides a strong foundation for all of the other things you'll do once you get out, like finding a job, getting healthcare treatment and counseling, and getting your finances in order. This Housing Chapter aims to prepare you to start building that foundation, including steps you can take even before you get out. It covers your various housing options, what kinds of housing you can and cannot get into because of your criminal record, and your legal rights as well as what to do if your rights are violated. It also explains common housing issues and questions for people with criminal records and the friends and family who live with them.

II. FEDERAL PRE-RELEASE HOUSING

This section addresses housing *before* you get out of federal custody. There are two ways BOP could place you in pre-release custody: in a halfway house or on home confinement.¹⁵⁸ And you might spend the last six months to a year of your sentence in either one or both.¹⁵⁹ In fact, it's BOP policy that whenever possible, people who are eligible should be released to the community through a halfway house.¹⁶⁰

NOTE: The judge could sentence you to spend time either in a halfway house or on home confinement as a condition of supervised release (or probation or parole for that matter) – BUT pre-release custody is different from supervised release.¹⁶¹ Pre-release custody is a transitional period between being in prison and being out on your own. Supervised release is a separate and additional period of monitoring and supervision that a sentencing judge can impose. That said, BOP policy suggests that time in pre-release custody may overlap with supervised release: for example, if the Unit Team decides to assign a six-month placement to someone, but the judge ordered 90 days in a halfway house as a condition of release, the person will just have to serve the 90 days as opposed to the full six months.¹⁶²

WHAT IS A PRE-RELEASE TRANSITIONAL HOUSING PROGRAM (A.K.A. A HALFWAY HOUSE OR RESIDENTIAL REENTRY CENTER)?

When BOP transfers someone out of federal prison into a controlled housing facility to complete their sentence, it is known as *pre-release transitional housing*, a *residential reentry center (RRC)*, or simply a *halfway house*.¹⁶³ All three of these terms refer to the same thing.

The BOP enters into contracts with state work houses, private companies, and nonprofits to run halfway houses all across the country. Some of these halfway houses offer services like counseling and help with employment. People living in halfway houses are no longer incarcerated in a prison, but they remain under BOP's jurisdiction and supervision.

WHO CAN BE TRANSFERRED TO A HALFWAY HOUSE TO COMPLETE THEIR SENTENCE?

People who are leaving federal prison are often transferred to a halfway house.¹⁶⁴ BOP assesses people individually to decide who will go to a halfway house and for how long.¹⁶⁵ People who BOP views as having more reentry needs are more likely to be put in a halfway house, and for a longer time.¹⁶⁶

BOP looks at a lot of different factors when they're determining whether to place you in a halfway house and for how long:

- (1) The resources of the halfway house where they're considering placing you;
- (2) The nature and circumstances of your conviction;
- (3) Your personal history and characteristics;
- (4) Any statement by the sentencing court:
 - (a) about why the sentence was appropriate; or
 - (b) recommending a type of correctional facility as appropriate, and
- (5) Any relevant policy statement issued by the U. S. Sentencing Commission.¹⁶⁷

¹⁵⁸ 18 U.S.C. § 3624(c) (2018); 18 U.S.C. 3621(b) (2018).

¹⁵⁹ See U.S. Department of Justice Bureau of Prisons, Residential Reentry Centers Assessment Recommendations Report, p. 17 (August 22, 2016), <https://www.justice.gov/archives/dag/page/file/914006/download>.

¹⁶⁰ BOP Program Statement 7310.04, Community Corrections Center (CCC) Utilization and Transfer Procedures, https://www.bop.gov/policy/progstat/7310_004.pdf.

¹⁶¹ United States v. Miller, 547 F.3d 1207 (9th Cir. 2008).

¹⁶² Memorandum re: Guidance for Home Confinement and Residential Reentry Center Placements, Bureau of Prisons, p. 7 (May 24, 2013), https://www.bop.gov/foia/rrc_hc_guidance_memo.pdf.

¹⁶³ In some references, you might find the term "community corrections centers," which is the term BOP used before switching to "residential reentry centers."

¹⁶⁴ BOP Operations Memorandum No. 001-2019 re Home Confinement under the First Step Act, Bureau of Prisons, <https://www.bop.gov/policy/om/001-2019.pdf>.

¹⁶⁵ Memorandum re: Guidance for Home Confinement and Residential Reentry Center Placements, Bureau of Prisons, p. 2 (May 24, 2013), https://www.bop.gov/foia/rrc_hc_guidance_memo.pdf.

¹⁶⁶ Memorandum re: Guidance for Home Confinement and Residential Reentry Center Placements, Bureau of Prisons, p. 2 (May 24, 2013), https://www.bop.gov/foia/rrc_hc_guidance_memo.pdf.

¹⁶⁷ Memorandum re: Guidance for Home Confinement and Residential Reentry Center Placements, Bureau of Prisons, p. 3 (May 24, 2013), https://www.bop.gov/foia/rrc_hc_guidance_memo.pdf.

Per BOP policy, people are not eligible to be placed in a halfway house who have been convicted of a sex offense, are undocumented, need inpatient treatment, or have unresolved pending charges or detainees. People who choose not to participate in the Financial Responsibility Program, Drug Abuse Education Course, or the Institution Release Program are also usually not eligible. In addition, people who are serving a sentence of six months or less are not usually eligible to go to a halfway house.¹⁶⁸

WHAT IS PRE-RELEASE HOME CONFINEMENT?

Pre-release home confinement means you finish out your sentence at home while under supervision. Other types of pre-release home confinement can involve being in a nursing home or other residential long-term care facility.¹⁶⁹ If you go to pre-release home confinement, you will be monitored by either a local RRC case manager or the Federal Location Monitoring (FLM) program of U.S. Probation.¹⁷⁰ While under this kind of supervision, you usually can't go anywhere during non-work hours without permission.¹⁷¹

WHO IS ELIGIBLE FOR PRE-RELEASE HOME CONFINEMENT?

All people in federal prison are eligible to be considered for home confinement at their six-month or 10 percent date.¹⁷² Per BOP policy, the basic criteria for home confinement are:

- (1) You have an appropriate release residence available;
- (2) You haven't had any recent major disciplinary issues; and
- (3) Your medical or mental health needs can be met in the community.¹⁷³

Unlike halfway houses, work requirements are not a part of supervision in home confinement, so you do not need to have secured a job.¹⁷⁴

The First Step Act (FSA) also expanded a pilot program under the Second Chance Act (34 U.S.C. §60541), allowing home confinement for people serving out their sentence who are elderly (60 years or older) or terminally ill. The pilot will last through 2023.¹⁷⁵

If you think you might be eligible, you should request consideration right away.¹⁷⁶ You can read about the eligibility requirements for the pilot program here: <https://sentencing.net/wp-content/uploads/2019/04/Federal-Home-Detention-Operations-Memorandum-April-2019.pdf>

WHAT IS THE PROCESS TO GET TRANSFERRED TO A HALFWAY HOUSE OR HOME CONFINEMENT?

The process starts months ahead of your projected release date. In fact, BOP policy says that release planning should begin at the very first team meeting when you're initially classified, and should continue as long as you're in prison. The policy says BOP will make preliminary decisions about your eligibility for pre-release placement "well in advance" of the last year you're in prison, and a final and specific release preparation plan is usually developed in a team meeting between 11 and 13 months before your projected release date.¹⁷⁷ According to an external review of BOP processes, a prison can start a planning process to transfer someone to a halfway house as early as two years before they're due to be released.¹⁷⁸ You'll be notified of where you'll be placed once the RRC accepts you.¹⁷⁹

If you're getting transferred to home confinement, BOP policy says that BOP should request a site visit to see where you will be living, but it shouldn't hold back or delay a referral.¹⁸⁰

WHAT IF I DON'T WANT TO GO TO A HALFWAY HOUSE OR BE ON HOME CONFINEMENT?

According to BOP policy, if you are referred to a halfway house or home confinement to serve out the rest of your sentence, you can decide not to participate and BOP can't punish you for not participating.¹⁸¹

NOTE: If your sentencing judge sentenced you to time in a halfway house or on home confinement as a part of your conditions of release, however, you'll have to go.

¹⁶⁸ BOP Program Statement 7310.04, Community Corrections Center (CCC) Utilization and Transfer Procedures, p. 10-11, https://www.bop.gov/policy/progstat/7310_004.pdf.

¹⁶⁹ BOP Operations Memorandum No. 001-2019 re Home Confinement under the First Step Act, Bureau of Prisons, p. 4, <https://www.bop.gov/policy/om/001-2019.pdf>.

¹⁷⁰ Memorandum re: Guidance for Home Confinement and Residential Reentry Center Placements, Bureau of Prisons, p. 5 (May 24, 2013), https://www.bop.gov/foia/rrc_hc_guidance_memo.pdf.

¹⁷¹ 18 U.S. Code § 3624 (2)(A)(II) (2018).

¹⁷² Memorandum re: Guidance for Home Confinement and Residential Reentry Center Placements, Bureau of Prisons, p. 5 (May 24, 2013), https://www.bop.gov/foia/rrc_hc_guidance_memo.pdf.

¹⁷³ Memorandum re: Guidance for Home Confinement and Residential Reentry Center Placements, Bureau of Prisons, p. 5 (May 24, 2013), https://www.bop.gov/foia/rrc_hc_guidance_memo.pdf.

¹⁷⁴ Memorandum re: Guidance for Home Confinement and Residential Reentry Center Placements, Bureau of Prisons, p. 5 (May 24, 2013), https://www.bop.gov/foia/rrc_hc_guidance_memo.pdf.

¹⁷⁵ 34 U.S.C. § 60541(h) (2018).

¹⁷⁶ Guidance re: Elderly Offender Program Memorandum (First Step Act), Bureau of Prisons, p. 2 (March 2019), <https://sentencing.net/wp-content/uploads/2019/03/3-15-19-Elderly-Offender-Program-First-Step-Act-Memorandum.pdf>.

¹⁷⁷ BOP Program Statement 7310.04, Community Corrections Center (CCC) Utilization and Transfer Procedures, p. 7, https://www.bop.gov/policy/progstat/7310_004.pdf.

¹⁷⁸ U.S. Department of Justice Bureau of Prisons, Residential Reentry Centers Assessment Recommendations Report, p. 18 (August 22, 2016), <https://www.justice.gov/archives/dag/page/file/914006/download>.

¹⁷⁹ U.S. Department of Justice Bureau of Prisons, Residential Reentry Centers Assessment Recommendations Report, p. 18 (August 22, 2016), <https://www.justice.gov/archives/dag/page/file/914006/download>.

¹⁸⁰ Memorandum re: Guidance for Home Confinement and Residential Reentry Center Placements, Bureau of Prisons, p. 5 (May 24, 2013), https://www.bop.gov/foia/rrc_hc_guidance_memo.pdf.

¹⁸¹ Memorandum for Chief Executive Officers on Revised Guidance for Residential Reentry Center (RRC) Placements, Bureau of Prisons, p. 3 (June 24, 2010), <https://sentencing.net/wp-content/uploads/2017/10/Revised-Guidance-for-Residential-Reentry-Center-RRC-Placements-June-24-2010.pdf>.

WHAT IS THE DIFFERENCE BETWEEN A FEDERAL HALFWAY HOUSE AND HOME CONFINEMENT?

This chart explains the difference between a federal halfway house and home confinement.

	Halfway House	Home Confinement
Location	A controlled residential facility	Your short-term or long-term residence
Monitoring	<ul style="list-style-type: none"> • Sign-in security • Time-limited passes • Curfews • Unannounced job/school visits • Drug tests • Monitoring is done by the halfway house where you're living 	<ul style="list-style-type: none"> • Monitoring through various means (like an electric ankle monitor or random check-in phone calls to a landline) • Unannounced job/school visits • Drug tests • Monitoring is done by a local RRC (contracted halfway house) or Federal Location Monitoring of US Probation¹⁸²
Rules (examples)	<ul style="list-style-type: none"> • Work requirement • Follow RRC rules • Pay 25% of income for subsistence payments (as long as that doesn't cost more than RRC placement)¹⁸³ 	<ul style="list-style-type: none"> • Stay at home except during work hours and in certain approved circumstances (like to go to substance abuse treatment¹⁸⁴) • Be responsive when contacted

HOW DO MY GOOD TIME CREDITS AND EARNED TIME CREDITS APPLY TO PRE-RELEASE CUSTODY?

Good time credits represent real time taken off your sentence. The First Step Act (FSA) changed the law so that for every year of imposed sentence, you can get up to 54 days taken off for good behavior.¹⁸⁵ The change in the way BOP calculates good time credits may mean you get into pre-release custody sooner.

Earned time credits – time credits that are earned through participating in recidivism-reduction programming or activities – do not take time off your sentence. Instead, you can use them to get out of prison earlier into a halfway house, on home confinement, or on supervised release.¹⁸⁶

To be able to apply earned time credits for pre-release custody, a person must be assessed as “low-risk” or “minimum-risk” for two assessments in a row OR have a petition for transfer approved by a warden.¹⁸⁷

To be able to apply earned time credits for supervised release, a person must be assessed as “low-risk” or “minimum-risk” in the most recent assessment.¹⁸⁸

I HAVE CHILDREN. IF I PARTICIPATE IN THESE PROGRAMS, CAN THEY LIVE WITH ME?

There are some halfway house programs where children can stay with their parents. For example, Mothers and Infants Nurturing Together (MINT) is a residential program for qualifying people who are pregnant at the time of their sentencing.¹⁸⁹ The program allows them to be with their newborn infant for 3 to 12 months in a halfway house.¹⁹⁰ They can usually get into the halfway house two months before the baby's due date. MINT halfway houses can be found in Phoenix, AZ; Tallahassee, FL; Springfield, IL; Fort Worth, TX; and Hillsboro, WV.¹⁹¹

SOME OF THESE PROGRAMS ARE GENDER-SPECIFIC. WHAT IF I IDENTIFY AS TRANSGENDER OR GENDER-VARIANT?

BOP policy says that BOP will make the decision on where to place someone who identifies as transgender on a case by case basis.¹⁹² BOP will consider the person's health and safety, specific personal factors, and whether placement would affect the management and security of the facility or pose a risk to other people in the facility.¹⁹³ The policy says that BOP will only rarely assign someone to a facility based on their identified gender and that this would happen only after considering the factors listed above and in cases where someone has made significant steps toward transition.¹⁹⁴

¹⁸² Memorandum re: Guidance for Home Confinement and Residential Reentry Center Placements, Bureau of Prisons, p. 6 (May 24, 2013), https://www.bop.gov/foia/rrc_hc_guidance_memo.pdf; Federal Location Monitoring, U.S. Courts, <https://www.uscourts.gov/services-forms/probation-and-pretrial-services/supervision/federal-location-monitoring>.

¹⁸³ BOP Program Statement 7310.04, Community Corrections Center (CCC) Utilization and Transfer Procedures, p. 5, https://www.bop.gov/policy/progstat/7310_004.pdf.

¹⁸⁴ The whole list of things people on home confinement can get permission to do includes doing job-related things like working or looking for work, participating in recidivism-reduction programming or productive activities, doing community service, participating in crime-victim restoration activities, going to the doctor, going to church, and participating in family-related activities that help your reentry. 18 U.S. Code § 3624 (2)(A)(II) (2018).

¹⁸⁵ 18 U.S.C. § 3624(b) (2018).

¹⁸⁶ 18 U.S.C. § 3632(d)(4)(C) (2018).

¹⁸⁷ 18 U.S.C. § 3624(g) (2018). Everyone who successfully participates in programming is supposed to have their risk assessed at least once each year. BOP is supposed to assess people who are assessed with medium- and high-risk who are within five years of their release date more frequently. 18 U.S.C. § 3632(d)(5) (2018).

¹⁸⁸ 18 U.S.C. § 3624(g) (2018). Everyone who successfully participates in programming is supposed to have their risk assessed at least once each year. BOP is supposed to assess people who are assessed with medium- and high-risk who are within five years of their release date more frequently. 18 U.S.C. § 3632(d)(5) (2018).

¹⁸⁹ BOP Program Statement 7310.04, Community Corrections Center (CCC) Utilization and Transfer Procedures, p. 5, https://www.bop.gov/policy/progstat/7310_004.pdf.

¹⁹⁰ Mothers, Infants and Imprisonment A National Look at Prison Nurseries and Community-Based Alternatives (May 2009), Appendix IV, Federal Bureau of Prisons Residential Parenting Programs, p. 34, https://www.prisonlegalnews.org/media/publications/womens_prison_assoc_report_on_prison_nurseries_and_community_alternatives_2009.pdf

¹⁹¹ Mothers and Children, Bureau of Prisons, https://www.bop.gov/inmates/custody_and_care/female_offenders.jsp; see also Mothers, Infants and Imprisonment A National Look at Prison Nurseries and Community-Based Alternatives (May 2009), Appendix IV, Federal Bureau of Prisons Residential Parenting Programs, p. 34, https://www.prisonlegalnews.org/media/publications/womens_prison_assoc_report_on_prison_nurseries_and_community_alternatives_2009.pdf.

¹⁹² Transgender Offender Manual, 5200.04 CN-1, Bureau of Prisons, <https://www.bop.gov/policy/progstat/5200-04-cn-1.pdf>.

¹⁹³ Transgender Offender Manual, 5200.04 CN-1, Bureau of Prisons, <https://www.bop.gov/policy/progstat/5200-04-cn-1.pdf>.

¹⁹⁴ Transgender Offender Manual, 5200.04 CN-1, Bureau of Prisons, <https://www.bop.gov/policy/progstat/5200-04-cn-1.pdf>.

If you have questions about the rights of people who identify as transgender in the reentry process, you can contact a legal services organization. To find free legal help near you, visit the “Find Legal Aid” page of the national Legal Services Corporation website here: <https://www.lsc.gov/what-legal-aid/find-legal-aid>

III. LOOKING FOR HOUSING AFTER RELEASE

WHAT WILL I LEARN?

- Where to start in finding housing in reentry
- Both *short-term* and *long-term* options for housing
- Key differences between *private* and *government-assisted* housing
- Recommendations for finding government-assisted/affordable housing
- Recommendations for finding housing for people with special needs, such as women and children, domestic violence survivors, seniors, veterans, people in recovery, and people on a sex offense registry
- Your rights when you apply to housing
- Tips if you are planning to move in with friends and family
- How to challenge housing denials that are discriminatory

This section is about finding housing after you get out of federal custody. It is possible that you will spend the last part of your sentence out in the community – in a federal halfway house, on home confinement, or maybe both. As you begin to plan for where you'll live after release, this chapter will support you in understanding your options and knowing your rights.

WHAT ARE THE MAIN TYPES OF HOUSING AVAILABLE TO ME IN REENTRY?

Below are the main types of housing you may consider after getting out of federal prison or a halfway house:

1. **Short-term housing** – includes staying short-term with a family member or friend, staying in transitional housing, staying in a shelter or other emergency housing.
2. **Long-term housing** – includes finding an apartment or home of your own, or moving in with family or friends long-term.
3. **Special needs housing** – refers to housing that supports people with special needs or requirements; it could be short-term or long-term housing.
4. **Government-assisted affordable housing** – refers to housing that receives funding from the government to make it more affordable; it could be short-term or long-term housing.

WHAT ARE THE FIRST STEPS I SHOULD TAKE IN MY HOUSING SEARCH?

Below are some key first steps to take in finding housing:

STEP 1: Set up short-term housing plans.

First, you should figure out what type of housing is right for you in the short term after release, and where you will be allowed to live when you first get out. There are rules you must follow if you are on federal supervision (called “conditions”) that may affect where you can live and who you can live with. Learn more about short-term housing on [p. 64](#).

STEP 2: Get your ID and proof of any income (including public benefits) you receive.

Most housing programs will require proof of who you are, your age, and proof of any income you receive. Learn more about getting ID beginning on [p. 6](#).

STEP 3: Set up long-term housing plans

Once you are settled into short-term housing, you can spend more time figuring out what type of housing is right for you in the long-term. You need to find housing that you can *afford*, that *will accept you* (some housing has rules and eligibility requirements you must meet), and that *meets your personal needs*.

Long-term housing options can look different for everyone. It might mean you live on your own or with family or friends; in an affordable apartment or housing unit; or in an assisted-living facility for people with special needs (like seniors and people with disabilities).

Learn more about different types of short-term housing beginning on [p. 64](#). Learn more about long-term housing options on [p. 66](#). Learn more about housing for people with special needs on [p. 66](#).

HELPFUL TIPS AS YOU LOOK FOR HOUSING

- **KNOW YOUR RIGHTS** as a person with a conviction record *before* you apply for housing! Depending on who owns and runs the housing (private vs. government-assisted), you will have different rights.
- **GET HELP!** If possible, find an advocate, case manager, friend or family member, legal aid attorney, faith-based organization, or probation officer who can help you find housing. It is very important to have support in this process and throughout reentry.
- **FINDING HOUSING IS TOUGH BUT NOT IMPOSSIBLE**—Finding housing can be an exhausting process, but don't give up. Stay positive, be patient, and keep asking for help!
- **OPTIONS CAN CHANGE OVER TIME.** Depending on whether you are currently incarcerated or already out, affordability, eligibility, and whether you are looking for short-term or long-term housing, you will have different housing options available to you. As you move further into your reentry, these options are likely to change over time.

CAN I FIND HOUSING WHILE I AM STILL INCARCERATED?

Yes, it is possible. First, you may want to think about (1) what you need in the short-term vs. long-term; (2) how your federal supervision affects where you can live; and (3) whether you want to look for private housing, government-assisted housing, or both.

There are additional considerations if you plan to move in with family or friends who rent their apartment or home. First, you will want to ask them to get a copy of their **lease agreement** (rental contract), find out everything possible about the **guest policies** where they live, and what the process and effect is for officially adding someone to their lease. Second, if the housing your family or friend lives in receives *any form of government assistance*, they may also need to contact their local Public Housing Authority (PHA) to let them know they would like to add you to the household, and make sure that your record is not a barrier. You can find a list of PHA's local offices and their contact information online here: www.hud.gov/states.

If you want to find transitional or emergency housing, generally you, a family member, friend, or advocate will have to directly write or call the housing facility to ask about what the requirements are. You can find more information and resources in the Resource Directory on [p. 141](#).

HOW CAN I AVOID BECOMING HOMELESS?

An important step to avoid becoming homeless is to begin planning and identifying housing options *while you're still incarcerated*.

There are also government agencies and nonprofits in the community that help people find housing and avoid or get out of homelessness. *Here are some agencies and groups that may be able to help:*

- **Your local Public Housing Authority (PHA):** PHAs sometimes give preference to admitting homeless individuals into the Public Housing program or "Section 8" Housing Choice Vouchers. Visit the U.S. Department of Housing and Urban Development (HUD) website to find public housing authorities in your area: www.hud.gov/program_offices/public_indian_housing/pha/contacts
- **Emergency Shelters and Assistance:** HUD maintains a list of organizations throughout the country that provide emergency shelter and assistance to homeless individuals: www.hudexchange.info/homelessness-assistance/
- **The National Coalition for Homeless Veterans** has an online list of organizations throughout the country that will assist homeless veterans on a variety of issues including housing: http://nchv.org/index.php/help/help/immediate_help
- **The Department of Veterans Affairs (VA)** helps veterans and their families find safe, affordable housing. You can learn more about services for homeless veterans and their families by contacting the VA Homeless Veterans Assistance Center: www.va.gov/homeless/housing.asp
- **The National Coalition for the Homeless** has links to databases related to housing for local service organizations, educating homeless children, transitional housing, drug and alcohol rehabilitation centers, and day shelters (visit the following website: <http://nationalhomeless.org/references/need-help/>)
- For organizations that are near you, please see the Resource Directory on [p. 141](#).

WILL MY PAROLE OR PROBATION OFFICER HELP ME FIND SOMEWHERE TO LIVE?

It depends, but usually not. But it's always worth asking your supervising officer if they know of any housing resources! Federal probation officers will not normally release you from a transitional ("halfway") house unless you have a plan for permanent housing. For more information about organizations that can support you in your housing search, visit the Resource Directory on [p. 141](#).

SHORT-TERM HOUSING OPTIONS

When you are preparing for reentry and right after release, most of your housing options will be focused on transitional, short-term housing. Examples of short-term housing include: staying with friends or family temporarily; staying in a shelter (shelters usually offer a bed and shower for one or more nights, and some offer other free services); or living in a transitional housing program.

Below we explain each of these types of short-term housing options, and things to be aware of.

STAYING WITH FAMILY OR FRIENDS

Here are some pros and cons to consider if you want to move in with family or friends.

PROS	CONS
<ul style="list-style-type: none">• If you have friends or family in the area, staying with them can be an option for immediate, temporary housing.• Friends and family can be supportive and useful in helping you find local resources and successfully reintegrate.• A few days or weeks on someone's couch or in their spare bedroom can give you enough time to get to appointment, get needed services, start looking for jobs, and find long-term housing.• You will likely have greater independence in your life.• It may be free or at a lower cost because you are splitting the rent or allowed to stay for free.	<ul style="list-style-type: none">• If you are under supervision after your release, your housing will need to be approved by your probation/parole officer or supervising agency.• Any home visits by probation/parole officers, your conditions which allow searches of the home, and other restrictions don't just affect you, they also affect your host and other household members.• If you are a guest in someone's home or apartment where they are a renter (meaning they do not own the home), your stay could cause the family living there to violate the guest policy if you stay longer than the time limit allowed for guests and/or you violate some other rule in the property's guest policy (see more on p. 388).

Remember: if you're staying with family or friends, make sure they:

- (1) check their **lease agreement** (rental contract),
 - (a) learn about the **guest policies** where they live, and
 - (b) what the process and effect is for officially adding someone to their lease.
- (2) contact their local Public Housing Authority (PHA) to let them know they would like to add you to the household, and make sure that your record is not a barrier, if the housing your family or friend lives in receives *any form of government assistance*.

SHELTERS

Most shelters are free, and usually offer a bed and shower for one night or multiple nights. Some shelters offer additional services such as a food pantry, counseling, and/or help with finding a job. While many types of housing take time to arrange and be approved, you can usually access a shelter *immediately*. Here are some of the main types of shelters that exist:

- **24-hour Shelters**—24-hour shelters let you to stay at night and during the day and participate in the services the shelter offers (for example: meals, counseling, and job training, just to name a few). Don't let the name mislead you—a 24-hour shelter doesn't necessarily mean you have to leave after 24 hours: many 24-hour shelters have beds available for up to 30-90 days; and other shelters reserve beds for people who are participating in special programs, like a required work-program. The key is that 24-hour shelters are open day and night. Ask the specific shelter you're interested in about any other requirements or restrictions it has.
- **12-hour Shelters**—12-hour shelters let you stay for a 12-hour period overnight (usually 7:00 p.m. to 7:00 a.m.), but require you to leave in the morning.
- **Day Shelters** let you come and take advantage of their services during the day, but you can't stay overnight. Services at day shelters may include showers, meals, computer access, and optional programs like case management/support services and counseling sessions.
- **Family Shelters** have places to stay for you and the rest of your family. They tend to be 24-hour shelters (see the first type of shelter listed above).
- **Domestic Violence Shelters** take women (usually not men) who are trying to find safety from someone who is abusive. They usually have confidential addresses for the safety of the residents. Many domestic violence shelters also allow women to bring their children with them.

TRANSITIONAL HOUSING

Transitional housing programs are temporary programs that offer housing and services. Keep in mind they usually have requirements you have to meet before you can move in, and there are usually waitlists.

Examples of transitional housing programs include: shared or private apartments, residential programs that allow for temporary stays (anywhere from 3 months to 2+ years) at no cost or at a low cost, and sober living environments (SLEs).

Some transitional housing programs also offer services like case management, job training, counseling, general education development ("GED") programs, and computer classes. Some transitional housing programs are for people with specific needs such as mental health support, addiction treatment and recovery, or safety from domestic violence.

CAN I GET INTO A TRANSITIONAL HOUSING PROGRAM IF I AM STILL INCARCERATED?

It depends on the transitional housing program. Unfortunately, most post-release transitional housing programs will not let you fill out an application or get on the waitlist before your release. A few transitional housing programs will let you apply from inside prison or jail, but may have other requirements or restrictions. To learn more about the pre-release housing facilities run by BOP, see [p. 59](#).

WHAT MIGHT I NEED TO BE ACCEPTED INTO TRANSITIONAL HOUSING?

It depends—each transitional housing program has different requirements. You might need:

- ID (learn how to get different types of ID starting on page [p. 22](#));
- Proof of homelessness;
- Proof of any income or public benefits;
- Proof of your sobriety;
- Police clearance;
- To join a waitlist;
- To have an interview; and more.

You should **CALL** as early as possible to learn what a transitional housing program's requirements are. **IF YOU ARE CURRENTLY INCARCERATED:** You can ask a family member or friend to call on your behalf or you can **WRITE** the program a letter with your information, release date, and request.

HOW CAN I SHOW PROOF OF HOMELESSNESS?

For proof of homelessness, most housing providers will ask for a signed statement. If the housing provider asks for something more, you may need to show eviction papers, a letter from a social worker, etc. Some organizations issue certificates of homelessness. HUD has a webinar explaining how to verify your status, available online here:

www.hudexchange.info/resource/1953/determining-homeless-and-at-risk-status-income-and-disability-webinar/

LONG-TERM HOUSING OPTIONS

Later in your reentry, often after a stay at a short-term or transitional housing program is ending, you will likely be looking for *long-term housing* options. As you consider long-term and permanent housing options, you need to find housing that you can *afford*, that you *are eligible for*, and that *meets your needs*.

PERMANENT HOUSING

Permanent housing is a place that you can live in for multiple years. Examples of permanent housing include: apartments and homes that get money/assistance from the federal government—though these often have long waitlists and require you to have somewhere else to live first; single-room occupancy (SRO) units where you usually have a private bedroom and bathroom, but a shared kitchen and living space; affordable apartments; and living permanently with family, friends, or other people who support you or by yourself.

FOR GENERAL TIPS FOR RENTERS: See p. 79 of this chapter.

FOR PEOPLE WITH SPECIAL NEEDS: Again, just like with short-term housing options, there are special long-term housing programs and units for people with specific needs such as assisted living for people with disabilities, housing programs for low-income people, and veterans.

HOUSING FOR SPECIAL NEEDS & POPULATIONS

This section provides a brief overview of housing resources for people in reentry with special needs and who might qualify for special programs, including:

1. Women & Children (p. 66)
2. Domestic Violence Survivors (p. 66)
3. Seniors/ Elders (p. 67)
4. Veterans (p. 67)
5. People Recovering from Substance Abuse/ Addiction (p. 69)
6. Sex Offense Registrants (p. 69)

WOMEN & CHILDREN

Some housing programs are available only to women and their children. These programs may have other requirements (for example, that you are currently on supervision, participating in a substance abuse recovery program, etc.), and they may require a referral.

Since there are very few of these programs and they have limited space, you should contact the program and/or talk to your reentry counselor as soon as possible about contacting the housing program, finding out if you meet the eligibility requirements to participate, and how to get added to the waitlist if there is one. Use the Resource Directory in the back of this guide on p. 141 to learn how to find programs near you.

DOMESTIC VIOLENCE SURVIVORS

There are special housing programs around the country for domestic violence survivors and people escaping abuse, including:

1. Domestic violence shelters and transitional housing;
2. Government-assisted housing for domestic violence survivors; and
3. Victim Compensation Relocation Assistance.

STARTING IN A SHELTER

Starting off in an emergency shelter may give you time to find transitional or permanent housing and other services. their restrictions.

Though some transitional housing programs run background checks and have restrictions based on your record, the staff at an emergency shelter may be able to write a letter or provide a referral to a program, which can help explain your situation and get around those barriers.

IMPORTANT: If your conviction was related to the domestic violence that you experienced, this is information that could help explain your record to a landlord if it comes up on a background check. **IF YOU FEEL SAFE DOING SO, you may choose to explain the violent situation you were in at the time of your criminal conviction to a housing provider who is considering your record, so that you are not punished for this in your housing application.**¹⁹⁵

DOMESTIC VIOLENCE SHELTERS & TRANSITIONAL HOUSING:

There are thousands of domestic violence shelters and transitional housing programs throughout the nation for people who need immediate housing or need to escape an unsafe situation.

This type of housing is usually one of the following:

1. Emergency shelters (where the typical stay is 30–60 days), or
2. Transitional housing programs (where the typical stay is 6–18 months).

In addition to providing shelter to survivors, both types often provide services such as 24-hour hotlines, legal assistance with restraining orders and child-custody disputes, advocates who can go to court appearances to support you, counseling for you and your children, and referrals to other social services.

¹⁹⁵ Nat'l Housing Law Project, Housing Access for Domestic Violence Survivors with Criminal Records, Sept. 7, 2011, <http://nhlp.org/files/DV%20and%20Criminal%20Records%20Materials.pdf>.

Most emergency shelters for survivors do *not* conduct background checks (although they can, so long as they follow the law). In addition, most shelters are aware that survivors often face criminal charges and/or arrest warrants in connection with the violence that they've experienced. Many shelters have relationships with local law enforcement, and will welcome survivors who are still under supervision (like probation/parole). Keep in mind that each shelter is different, so the rules and services will vary.

HELPFUL RESOURCES FOR DOMESTIC VIOLENCE SURVIVORS

To find a domestic violence shelter or transitional housing program in your area, contact the **National Domestic Violence Hotline** at 1-800-799-SAFE (7233) or call 211. You will have to contact each shelter or program separately to find out if you meet their specific criteria. You can also find a list of resources for people experiencing domestic violence online at: www.domesticshelters.org/resources/national-global-organizations

GOVERNMENT-ASSISTED HOUSING FOR DOMESTIC VIOLENCE SURVIVORS:

Read an overview of government-assisted housing and why it could be right for you on [p. 70](#); read details about bans on people with certain convictions and criminal histories on [p. 74](#).

First, the following federal government-assisted housing programs *do not* have any *mandatory* criminal record restrictions, and may be available to survivors of domestic violence:

- Supportive Housing Program for the Homeless¹⁹⁶
- Shelter Plus Care (for homeless people with disabilities)¹⁹⁷
- Housing Opportunities for Persons with AIDS (HOPWA)¹⁹⁸
- Low-Income Housing Tax Credit (LIHTC)¹⁹⁹

Second, for other government-assisted housing programs that *do* have restrictions based on criminal records, domestic violence survivors are entitled to some extra protections.

- The Violence Against Women Act (VAWA) states that **Public Housing Authorities (PHAs)** *cannot deny or end your housing because of the domestic violence that you experienced* or because of a criminal conviction that is directly related to the domestic violence you experienced.²⁰⁰ This means if a PHA denies your housing application based on conduct or a past conviction related to the domestic violence you've experienced, you should immediately challenge the denial and ask the PHA for a review hearing. At that hearing, you can explain how the conduct or conviction is related to your experience of domestic violence.²⁰¹

WHO DOES THE GOVERNMENT CONSIDER TO BE "HOMELESS"?

The federal government's definition of "homeless" includes people who are escaping situations of domestic violence and have no other housing or resources available. If you are escaping domestic violence, you may be eligible for a government-assisted housing program for "homeless" people.

VICTIM COMPENSATION PROGRAM RELOCATION ASSISTANCE:

Depending on where you live, you may be eligible to receive compensation for relocation expenses if you were a victim of a crime under a Victim Assistance Program authorized by the Victims of Crime Act of 1984 (VOCA). The National Association of Crime Victim Compensation Boards (NACVCB) has a list of state crime victim compensation programs online.²⁰² You can find out specific information about each program's benefits, requirements, and procedures by clicking on the links here: <http://www.nacvcb.org/index.asp?sid=6>

SENIORS/ELDERS:

Some housing is designed for senior citizens or people with disabilities. It may not be specifically for seniors in reentry, but there are options out there that may be better at supporting you with aging. You may be eligible for housing based on disability or income status.

VETERANS

The U.S. Department of Veteran Affairs (VA) offers various housing programs and supports for veterans.²⁰³ Learn more below.

IMPORTANT: IF YOU ARE CURRENTLY INCARCERATED: A VA Reentry Specialist is supposed to arrange a meeting with you about your goals to determine the resources available to best meet your needs after release.

REQUESTING ACCOMMODATIONS IF YOU HAVE A DISABILITY

If you have a *mental, physical, or developmental disability*, you have the right to request reasonable accommodations for your disability at your residence. To learn how to request an accommodation for your disability, see [p. 82](#).

¹⁹⁶ Supportive Housing Program, HUD Exchange, <https://www.hudexchange.info/programs/shp/>.

¹⁹⁷ Supportive Housing Program, HUD Exchange, <https://www.hudexchange.info/programs/shp/>.

¹⁹⁸ HOPWA Eligibility Requirements, HUD Exchange, <https://www.hudexchange.info/programs/hopwa/hopwa-eligibility-requirements/>.

¹⁹⁹ Low-Income Housing Tax Credits, HUD User, <https://www.huduser.gov/portal/datasets/lihtc.html>; Helping Families Save Their Homes Act of 2009, Pub. L. No. 111-22, tit. VII, § 1003.

²⁰⁰ Violence Against Women Reauthorization Act of 2013, 42 U.S.C. § 41411(b) (2013); 24 C.F.R. §§ 982.553(e), 5.2005(c), 5.2001 et seq. Under VAWA, a public or subsidized housing provider can only evict you based on the domestic violence you've experienced if it proves that your tenancy creates an "actual and imminent threat" to other residents or staff. VAWA's protections apply to public housing, Section 8 vouchers and project-based assistance, Section 202, and Section 811 housing.

²⁰¹ NHLP, Domestic Violence Survivors with Criminal Records: What You Should Know When Applying for Federally Subsidized Housing, <https://www.nhlp.org/wp-content/uploads/2018/05/3-28-13-Crim-Records-Info-Packet-English.pdf>.

²⁰² National Association of Crime Victim Compensation Boards, Listing, <http://www.nacvcb.org/index.asp?sid=6>.

²⁰³ Incarcerated Veterans, DEP'T OF VETERANS AFFAIRS, <https://www.benefits.va.gov/persona/veteran-incarcerated.asp>.

VA REENTRY SPECIALISTS:

Every U.S. state has a **Health Care for Re-entry Veterans Specialist**, a VA staff member who can help determine your eligibility for VA benefits, help you enroll in the VA, and connect you with local housing and services. VA Reentry Specialists have relationships with prisons to help incarcerated veterans plan and prepare for release.²⁰⁴

If you already met with the VA Reentry Specialist and received instructions for housing, you should continue with those arrangements.

If you are starting from scratch, the **VA's Health Care for Homeless Veterans** program can help you find housing in your area. You should visit your local VA, if possible, or call the National Call Center for Homeless Veterans hotline available 24/7 at 1-877-4-AID-VET (424-3838) to talk to a VA counselor who can help you.

HELPFUL RESOURCES FOR VETERANS

- To learn more about preparing for release as a veteran, go to the VA's website at: www.va.gov/homeless/reentry.asp
- After release, find your local VA online here: www.va.gov/directory/guide/home.asp
- Also, please note: VA Housing providers are required to verify you are free of Tuberculosis (Tb). If you have had a Tb test within the past year, you should request a copy of the results before your release from incarceration. If you do not have a recent Tb clearance, request the test so you can have this document available.

HEALTH CARE FOR HOMELESS VETERANS CONTRACTS (HCHV):

The **Health Care for Homeless Veterans (HCHV)** program provides emergency housing, shelter, and treatment to veterans enrolled in VA Healthcare, through local community organizations and service providers. These community organizations and service providers may offer exams, treatment, referrals, and case management to veterans who are homeless and dealing with mental health issues.²⁰⁵

- For information about the HCHV program, please visit: <http://www.va.gov/homeless/hchv.asp>
- For a list of HCHV coordinators by state, please visit: http://www.va.gov/HOMELESS/docs/HCHV_Sites_ByState.pdf

SUPPORTIVE SERVICES FOR VETERAN FAMILIES GRANTS (SSVF):

Many local non-profit community-based organizations receive funding from the VA to help low-income veterans (and their families) who are homeless or at risk of homelessness. These Supportive Services for Veteran Families grants (SSVF) fund programs that can help you transition to permanent housing, along with case management, and help getting other benefits and services.²⁰⁶

For a list of current SSVF providers, please visit the following website: <http://www.va.gov/homeless/ssvf.asp>

HELPFUL HINT

Connecting with legal services providers through an SSVF program:

Participating SSVF programs may provide legal services or may contract with local legal aid organizations to provide Veterans with legal services. *(Veterans who aren't eligible for VA Enrollment may be eligible to receive SSVF assistance if available. Inquire at your VA if this option is an option for you.)*

VA SUPPORTIVE HOUSING (HUD-VASH) PROGRAM –

HUD-VASH is a joint effort between the U.S. Department of Housing and Urban Development (HUD) and Veterans Affairs (VA) to help homeless veterans and their families get into permanent housing. HUD provides Section 8 vouchers to eligible veterans, and the VA offers clinical and supportive services through its health care system to veterans and their family members who qualify for this program.

Veterans applying for Section 8 Housing Vouchers through the HUD-VASH program have to meet most of the normal Section 8 Housing eligibility rules (for example, your income),²⁰⁷ but there are fewer barriers because of your criminal record to get Section 8.

IMPORTANT FOR VETERANS WITH CRIMINAL RECORDS SEEKING SECTION 8 HOUSING: Public Housing Authorities (PHAs) cannot deny Section 8 housing to HUD-VASH applicants based off the applicant's prior drug activity or criminal record (unless you or someone in your household is subject to a lifetime sex offense registration—in which case the PHA can still deny you and your household from Section 8 housing programs).²⁰⁸

MENTAL HEALTH RESIDENTIAL REHABILITATION AND TREATMENT PROGRAMS (MH RRTP):

²⁰⁴ Homeless Veterans, DEP'T OF VETERANS AFFAIRS, <https://www.va.gov/homeless/reentry.asp>.

²⁰⁵ See DEP'T OF VETERANS AFFAIRS, Health Care for Homeless Veterans (HCHV) Program,

http://www.va.gov/vhapublications/ViewPublication.asp?pub_ID=3006.

²⁰⁶ See Supportive Services for Veteran Families Program, U.S. DEP'T OF VETERANS AFFAIRS, <http://www.va.gov/homeless/ssvf.asp>.

²⁰⁷ For information about the HUD-VASH program, see Section 8 Housing Choice Vouchers: Implementation of the HUD-VA Supportive Housing Program, 73 Fed. Reg. 25026 (May 6, 2008).

²⁰⁸ HUD-VASH Eligibility Criteria, DEP'T OF VETERANS AFFAIRS, https://www.va.gov/homeless/hud-vash_eligibility.asp.

Mental Health Residential Rehabilitation and Treatment Programs (MH RRTP) provide residential rehabilitation and treatment services for veterans with multiple and severe medical conditions, mental illness, addiction, or psychosocial deficits.²⁰⁹

The MH RRTP housing program helps veterans to work on self-care, personal responsibility, and medical health.²¹⁰

For more information about MH RRTP and other residential VA programs, please visit the following website: www.benefits.gov/benefit/301.

FOR PEOPLE RECOVERING FROM SUBSTANCE ABUSE/ ADDICTION

HOUSING FOR PEOPLE IN RECOVERY FROM SUBSTANCE ABUSE (A.K.A. “RECOVERY RESIDENCES,” “SOBER LIVING ENVIRONMENTS” OR “SOBER HOUSES”)

If you suffer from past addiction or alcoholism, you may be eligible for special housing and/or funding programs that provide residential treatment for substance abuse. These are also called “recovery residences,” “sober living environments,” or simply “sober houses.” More information about these residential facilities can be found here: <https://narronline.org/wp-content/uploads/2014/06/Primer-on-Recovery-Residences-09-20-2012a.pdf>. You can find a map of local sober living houses from the National Alliance for Recovery Residences here: <https://narronline.org/>.

MY CONVICTION WAS FOR PAST DRUG OR ALCOHOL USE. IS PAST ADDICTION CONSIDERED A LEGALLY PROTECTED DISABILITY?

Yes. Federal law considers alcoholism and past (BUT NOT CURRENT) drug addiction disabilities. This means you may have the right to request *reasonable accommodations* for your alcoholism or past drug addiction.²¹¹ Reasonable accommodations might include an extended curfew so that you can attend treatment or AA/NA programs, permission to take methadone if prescribed by your doctor, or access to special rehabilitative services. Moreover, a landlord usually may not deny you housing or discriminate against you based on your alcoholism or past addiction.²¹²

For more information on housing protections for people with addiction-based disabilities, including what information a landlord CAN and CANNOT ask or consider, the following guides may be helpful:

- *What “Fair Housing” Means for People with Disabilities*, by Judge David L. Bazelon Center for Mental Health Law, available online at: http://www.bazelon.org/wp-content/uploads/2018/05/Fair-Housing-Guide_2018-Update.pdf.
- *Are You in Recovery from Alcohol or Drug Problems? Know Your Rights*, by the U.S. Department of Health and Human Services, Substance Abuse and Mental Health Services Administration, available online at: <https://lac.org/wp-content/uploads/2014/12/Know-Your-Rights-English-2007.pdf>.

For more information on asking for reasonable accommodations, go to Appendix A, p. 82.

SEX OFFENSE REGISTRATION & RESIDENCY RESTRICTIONS

Many states have enacted residency restrictions that limit where people required to register on the sex offense registry can live. Moreover, some local governments have implemented their own residency restrictions. These restrictions typically mean people who have been convicted of sex offenses can’t live within 1,000 to 2,500 feet of schools, parks, day care centers, and other areas where children come together. A summary of state registration and residency laws can be found at the Alliance for Constitutional Sex Offense Laws: <https://all4consolaws.org/us-sex-offender-registration-laws/>.

²⁰⁹ Mental Health Residential Rehabilitation Treatment Programs, Benefits.gov, <https://www.benefits.gov/benefit/301>.

²¹⁰ Mental Health Residential Rehabilitation Treatment Programs, Benefits.gov, <https://www.benefits.gov/benefit/301>.

²¹¹ Americans with Disabilities Act, 42 U.S.C. §§ 126, 12112(b)(5)(A); 29 C.F.R. §§ 1630.9, 1630.10, 1630.15(b), (c). However, current illegal drug use is not considered a disability and does not provide any legal protection against discrimination. A landlord may deny or terminate your housing based on current drug use, even if you are also previously or currently addicted.

²¹² There may be exceptions to this rule, such as if you pose a “direct threat” to the health or safety of other individuals or if that person’s residency would result in substantial physical damage to the property of others UNLESS the reasonable accommodations requested can actually eliminate or significantly reduce such a threat. Joint Statement of the Dep’t of Hous. & Urban Dev. and the Dep’t of Justice, Reasonable Accommodations Under the Fair Housing Act (May 17, 2004).

CHOOSING BETWEEN PRIVATE VS. GOVERNMENT-ASSISTED HOUSING

It is very important that you understand the difference between private and government-assisted housing, because you have *different legal rights* depending on which you apply to or live in.

There are very specific laws and rules for how a government-assisted housing provider can see and consider your criminal record, and different laws and rules for what a private landlord can see and consider.



IMPORTANT NOTE ABOUT THE TERMS USED IN THE HOUSING CHAPTER: We use the term “government-assisted” housing throughout this chapter to refer to housing programs and owners of housing that receive money from the federal government. We do not use “public housing” to talk about any and all housing that gets government money because there is actually a specific program run by the government called the “Public Housing” program. So when we use the term “Public Housing,” we are referring to the specific Public Housing program, NOT all housing that receives government support.

HOW DO I KNOW IF I AM APPLYING TO OR LIVING IN PRIVATE OR GOVERNMENT-ASSISTED HOUSING?

Did you apply for the housing through a PHA? *If yes, the rules and criminal record exclusions that apply to federal government-assisted housing apply to you.*

Do you have a “Section 8” Housing Choice Voucher? *If yes, the rules and criminal record exclusions that apply to federal government-assisted housing apply to you.*

Look up the property online at: <http://www.hud.gov/apps/section8/index.cfm>. *If you still don’t know, ask the OWNER of the property.*

Sometimes it’s clear that you live in government-assisted housing because you had to apply for the housing unit or program through a local Public Housing Authority (PHA) or your landlord *is the PHA itself*. Other times, it’s unclear that you live in government-assisted housing because the owner gets a special benefit directly from the government, and you didn’t know it. The hints above will help you figure out if you are living in government-assisted housing, but you can also ask the owner (the landlord) of the property.

Private Housing

WHAT IS PRIVATE HOUSING?

This is a large category of housing that is owned and run by private landlords (NOT the government). Private housing could be an apartment, house, shelter, month-to-month lease, or year-to-year lease. It could be owned by a single owner or by a large property management company where you only interact with the housing managers and not the owner(s) themselves.

WHY WOULD I BE INTERESTED IN LIVING IN PRIVATE HOUSING?

Private housing tends to have fewer legal barriers for people with records—instead, the landlord (owner) has more discretion and decision-making power about their background screening policies.

HOW CAN I FIND PRIVATE HOUSING?

There are many different ways to find private housing, like an apartment owned by a private landlord. But it is no easy task, especially when your housing needs to be approved by parole or probation, you have special rules to follow in reentry, there is a lack of affordable housing, and discrimination you might be up against. It is important to find support in the housing search!

Websites like craigslist.com are good places to start—you can search by location, type of housing or apartment, and budget. You can also ask for suggestions from family, friends, or other formerly incarcerated people and mentors who have figured out long-term housing options. Finally, there are some transitional housing programs and reentry programs that provide housing to people with records. You can also search on Google.com for “reentry housing in [YOUR STATE]”—some helpful tips can be found at the following website: <https://www.jobsforfelonshub.com/housing-for-felons/>.

WHO IS MY LANDLORD IF I LIVE IN PRIVATE HOUSING?

Your landlord is whoever *owns* the property. The owner could be a single person, a small group of people, or a large management company with many owners or shareholders. If you are renting a private apartment, look at your **lease** to find the name and contact information for the property’s owner.

Government-Assisted Housing

WHAT IS GOVERNMENT-ASSISTED HOUSING?

Government-assisted housing is designed to be affordable for low-income people and households. If you are a low-income person or household and you are looking for an affordable place to rent in your area, you may want to apply for **government-assisted housing**. The federal government funds *most* government-assisted housing programs. They have many rules about who can and can’t live there, including a lot of rules about how a criminal record affects your ability to live there (read about those rules starting on [p. 74](#)).

For some government-assisted housing programs, the government runs the housing facilities and EVERYTHING about the housing application process. For other federally assisted housing programs, the government works with private companies or private owners/landlords who run their own facilities and have their own separate application process to get funding from the government. Either way, the idea is that government-assisted housing should be more **affordable**.

Government-assisted housing could be short-term or long-term; it could be an apartment, a house, a shelter, or a transitional housing program with services.

WHY WOULD I BE INTERESTED IN LIVING IN GOVERNMENT-ASSISTED HOUSING?

Government-assisted housing is a great option for many low-income people and households. While they have many rules about who can and cannot live there, it provides you with an opportunity to have affordable rent. One major down-side is that government-assisted housing programs tend to have very long waitlists, so it is good to sign up early and check back often.

HOW CAN I FIND GOVERNMENT-ASSISTED HOUSING?

Try the following resources to find government-assisted housing:

1. **YOUR LOCAL PUBLIC HOUSING AUTHORITY (PHA)**, which runs some of the biggest government-assisted housing programs, including the Public Housing program and the Housing Choice Voucher program (commonly known as “Section 8” or the voucher program).
2. **SEARCH ONLINE:** To find your local PHA on the web, visit the U.S. Department of Housing and Urban Development’s (HUD) website at: https://www.hud.gov/program_offices/public_indian_housing/pha/contacts. Once at the website, select your state, then look for your local PHA by the name of your city or county.
3. **SEARCH IN THE PHONE BOOK:** If you don’t have regular access to a computer, look in your phone book in the government or business sections for your local Public Housing Authority (PHA). Some areas have both city and county PHAs; others just have a city PHA. In the government section of the phone book, first look for the city, then look for “housing authority” or “housing department.” Sometimes, the local PHA will be listed under the city’s housing department.
4. **OTHER TYPES OF GOVERNMENT-ASSISTED HOUSING:**
 - **PRIVATE AND NONPROFIT LANDLORDS** operate other forms of government-assisted rental housing programs. The U.S. Department of Housing and Urban Development (HUD) maintains a searchable list of these programs online here: <http://www.hud.gov/apps/section8/index.cfm>
 - **LOW INCOME TAX CREDIT HOUSING** is an affordable rental housing developed through the Low Income Housing Tax Credit program (LIHTC). Typically, this housing does not serve extremely low-income households, but it is less expensive than similar private housing in the community. LIHTC housing is owned and operated by private owners and nonprofit agencies and is monitored in each state by a state agency (often the state’s housing finance agency).²¹³ Some of these agencies may have lists of owners and organizations that operate LIHTC housing in your state. Learn more online at: <https://www.nhlp.org/resource-center/low-income-housing-tax-credits/>.
 - **RURAL HOUSING:** The U.S. Department of Agriculture (USDA) also funds government-assisted rental housing in rural areas throughout the United States and maintains a website that allows you to search for rural government-assisted rental housing here: http://rdmfrentals.sc.gov.usda.gov/RDMFHRentals/select_state.jsp

WHO IS MY LANDLORD IF I LIVE IN GOVERNMENT-ASSISTED HOUSING?

It depends.

- If you live in **PUBLIC HOUSING**, the local Public Housing Authority (PHA)—run by your city or county—owns your entire building and is your landlord. In rare cases, a private company may manage the building for the PHA or may be part of the ownership, but the building is still controlled by the PHA. PHAs operate in many cities and counties across the country.
- If you live in **ANY OTHER TYPE OF FEDERAL GOVERNMENT-ASSISTED HOUSING**, the PHA is *not* your landlord. This includes all of the types of government-assisted housing listed in the previous question. Even if you applied through the PHA, the PHA will not be your landlord. Instead, your landlord will be a private owner who receives financial assistance from the federal government in exchange for renting to low-income people, or a private owner that accepts vouchers from low-income people who went through a PHA to get a reduction on their rent. Owners of government-assisted housing could be individual landlords, for-profit companies, or nonprofit organizations.
 - You can get government-assisted housing through **vouchers**, where you get approved for financial support from the local PHA and then have to find rental housing on the private market that will accept your voucher. If you move, the voucher and financial help *goes with you*.
 - You can get government-assisted housing by living at a **“multifamily” property**, where the owner gets the assistance and it *stays* with the property to keep it affordable for low-income tenants. If you move, the financial help does *not* go with you.

²¹³ Here is a link to all of the State allocating agencies: https://lihtc.huduser.gov/agency_list.htm.

IV. APPLYING FOR & GETTING INTO HOUSING

WHAT WILL I LEARN?

- What it means to be eligible or ineligible for housing
- How your record might affect your rights to live in private housing
- How your record might affect your rights to live in government-assisted housing
- What types of bans are illegal
- When a landlord is allowed to deny you housing *but does not have to*

UNDERSTANDING HOUSING ELIGIBILITY

WHAT DOES IT MEAN TO BE “ELIGIBLE” FOR HOUSING?

To be eligible for housing means you meet specific rules or criteria so that it is *possible* for you to be accepted into that housing if you apply. On the other hand, being *ineligible* for certain types of housing means there is something about you or your situation that disqualifies you and prevents you from being accepted because of the housing provider’s rules or laws they have to follow.

WHY IS IT IMPORTANT TO UNDERSTAND A HOUSING PROVIDER’S ELIGIBILITY RULES?

Knowing the rules and policies that a housing provider has for who can and cannot live there is important for you to understand whether or not you want to apply, and what your chances are of being accepted if you do apply. If you are *eligible*, that means you *could* be accepted into the housing; but if you are *ineligible*, something about you or your situation will disqualify you from being accepted. **Keep in mind: your situation could change over time in a way that could also change your eligibility for housing.** Continue reading to learn more.

WHY MIGHT I BE ELIGIBLE OR INELIGIBLE FOR A HOUSING PROGRAM?

You could be *eligible* or *ineligible* for a housing program because of (1) your income, (2) your criminal record, and/or (3) some other specific factor.

1. **Income:** How much money you make will be an important factor for certain types of housing. If you are low-income, it will help you in certain contexts. For example, for housing that is subsidized (paid for partially or fully) by the government, you must be low-income—earning less than a certain amount of money per month—to be eligible. The income cutoff is different for different programs (read more below). But for most private housing, you must be earning more than a certain amount of money per month to be eligible. Landlords want proof of your income being a certain amount so they know you are able to pay rent.
2. **Criminal Record:** For almost all kinds of housing, specific kinds of criminal convictions may disqualify you from applying, or at least make it harder for you to get accepted as a tenant.
3. **Other Specific Factors:** Some housing programs—especially those fully or partially funded by the government—are designed for certain specific groups of people. Your age, income level, disability status, veteran status, homeless status, gender, and whether you have children are just some of the factors that could make you eligible for certain specific housing programs.

I HAD SECTION 8 HOUSING BEFORE I WAS INCARCERATED. DO I NEED TO REAPPLY?

Yes. If you were the sole recipient of **Section 8 vouchers** and are absent for 180 days or more in a row, the PHA will likely end your benefits.²¹⁴ Some city and county Public Housing Authorities may have an even shorter window, since 180 days is the max.²¹⁵ To see contact information for local Public Housing Authority branches, visit the “PHA Contact Information” page of the HUD website here:

https://www.hud.gov/program_offices/public_indian_housing/pha/contacts

You can also call HUD Customer Service at 1-202-708-1112. Please note that you may have to wait six months after your Section 8 benefits were terminated before reapplying.

HOW WILL MY CRIMINAL RECORD AFFECT MY ELIGIBILITY AND APPLICATION TO DIFFERENT TYPES OF HOUSING?

The impact of your criminal record on a housing application depends on whether that housing is *private* or *government-assisted*. In this Chapter, when we talk about government-assisted housing, we are talking about housing that gets money from the federal government to make it more affordable for low-income people and households. The federal government has created many laws that control government-assisted housing, including who is allowed to live there.

In this next part, we explain how your criminal record affects your application to both private housing and government-assisted housing; what you can do to strengthen your application; and how you can challenge a housing denial that you believe is illegal.

If you still don’t know, ask the OWNER of the property.

²¹⁴ 24 C.F.R. § 982.312(b).

²¹⁵ 24 C.F.R. § 982.312(a).

THE IMPACT OF A CRIMINAL RECORD ON YOUR HOUSING RIGHTS

Sometimes it's obvious that you live in **government-assisted housing** because you had to apply for the housing unit or program through a local **Public Housing Authority (PHA)** or because your landlord is the PHA itself.

Other times, it's unclear that you live in government-assisted housing because the owner gets funding directly from the government, and you didn't know it. The box below explains how you can figure out if the housing you are applying to or living in is completely private or government-assisted housing.

HOW CAN I FIGURE OUT IF I AM APPLYING TO/LIVING IN PRIVATE OR GOVERNMENT-ASSISTED HOUSING?

- Did you apply for the housing through a PHA?
- If yes, the rules and criminal record exclusions that apply to federal government-assisted housing apply to you.
- Do you have a "Section 8" Housing Choice Voucher?
- If yes, the rules and criminal record exclusions that apply to federal government-assisted housing apply to you.
- Look up the property online at: <http://www.hud.gov/apps/section8/index.cfm>

Criminal Record Bans in Private Housing

HOW CAN MY CRIMINAL RECORD AFFECT MY CHANCES OF GETTING PRIVATE HOUSING?

Many private landlords will run a background check on you, and they have broad discretion to deny you. However, **a private landlord cannot have a blanket ban on ALL people with criminal records** and cannot run a background check on a specific group but not others.

Continue reading to learn what landlords can and can't do when considering your record.

CAN A PRIVATE LANDLORD REFUSE TO RENT TO ME BECAUSE OF MY CRIMINAL RECORD?

Federal law does not protect you from housing discrimination based on your criminal record alone, although federal law makes it illegal for private landlords to discriminate against you because of your *race, color, religion, sex, familial status, national origin, or disability*.²¹⁶ States may provide more protection. Landlords have the power to choose their tenants, and judges often side with landlords who claim that banning someone with a criminal record was necessary to protect other residents and property.²¹⁷

However, there are limitations on what a private landlord can do:

1. The U.S. Department of Housing and Urban Development (HUD) announced in 2016 that landlords cannot refuse to rent to any and all people with criminal records, on that basis alone. This is called a "blanket ban" and is illegal. Read more on [p. 74](#).
2. If your conviction was the result of a protected disability, which includes current or past alcoholism, *past* substance abuse under federal law, you may be able to ask for a reasonable accommodation in which that landlord cannot use a related conviction against you. People with disabilities enjoy greater protection against discrimination. Read more on [p. 82](#).
3. Finally, there are special rules for how private landlords can run background checks on you (sometimes called a "tenant report" because it includes both criminal conviction as well as credit history information). A landlord has to: (1) get your permission to run a background check through a third-party company, (2) let you know if they plan to not rent to you because of information on the background check, (3) give you the results of the background check, and (4) give you a chance to fix mistakes.

CAN A PRIVATE LANDLORD REFUSE TO RENT TO ME BECAUSE MY CRIMINAL RECORD WOULD INCREASE THEIR HOMEOWNER'S INSURANCE RATES?

Maybe. Insurance companies, including those that protect homeowners, generally have broad discretion in setting their rates and premiums.²¹⁸ At the same time, under the Federal Housing Act, homeowner's insurance companies cannot price their policies in a way that discriminates on the basis of race, gender, or other protected characteristics.²¹⁹

IN WHAT WAYS WOULD IT BE ILLEGAL FOR A LANDLORD TO DENY ME HOUSING BECAUSE OF MY CRIMINAL RECORD?

Below are some situations where you might be legally protected if a private landlord is discriminating on the basis of your criminal record.

²¹⁶ Housing Discrimination under the Fair Housing Act, U.S. Department of Housing and Urban Development, https://www.hud.gov/program_offices/fair_housing_equal_opp/fair_housing_act_overview#_Who_Is_Protected?

²¹⁷ 42 U.S.C. § 3604(f)(9) (Fair Housing Act does not protect "individual whose tenancy would constitute a direct threat to the health or safety of other individuals or whose tenancy would result in substantial physical damage to the property of others"); *Evans v. UDR, Inc.*, 644 F. Supp. 2d 675 (E.D.N.C. 2009) (holding that the Fair Housing Act (FHA) does not prohibit landlords from denying a disabled tenant's rental application based on her criminal record; relaxation of landlord's "no criminal history" policy was not required as a reasonable accommodation for mentally disabled tenant, even where tenant's disability was an underlying cause of her conviction).

²¹⁸ See e.g., *Calfarm Ins. Co. v. Deukmejian*, 48 Cal.3d 805, 824 (Cal. 1989).

²¹⁹ *Ojo v. Farmers Group, Inc.*, 600 F.3d 1205, 1208 (9th Cir. 2010), holding that the FHA prohibits racial discrimination in both the denial and pricing of homeowner's insurance; see also 24 C.F.R. § 100.70; 42 U.S.C. § 12201(c)(1), prohibiting an insurer from administering a plan or classifying risks in a manner that is inconsistent with State law.

IMPORTANT: If you think one of these arguments applies to your situation, it may be a good idea to consult an attorney.²²⁰ Find a legal services organization near you at LawHelp.org.

1) Blanket Bans

Here, a **blanket ban** means there is a policy that COMPLETELY bans or disqualifies someone—with no exceptions for any reason. In 2016, the U.S. Department of Housing and Urban Development (HUD) issued guidance that **blanket bans** would be a violation of federal law because of the unfair (disparate) impact these bans have on African Americans, Latinos, and other people of color, who are over-represented in the U.S. criminal justice system.²²¹ In 2015, the U.S. Supreme Court also held that a housing policy that affects people of color more than others may violate the Fair Housing Act if it isn't supported by a legally sufficient justification.²²²

Depending on where you live, **your state's fair housing laws** may give you stronger protections.

2) Arbitrary Discrimination:

According to HUD, more focused policies, such as bans on people with specific types of criminal convictions, may violate federal law if they don't serve a legitimate purpose (or, in legal terms, "a substantial, legitimate, and nondiscriminatory interest"). Any policy that doesn't take into consideration how much time has passed since the conviction(s), or the nature or seriousness of the crime, is unlikely to meet this standard. On the other hand, policies aimed at preventing harm to residents' safety and/or property may be sufficient.²²³

If you come across a blanket ban, or discrimination that seems completely arbitrary, you should contact a lawyer. Find a legal services organization near you by visiting the website LawHelp.org. You can also find legal services organizations by visiting: <https://www.lsc.gov/what-legal-aid/find-legal-aid>.

3) Unfair Treatment (also called "discriminatory treatment"):

Even though a private landlord is legally allowed to *consider* your criminal record, the landlord must apply the *same standards* for screening applicants equally.

For example, a landlord can't reject an African-American applicant based on his/her criminal record, but then accept a white applicant with a similar criminal record. Another example is that if a private landlord conducts a background check on you, the landlord must also conduct the same background check on all other applicants.

If you come across a private landlord who you believe is treating your criminal record differently from other similar applicants, this may violate your right to equal treatment under federal and state law. You should contact a lawyer. Find a legal services organization near you by visiting the website LawHelp.org. You can also find legal services organizations by visiting: <https://www.lsc.gov/what-legal-aid/find-legal-aid>.

4) Past Drug or Alcohol Addiction (A Protected Disability)

It is illegal for a landlord to deny you housing based on a *past* drug or alcohol addiction, as this is a protected disability status. Past addiction, as well as current alcoholism,²²⁴ are considered disabilities under both federal and state law, so landlords cannot deny you housing for this reason or even ask about past drug or alcohol abuse. Landlords must also provide you with reasonable accommodations if necessary.²²⁵

However, a landlord may deny you housing if you are *currently using or selling* illegal drugs (this is the same rule that applies to current drug use in government-assisted housing properties).

If a landlord denies you housing due to *past* drug or alcohol abuse, you should request reasonable accommodations and/or challenge the denial. It is suggested that you try and contact an attorney to help, since every individual's circumstances and case are different. Find a legal services organization near you by visiting the website LawHelp.org. You can also find legal services organizations by visiting: <https://www.lsc.gov/what-legal-aid/find-legal-aid>.

Criminal Record Bans in Government-Assisted Housing

HOW CAN MY CRIMINAL RECORD AFFECT MY CHANCES OF GETTING INTO GOVERNMENT-ASSISTED HOUSING?

When you apply to government-assisted housing through a Public Housing Authority (PHA) (see definition on [p.58](#)), the PHA runs a criminal background check on:

- You
- Everyone currently living with you
- Everyone 16 or older who might live with you

²²⁰ See Fair Housing Act, 42 U.S.C. § 3601 et seq.; Fortune Soc'y, Inc. v. Sandcastle Towers Housing Devel. Fund Corp., No. 1:14-cv-6410 (filed Oct. 30, 2014, E.D.N.Y.).

²²¹ U.S. Dept. of Housing and Urban Dev., Office of General Counsel Guidance on Application of Fair Housing Act Standards to the use of Criminal Records by Providers of Housing and Real Estate-Related Transactions (April 4, 2016), https://portal.hud.gov/hudportal/documents/huddoc?id=HUD_OGCGuidAppFHASandCR.pdf

²²² See Tex. Dep't of Hous. & Cmty. Affairs v. Inclusive Cmty. Project, Inc., 135 S. Ct. 2507 (2015).

²²³ Id.

²²⁴ Americans with Disabilities Act, Questions and Answers, U.S. DEP'T OF JUSTICE, https://www.ada.gov/hiv/ada_q&a_aids.htm.

²²⁵ Fair Housing Act, 42 U.S.C. 3604; see also Mental Health Advocacy Svcs., Inc., Fair Housing for People with Disabilities at 18-20 (Feb. 2007).

- Any biological parent of any children who will be living in the household, even parents who do not plan to live with you and are not part of the application to the PHA

PHAs have a lot of discretion to exclude people with criminal records under the justification that they would “risk the health and safety of other tenants.” On the other hand, the PHA may choose to overlook your criminal convictions and accept your application, especially if they see evidence that you have changed or rehabilitated since the time of your conviction.²²⁶

Some cities across the country are trying to make affordable, government-assisted housing more inclusive to people with criminal records.²²⁷



IMPORTANT! There are a lot of rules about who can and cannot live in government-assisted housing. Every program has its own set of rules that you should be aware of BEFORE you apply. You want to know what laws or policies might prevent you from living there because of a criminal conviction or other criminal history information, even if your family already lives there. Some bans are required by law, while others are allowed, but not required. These types of bans are up to the discretion and policies of the PHA and/or the owner of the government-assisted housing. You should look at the policies BEFORE YOU APPLY.

CAN A PUBLIC HOUSING AUTHORITY (PHA) REFUSE TO RENT TO ME JUST BECAUSE OF MY CRIMINAL RECORD?

Yes, it’s possible. Rules for government-assisted housing can be VERY STRICT. Your local Public Housing Authority (PHA), which runs a lot of the government-assisted housing programs like Section 8 Housing Choice Vouchers and the Public Housing program, and works with private owners that accept government assistance to keep their buildings more affordable, may reject you and your household because of certain criminal convictions.

There are two reasons that a PHA or owner of government-assisted housing will reject you—the first is when they are legally required to reject you, and the second is when the PHA or owner of government-assisted property is allowed to but not required to reject you (meaning they have a choice under law).

It is important to know if a denial was required or not, because this will affect your options to challenge the denial. Keep reading to learn more.

SUMMARY: REQUIRED VS. ALLOWED BANS IN GOVERNMENT-ASSISTED HOUSING

(1) BANS THAT ARE REQUIRED: Sometimes, a government-assisted housing provider MUST deny certain applicants because they have a specific type of conviction on their record. Because the law says that the rejection is required (“mandatory”), PHAs and owners of government-assisted housing do not have a choice in the matter. They must deny you if you have one of the convictions listed in the law. For all conviction-based bans that are legally required, see the chart on [p. 76](#).

(2) BANS THAT ARE ALLOWED, BUT NOT REQUIRED (“CATCH-ALL” BANS): More commonly, you will likely fall into a “catch-all” ban on people with any criminal activity (which includes both arrests and convictions, even if they have been dismissed) that *threaten the health, safety, or right of peaceful enjoyment to the government-assisted property by the other residents, the property owner, or the PHA’s staff or agents/contractors*. This includes *drug-related criminal activity and violent criminal activity* (again, both arrests and convictions, even if dismissed, can be considered). Here, the law doesn’t require that you get denied from the housing program, but it allows PHAs and owners of government-assisted housing to deny you on this basis.

WHERE CAN I FIND A PHA’S RULES & POLICIES ABOUT CRIMINAL RECORDS?

The rules for criminal records are different for every government-assisted housing program and much of them are decided locally—so they are different from county to county.

Even an owner of government-assisted housing CAN HAVE DIFFERENT RULES than the Public Housing Authority (PHA) that oversees the government-assisted housing programs. You should be able to find these rules FOR YOUR PROGRAM. You can look in the following places:

- The PHA’s website
- The PHA’s Annual Plan
- The PHA’s Admission and Occupancy Plan (ACOP)
- The lease
- The Administrative Plan for the Section 8 Voucher program

You can also ask the PHA and/or owner for a copy of these rules.

²²⁶ See Know Your Rights: Housing and Arrests or Criminal Convictions, THE BRONX DEFENDERS (Oct. 2, 2010), <http://www.bronxdefenders.org/housing-and-arrests-or-criminal-convictions/>.

²²⁷ For example, in 2016, the city of Richmond approved a city ordinance to protect the housing rights of people in reentry. Richmond City Council Adopts Fair Chance Housing Ordinance Press Release, Bay Area Legal Aid (Dec. 21, 2016), https://baylegal.org/wp-content/uploads/2016/12/Press_Release_Fair-Chance-Housing-Ordinance.pdf The “Fair Chance Access to Affordable Housing” ordinance was added to the Richmond Municipal Code as Chapter 7.110 in 2017. See special meeting of the Richmond Housing Authority, Richmond City Council (Dec. 20, 2016), <http://www.ci.richmond.ca.us/ArchiveCenter/ViewFile/Item/7683>. San Francisco adopted a similar ordinance in 2014. SF Human Rights Commission Fair Chance Ordinance, <http://sf-hrc.org/fair-chance-ordinance>.

Chart Summarizing Criminal Record Bans in Government-Assisted Housing

SUMMARY OF REQUIRED VS. ALLOWED CRIMINAL RECORD BANS IN GOVERNMENT-ASSISTED HOUSING					
TYPE OF BAN: Required or Allowed	CONVICTION OFFENSE	LENGTH OF BAN	WHICH GOVERNMENT- ASSISTED HOUSING PROGRAMS THIS BAN APPLIES TO	WHO IT AFFECTS	HOW TO CHALLENGE THE BAN <i>(If possible, talk first to a lawyer for legal advice!)</i>
REQUIRED ("mandatory")	Methamphetamine Production on Federally-Assisted Property	BANNED FOR LIFE	Federal government-assisted housing programs run by PHAs (public housing, voucher program, Section 8 moderate rehabilitation program)	Anyone living in the government-assisted household	<p>If it's a mistake, bring it to the PHA/owner's attention and explain why the information is wrong.</p> <p>If it's not a mistake, ask for a review hearing and contact a housing attorney for help ASAP.*</p> <p>Show mitigating circumstances & rehabilitation.</p>
REQUIRED ("mandatory")	Sex Offense Convictions requiring LIFETIME Registration	BANNED FOR LIFE	Most federal government-assisted housing programs (doesn't apply to LIHTC and RD)	Anyone living in the government-assisted household	<p>If you're not required to register, tell the PHA/owner and explain that their information is wrong.</p> <p>If you are required to register, ask for a review hearing and contact a housing attorney for help ASAP.* Show:</p> <ol style="list-style-type: none"> 1. You're not required to register for life, just a limited period of time, so ban does not apply. 2. Ban does not apply to LIHTC or RD housing.
REQUIRED ("mandatory")	Past eviction from federally-assisted property due to drug-related criminal activity	BANNED FOR 3 OR MORE YEARS (from date of eviction) <i>unless person engaged in drug-related criminal activity successfully completes a supervised drug rehabilitation program OR circumstances leading to the eviction no longer exist.</i>	Federal government-assisted housing programs run by PHAs (public housing, voucher program, Section 8 moderate rehabilitation program)	Anyone living in the government-assisted household (unless person who was engaged in drug-related activity completes a supervised drug rehabilitation program)	<p>If it's a mistake, bring it to the PHA/owner's attention and explain why the information is wrong.</p> <p>If it's not a mistake, ask for a review hearing and contact a housing attorney for help ASAP.*</p> <ol style="list-style-type: none"> 1. If the ban is more than three years, show it is unreasonably long b/c of mitigating circumstances & rehabilitation. 2. Ban does not apply to LIHTC or RD housing. Show mitigating circumstances & rehabilitation.

REQUIRED (“mandatory”)	Current illegal drug use	While it’s current * BUT if the person stops using drugs, the PHA/owner could still reject you for a reasonable time after the illegal drug use—see permissive bans below.	ALL federal government-assisted housing	Anyone living in the government-assisted household	If it’s a mistake, bring it to the PHA/owner’s attention and explain why the information is wrong. If it’s not a mistake, ask for a review hearing and contact a housing attorney for help ASAP.* If person illegally using drugs is kicked out/incarcerated/ getting treatment, show mitigating circumstances & rehabilitation.
ALLOWED, BUT NOT REQUIRED (“permissive”)	Criminal activity that would harm the health, safety, or right of peaceful enjoyment to the government-assisted property by other residents, the property owner, or PHA staff or agents/contractors. <i>This applies to both convictions AND arrests that did not result in a conviction</i>	The criminal activity must be “reasonably recent”	ALL federal government-assisted housing	Check the PHA policy	If it’s a mistake, bring it to the PHA/owner’s attention and explain why the information is wrong. If it’s not a mistake, ask for a review hearing and contact a housing attorney for help ASAP.* Show: 1. Significant time has passed (not reasonably recent). 2. Does not pose a risk to other residents; doesn’t fall within the ban.
ALLOWED, BUT NOT REQUIRED (“permissive”)	Other drug-related criminal activity	The criminal activity must be “reasonably recent”	ALL federal government-assisted housing	Check the PHA policy	If it’s a mistake, bring it to the PHA/owner’s attention and explain why the information is wrong. If it’s not a mistake, ask for a review hearing and contact a housing attorney for help ASAP.* Show: 1. Significant time has passed (not reasonably recent). If the past drug crime is related to a past addiction, it may qualify for a disability and you should ask for a reasonable accommodation (see Appendix A on p. 82)

ALLOWED, BUT NOT REQUIRED (“permissive”)	Violent criminal activity	The criminal activity must be “reasonably recent”	ALL federal government-assisted housing	Check the PHA policy	If it’s a mistake, bring it to the PHA/owner’s attention and explain why the information is wrong. If it’s not a mistake, ask for a review hearing and contact a housing attorney for help ASAP.* Show: 1. Significant time has passed (not reasonably recent). 2. Mitigating circumstances & rehabilitation.
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WARNING: READ CAREFULLY!

In the chart above, we summarize four situations where a Public Housing Authority (PHA) and the owners of federal government-assisted housing **MUST** reject you under law based on particular types of convictions. **BUT PLEASE NOTE:** These required (“mandatory”) bans apply only to **SOME** types of federal government-assisted housing, but not **ALL** types. There are **SOME** government-assisted housing programs where these “required” bans *do not apply*. Also, some of these required bans will last for the rest of your life, but others are only temporary bans. **SO READ CAREFULLY!** Don’t assume the ban applies to you. Try to match your exact situation and conviction/criminal record with this chart to see how your criminal record will impact your ability to get into federal government-assisted housing.

V. MAINTAINING MY HOUSING

WHAT WILL I LEARN?

- General tips for renters
- Your rights and responsibilities as a renter
- Tips and guidance about your options if you are facing an eviction

GENERAL TIPS FOR RENTERS

These tips can help you prepare for the process of renting an apartment, and avoid problems related to background checks!

ORDER YOUR FREE CREDIT REPORT BEFORE YOU APPLY FOR AN APARTMENT.

The landlord will almost certainly order your credit report before letting you live as a tenant in his/her unit. Even though this chapter does not go into all of the rules and laws that govern credit checks, it's still important to understand that this is part of what most landlords will be looking at. Before you apply to ANY type of housing, you can order your own credit report to make sure that all the information is accurate and up-to-date. You can order your credit reports free once every 12 months from each of the three national credit bureaus: (1) Experian, (2) TransUnion, and (3) Equifax. To learn more, see the Federal Trade Commission's information on Free Annual Credit Reports on its website: <http://www.ftc.gov/bcp/edu/microsites/freereports/index.shtml> (Note: this is a trusted government website about credit reports).

LEARN ABOUT BACKGROUND CHECKS / TENANT REPORTS.

Most landlords use "tenant reports" (these are background checks specifically for the purposes of housing and renting apartments) to screen housing applicants. These reports can include both credit history and non-credit information such as your criminal record; court cases related to past evictions; references from former landlords; information from local, state, and national databases (such as sex offense registries); and more. If you learn that the landlord is going to order a background check/tenant report on you, you could save yourself a lot of time and trouble by simply asking the landlord the name and contact information for the screening company, so that you find the tenant report yourself and make sure the information is accurate and up-to-date.

UNDERSTAND YOUR RIGHTS & RESPONSIBILITIES AS A RENTER (A.K.A. TENANT).

If you live in government-assisted housing, a good place to start is the U.S. Department of Housing and Urban Development's (HUD) website about renting: <https://www.hud.gov/states>.

Carefully review any lease or rental agreement before you sign it. Be sure that any WRITTEN agreements include VERBAL conversations you had with the landlord or property management company—so that those agreements will be legally enforceable later on. As well as general rules about rent payments, utilities, and the time period covered, a lease or rental agreement should cover anything you have discussed together: things like pets, visitors, roommates, or subletting.

Here are some websites that discuss tenants' rights generally:

- Tenants' Rights Basics, FindLaw, <https://realestate.findlaw.com/landlord-tenant-law/tenants-rights-basics.html>
- Information for Tenants, Justia, <https://www.justia.com/real-estate/landlord-tenant/information-for-tenants/>

KEEP A RECORD OF YOUR LEASE & OTHER DOCUMENTS RELATED TO YOUR APARTMENT.

Keep a file with your signed lease or rental agreement and any other important documents. The file should include notes of any conversations you have with your landlord or apartment manager regarding repairs, disturbances, disputes, or any other event or incident that may affect your rights as a tenant. It should also include any mail, emails, repair orders, and even notes left on your door. Keep and maintain a separate file for each rental unit you live in.

AVOID SCAMS.

Avoid rental scams by recognizing warning signs. Online resources such as Craigslist (www.craigslist.com) are a popular way to search for available rental units. However, scammers also use these sites to place phony rental listings or to hijack a valid listing to attempt to steal your money or identity. If you are asked to wire money—it's probably a scam! If you are asked to pay a security deposit or an advance on your rent *before signing a rental agreement*, that is a red flag too. You should also be aware of *foreclosure scams* targeting unsuspecting renters and upset homeowners. To learn how to spot and avoid foreclosure scams, check out the following website: <https://www.pennymacusa.com/blog/how-to-avoid-foreclosure-scams>.

REVIEW ALL NOTICES YOU RECEIVE FROM YOUR LANDLORD OR RENTAL AGENCY.

Small problems can become big problems if you ignore them. A landlord's notice to evict you may give you only a certain number of days to respond. If you do not respond within the given time, the landlord may seek a court order to evict you. Notice of court actions give only a certain number of days to respond! If you have questions about what a notice means, try and speak to a lawyer who may be able to help you.

KNOW WHERE TO COMPLAIN OR GET HELP IF PROBLEMS COME UP.

Understand that no single law covers all rental situations. And no single federal, state, or local government agency has the ability or authority to investigate every type of problem you might encounter. This guide suggests ways you might make a complaint or challenge a discriminatory act based on your criminal record. But also know that sometimes private landlords *are allowed* to make decisions on the basis of your criminal conviction history.

PREPARE THE INFORMATION YOU WILL NEED FOR A RENTAL APPLICATION.

A rental application may require you to provide any of the following information:

- Current and past addresses of where you have lived, your employers, your personal references, and your previous/current landlords.
- Your Social Security Number (SSN) and Driver's License or state ID number. Go to the ID section for more information: getting a SSN is discussed on [p. 15](#); getting a driver's license or state ID is covered beginning on [p. 19](#)]
- The number of people expected to live in the unit.
- Bank account and credit account numbers. Questions about how much you earn and where your income comes from will almost certainly be on the rental application.

BE PREPARED TO PAY MOVE-IN COSTS.

You will likely have to pay for a screening fee when you apply for a place to live from a private landlord. The cost of the screening fee will be different depending on where you live; it could cost \$50 or more. Some states limit how much landlords can charge for an application fee. You will also likely have to pay a security deposit and one to two months' worth of rent after you sign the lease agreement. This can be expensive—be prepared!

KNOW THE PROTECTIONS FOR ACTIVE MILITARY MEMBERS.

If you are in the military, the Service Members Civil Relief Act gives active duty members the right to terminate a lease when they are ordered to a new permanent location or any change of location that amounts to more than 90 days.²²⁸

EVICCTIONS: *JUST THE BASICS*

The Housing Chapter does NOT go into specifics of [eviction law](#)—but we realize it is an issue you may come across and need help with. Below we include some very basic know-your-rights information if you are facing an eviction or received a notice from your landlord to do something (like pay rent).



GET HELP! If you need a lawyer to help with defending against an eviction, you may be able to find housing legal aid providers to assist you at [LawHelp.org](#). If you are facing eviction, it's important to ACT FAST to respond to the notice of eviction, so get in touch with a housing lawyer as soon as possible.

WHAT IS AN EVICTION?

Eviction is a process that a landlord can use to remove a tenant from a rental unit. In some states, it is called an “unlawful detainer” action, because the landlord is accusing the tenant of staying in a rental unit when he or she does not have a legal right to do so, therefore, the rental unit is unlawfully detained. To “be evicted” generally means (1) you were the defendant (the renter who is being accused of unlawfully staying in the rental unit) in this type of lawsuit, (2) you lost the lawsuit, and (3) the court then ordered you to move out of the apartment or rental unit. If you leave a rental unit because the landlord asks you to do so, but you are never served with “unlawful detainer” eviction court papers, then you have not been evicted in the legal sense of the word. Landlord-tenant law varies from state to state, so it's important you find an attorney who knows how to help you. Find one at [LawHelp.org](#).

I AM FACING AN EVICTION. WHAT ARE MY OPTIONS?

Since responding to an eviction notice can be VERY time-sensitive, it's important to respond and act fast! It can also be VERY HELPFUL to have a lawyer assist you. If you need a lawyer to help with defending against an eviction, go to [LawHelp.org](#) and search for a legal services organization near you.

VI. CONCLUSION

Where you live is critical to your well-being. It can also be one of the most challenging aspects of reentry. Hopefully this chapter has helped you understand your housing options, and given you the tools to help you find appropriate housing and recognize illegal discrimination when it occurs.

²²⁸ Servicemembers Civil Relief Act, 50 U.S.C. § 3951(a).

HOUSING APPENDIX

- APPENDIX A. Disabilities & Requesting Reasonable Accommodations on Any Housing Application
- APPENDIX B. Housing Owners'/Landlords' Access to Credit Reports
- APPENDIX C. Filing a Complaint for Illegal Discrimination in Private Housing
- APPENDIX D. Rural Development (RD) Grievance Procedures

APPENDIX A

Disabilities & Requesting Reasonable Accommodations on Any Housing Application

AS SOMEONE APPLYING FOR HOUSING (PRIVATE OR GOVERNMENT-ASSISTED), WHAT DO MY DISABILITIES HAVE TO DO WITH MY CRIMINAL RECORD?

If you can prove that your criminal conviction was *the result of a disability*—for example, due to mental illness, alcoholism, and/or past drug addiction you may be able to get a “reasonable accommodation” when applying for ANY type of housing. However, a PHA, owner, or other housing provider is not required to grant a reasonable accommodation to an individual with a disability *if that person would be a “direct threat” to the health, safety or property of others*, unless the requested reasonable accommodations can actually *eliminate or significantly reduce such a threat*.

Under the law, housing providers cannot treat persons with disabilities exactly the same as other housing applicants or residents if doing so denies people with disabilities an equal opportunity to use and enjoy a dwelling.²²⁹ Therefore, by law, a PHA or owner *must* make reasonable accommodations to its *rules, policies, practices, or services* when it may be necessary to provide applicants with disabilities an equal opportunity to use and enjoy a living space²³⁰—*even if* that accommodation results in a preference for disabled individuals over similar, non-disabled individuals.²³¹ This rule applies to ALL types of housing—public and private.

WARNING: Just because you committed a criminal offense as a result of a disability does not mean you automatically have the right to a reasonable accommodation for housing. It can be very difficult to prove that your disability CAUSED your criminal offense, AND that the disability is the type that qualifies you for a reasonable accommodation.

IF MY CRIMINAL CONVICTION WAS THE RESULT OF A DISABILITY, WHAT IS A REASONABLE ACCOMMODATION THAT I CAN ASK FOR?

A “reasonable accommodation” is a *change, exception, or adjustment* to a rule, policy, practice, or service that may be necessary to give an applicant with a disability an *equal opportunity to use and enjoy a living space*.²³² There is no limit or restriction to the type of accommodation that you can request, as long as the accommodation is *reasonable*. As a general rule, an accommodation will be considered *reasonable* so long as it does **NOT**:

1. Pose an undue financial burden on the PHA or owner, and/or
2. Require the PHA or owner to fundamentally change its housing program²³³

It’s recommended that you ask a Public Housing Authority (PHA), owner, or housing provider to look at your criminal record using a different standard, or to make an exception to its criminal history policy altogether as a reasonable accommodation. Keep reading to learn about approaches for asking your PHA or landlord for a reasonable accommodation.

DOES DRUG ADDICTION QUALIFY AS A DISABILITY?

Technically, yes, if it is *PAST* drug use and you have permanently stopped using illegal drugs, it does qualify as a disability under both federal and state law. BUT if you are *currently using illegal drugs, then you are not considered disabled*.²³⁴

IF I CAN SHOW THAT I’M DISABLED, HOW CAN I REQUEST A REASONABLE ACCOMMODATION AS I APPLY FOR HOUSING?

Send a *written letter* requesting a reasonable accommodation to the PHA, housing provider, or owner (the one making the decision) that clearly explains *ALL* of the following:

1. That you have a disability, and what that disability is.
2. That the disability caused the offense. Attach as much documentation as you can. For example:
 - Letters from service providers showing that you experienced a mental illness and/or a drug addiction at the time of the offense; or even better, a letter from a doctor confirming the existence of your disability;²³⁵

EXAMPLES OF REASONABLE ACCOMMODATIONS INCLUDE:

- An exception (“a waiver”) to a PHA, owner, or housing provider’s policy that bars housing to applicants with criminal records, if your criminal conviction was caused by your disability;
- An owner or housing provider agreeing to admit a tenant with a mental illness that causes the tenant to sometimes become loud or confrontational, so long as the tenant agrees to seek treatment for his or her mental illness;
- An owner or housing provider allowing a tenant suffering from mental illness to have a live-in aid; or
- A PHA, owner, or housing provider accepting a reference from an applicant’s social worker or service provider if an applicant has no recent rental history.

²²⁹ 42 U.S.C. § 3604(f)(3)(B); see also Joint Statement of HUD and U.S. DOJ, Reasonable Accommodations Under the Fair Housing Act, question 6 (May 17, 2004).

²³⁰ 42 U.S.C. § 3604(f)(3)(B).

²³¹ See U.S. Airways v. Barnett, 535 U.S. 391, 397 (2002).

²³² 42 U.S.C. § 3604(f)(3)(B).

²³³ See Joint Statement of the Dep’t of Hous. & Urban Dev. and the Department of Justice, Reasonable Accommodations Under the Fair Housing Act, question 7 (May 17, 2004); 24 C.F.R. § 8.33; Southeastern Cmty. Coll. v. Davis, 442 U.S. 397, 410, 412 (1979).

²³⁴ 42 U.S.C. § 3602(h); 24 C.F.R. § 9.103. Federal HUD regulations define “handicap” to include drug addiction. Similarly, the ADA states that a person with a disability includes “someone who has successfully completed a drug rehabilitation program, is currently in such a program, or is mistakenly regarded as engaging in illegal drug use.”

²³⁵ The Housing Center, Obtaining and Maintaining House: Fair Housing for People with Mental Health Disabilities. For more information about obtaining a reasonable accommodation, visit http://www.fhrc.org/HRAC_Brochure.pdf.

- If it is addiction, explain that you no longer suffer from addiction. Attach any documentation you have, such as letters from service providers showing successful completion of a rehabilitation program or effective or ongoing treatment for your addiction; and/or letters from service providers that show you are no longer using substances.
3. What your requested accommodation is, clearly stated:
- Ask for what you want directly! You could ask a PHA, owner, or housing provider to look at your criminal record using a different standard, or to make an exception to its criminal history policy altogether.
4. Why the accommodation you are requesting is NECESSARY and REASONABLE.:
- Here, you should say that *an exception* from criminal history policy is NECESSARY to give you an *equal opportunity to access the housing*.
 - Explain how your criminal conduct was the result of the disability—showing the *relationship* (also called a “nexus”) between your disability and your requested accommodation.²³⁶
 - It is more persuasive if you have a doctor or service provider submit a letter explaining why the accommodation is necessary.
 - You must also show that the requested accommodation is REASONABLE. A requested accommodation may be found reasonable if:
 - It’s necessary for you to have an equal opportunity to enjoy the living space.
 - It’s not too expensive for the landlord.
 - The administrative burden is not too great.
 - It doesn’t fundamentally change the PHA’s, housing provider’s, or owner/landlord’s operations.
 - A landlord or PHA accommodation that gives you “preference” over similar non-disabled people *may be reasonable under the circumstances*.²³⁷

“THE DIRECT THREAT EXCEPTION:” Remember that the law *does not require* that reasonable accommodations be granted to an individual with a disability if that person would be a “direct threat” to the health or safety of other individuals or if that person’s residency would result in substantial physical damage to the property of others *UNLESS* the reasonable accommodations requested can actually *eliminate or significantly reduce such a threat*.²³⁸ This is known as the “direct threat” exception. **You have some protections if the PHA, housing provider, or landlord is arguing you are a “direct threat”:**

- First, a PHA or owner **MUST** perform an *individualized assessment* of you.
- Second, if a reasonable accommodation can significantly reduce the “direct threat” posed by a recognized disability, then the PHA, housing provider, or owner *must* make it.
- Third, if the PHA, housing provider, or owner finds that you pose a direct threat to other tenants or property, this should be based *only* on actual examples of you causing harm or other factual, objective evidence—not their own fears or assumptions about what *could* happen.
- Fourth, a finding of a direct threat cannot be based on assumptions, stereotypes, or fears about mental illness, drug addiction, or other disabilities.²³⁹

ONCE I HAVE SENT MY REQUEST FOR A REASONABLE ACCOMMODATION, WHAT HAPPENS?

There are several phases of a reasonable accommodation request:²⁴⁰

1. **Initial request** (see p. 421). This is when you first send your letter informing the PHA, owner, or housing provider that you have a disability and are requesting a reasonable accommodation²⁴¹
2. **Verification:** Once you make your initial request for a reasonable accommodation, the PHA, owner, or housing provider will want to verify that you are indeed disabled.
 - If your disability is obvious or known, and the need for a reasonable accommodation is known, then the housing provider should not ask you for any more information.
 - If your disability is known and obvious, but your need for the accommodation is not well-known or obvious, then the housing provider should ask only for information necessary to verify the need for a reasonable accommodation—for example, notes explaining your need from a doctor or clinician.
 - If your disability or need for an accommodation is unknown or not obvious, the housing provider may ask for verification of both your disability and your need for a reasonable accommodation.²⁴²
3. **The decision.** After reviewing your request, the PHA, owner, or housing provider will decide whether or not to grant your reasonable accommodation request.
4. **The “Interactive” process:**

²³⁶ Joint Statement of the Dep’t of Hous. & Urban Dev. and the Department of Justice, Reasonable Accommodations Under the Fair Housing Act, question 6 (May 17, 2004).

²³⁷ See *U.S. Airways v. Barnett*, 535 U.S. 391, 397 (2002).

²³⁸ Joint Statement of the Dep’t of Hous. & Urban Dev. and the Dep’t of Justice, Reasonable Accommodations Under the Fair Housing Act (May 17, 2004).

²³⁹ See National Housing Law Project, Reasonable Accommodation in Federally Assisted Housing, <https://nhlp.org/files/New%20Orleans%20Reasonable%20Accommodation2.pdf>; see also Jennifer L. Dolak, Note, The FHAA’s Reasonable Accommodation & Direct Threat Provisions as Applied to Disabled Individuals Who Become Disruptive, Abusive, or Destructive in Their Housing Environment, 36 IND. L. REV. 759, 762–67 (2003).

²⁴⁰ See National Housing Law Project, Reasonable Accommodation in Federally Assisted Housing, <http://www.fairhousingnc.org/wp-content/uploads/2014/10/NHLP-Reasonable-Accommodation-Outline-Current-10-2012.pdf>.

²⁴¹ DEP’T OF HOUS. & URBAN DEV., Handbook 4350.3: Occupancy Requirements Of Subsidized Multifamily Housing Programs, REV-1, CHG-3, 2-39; see also National Housing Law Project, Reasonable Accommodation in Federally Assisted Housing, <http://www.fairhousingnc.org/wp-content/uploads/2014/10/NHLP-Reasonable-Accommodation-Outline-Current-10-2012.pdf>.

²⁴² DEP’T OF HOUS. & URBAN DEV., Handbook 4350.3: Occupancy Requirements Of Subsidized Multifamily Housing Programs, REV-1, CHG-3, 2-39; see also National Housing Law Project, Reasonable Accommodation in Federally Assisted Housing, <http://www.fairhousingnc.org/wp-content/uploads/2014/10/NHLP-Reasonable-Accommodation-Outline-Current-10-2012.pdf>.

- If the PHA, owner, or housing provider refuses to grant you a reasonable accommodation, you should try to engage them in an informal “interactive process” in which you discuss alternative solutions that might meet both of your needs. HUD guidelines encourage you to try this informal route first, before starting the formal grievance procedure, because it is more flexible and often leads to quicker resolutions.²⁴³
- If after the “interactive process,” the PHA, owner, or housing provider still refuses to grant you a reasonable accommodation, you may have to file a formal complaint with HUD or your state fair housing rights agency.²⁴⁴

HOW CAN I CHALLENGE MY DENIAL FOR A REASONABLE ACCOMMODATION?

OPTION 1: YOU CAN FILE A COMPLAINT. If you believe that a PHA, owner, or housing provider denied your request for a reasonable accommodation due to your disability and/or your past drug use, you may file a complaint with HUD (federal housing protection agency) or your state housing protection agency. After you file a complaint, if HUD or your state housing agency determines that you were discriminated against (they find your complaint has “merit”), then HUD or your state housing agency will file a civil lawsuit against the PHA, owner, or housing provider on your behalf.

OPTION 2: YOU CAN TRY TO SUE IN COURT. To sue a housing provider under the federal Fair Housing Act (FHA, 42 U.S.C. § 3601, et seq.) you must show that your status as an individual with a disability or drug history was a *motivating factor* in the owner’s or PHA’s decision to deny your reasonable accommodation request.²⁴⁵ You must also provide sufficient evidence that the requested accommodation is reasonable, and that you are a former/ recovering substance user (and not a current substance user), or that you are receiving treatment for your mental illness.²⁴⁶

WHAT IS THE PHA, OWNER, OR LANDLORD LIKELY TO ARGUE TO DEFEND THEIR DECISION TO DENY MY REASONABLE ACCOMMODATION?

The PHA or owner will likely argue that you do not have a protected disability.

They might argue that you are a “current user” of illegal drugs or substances, and therefore you are not disabled under the law, OR that you have not sought adequate treatment for your mental illness, and therefore are not disabled under the law.²⁴⁷

If you go to court, you can attempt to disprove these arguments by providing *treatment records* establishing that you have not used illegal substances for the relevant period of time, or that you receive treatment for your mental illness.²⁴⁸ Your argument will be even stronger if you can provide evidence of your participation in or completion of a drug/substance abuse treatment program, or proof that you receive treatment for your mental illness.

²⁴³ DEP’T OF HOUS. & URBAN DEV., Handbook 4350.3: Occupancy Requirements Of Subsidized Multifamily Housing Programs, REV-1, CHG-3, 2-39; see also National Housing Law Project, Reasonable Accommodation in Federally Assisted Housing, <http://www.fairhousingnc.org/wp-content/uploads/2014/10/NHLP-Reasonable-Accommodation-Outline-Current-10-2012.pdf>.

²⁴⁴ Reasonable Accommodations under the Fair Housing Act, U.S. Dep’t of Just., http://www.justice.gov/crt/about/hce/jointstatement_ra.php.

²⁴⁵ See *Head v. Glacier Northwest Inc.*, 413 F.3d 1053 (9th Cir. 2005) (holding that the ADA outlaws adverse employment decisions motivated, even in part, by animus based on a plaintiff’s disability or request for an accommodation); *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 265 (1977); see also *United States v. S. Mgmt. Corp.*, 955 F.2d 914, 916 (4th Cir. 1992) (finding a private apartment complex to have violated the FHA by refusing to rent units to a community drug and alcohol rehabilitation board for its participants who had remained drug-free for one year); *Campbell v. Minneapolis Pub. Hous. Auth.*, 168 F.3d 1069 (8th Cir. 1999) (remanding a matter in which the local PHA had rejected a former substance abuser’s application to public housing because of insufficient evidence). *Campbell* demonstrates the importance of housing applicants providing documentation that he or she is a recovering substance user, not a current substance user.

²⁴⁶ 42 U.S.C. § 3602(h)(3).

²⁴⁷ See *Campbell v. Minneapolis Pub. Hous. Auth.*, 168 F.3d 1069 (8th Cir. 1999) (“The MPHA indicated it was denying [Campbell’s] application for the following reasons: . . . you have recently used illicit drugs and have a problem with alcohol.”).

²⁴⁸ See *United States v. S. Mgmt. Corp.*, 955 F.2d 914, 916 (4th Cir. 1992) (finding a private apartment complex to have violated the FHA by refusing to rent units to a community drug and alcohol rehabilitation board for its participants who had remained drug-free for one year).

APPENDIX C

Housing Owners’/Landlords’ Access to Credit Reports

WHAT IS A CREDIT REPORT?

Your *credit report* includes information about creditworthiness, such as your record of paying bills on time. A credit report will show information dating back seven years (or 10 years in the case of a bankruptcy), including the following:

- history of paying bills and loans on time or record of late payments;
- open accounts and level of indebtedness;
- collection actions;
- bankruptcies or tax liens; and
- civil court judgments, including housing-related court actions filed by a previous landlord that may or may not have led to a past eviction.

HOWEVER, a credit report does NOT include criminal history information like a tenant report would.

WHO CAN ACCESS MY CREDIT REPORT?

In general, anyone who is evaluating your ability to pay for housing can usually order your credit report. That means that private owners, PHAs, AND owners of government-assisted housing can order a credit report to see if you have good credit and will be a reliable tenant.

DOES MY CONSISTENTLY PAYING RENT ON TIME IN THE PAST HELP MY CREDIT STANDING?

Maybe, but most likely not. The companies that collect information about your credit standing are only just beginning to collect this information in a systematized way.

A credit report will show whether or not you’ve ever been evicted, your ability to pay credit card bills, utility bills, and other bills on time, and any success you’ve had paying back loans.²⁴⁹

CAN SOMEONE FIND OUT ABOUT PAST LATE PAYMENTS ON RENT FROM A CREDIT REPORT?

Maybe. Generally, late rent payments are not a part of your credit history unless the landlord or management company is reporting them. If the matter was referred to a collection agency or a civil court (like an eviction case started against you), it is possible it would show up on your credit report.

HELPFUL HINT:

If you are looking for a rental, it is best to check your credit reports before the PHA or owner does—so you know what they will find. You can go online and order FREE credit reports from the three national credit bureaus: Experian, TransUnion, and Equifax. If there’s an error, it’s a good idea to file a dispute with the bureau rather than try to explain it at the last minute.

²⁴⁹ Consumer Financial Protection Bureau, What is a Credit Report?, <http://www.consumerfinance.gov/askcfpb/309/what-is-a-credit-report.html>.

APPENDIX D

Rural Development (RD) Grievance Procedures

The grievance procedures for Rural Development (RD) housing are different from most other government-assisted housing programs. Here is an overview of how it works if you live in RD housing:

- When a grievance is filed, regulations require the owner of the multifamily property (or owner's representative) to offer to meet informally with the denied applicant within 10 calendar days to resolve the grievance.
- If the informal meeting fails to resolve the issue, the owner must file a report summarizing the problem to USDA and the applicant.
- The applicant (you) may submit a summary of the problem to USDA.
- After you get a summary of the problem, you must file a written request for an informal review hearing within 10 calendar days.
- After you request the informal review hearing, a hearing panel will be selected.
- You and the owner of the multifamily property may agree on a hearing officer, or you may each appoint one member of a 3-person panel, and those two hearing officers choose the third officer. If you and the owner *cannot agree within 30 days* on the two hearing officers, USDA will give you notice and appoint a person to act as the sole hearing officer.
- A USDA-approved 'Standing Hearing Panel' can also hear all grievances related to a particular development, where at least one member of the standing hearing panel must be selected by the residents at a formal resident meeting called to select hearing panel members.
- After the hearing panel is selected, the hearing will be scheduled within 15 days.

Chapter 5

Employment

Chapter 5 focuses on getting employment after release. This information will help you prepare to reenter the workforce and will guide you through the job application process.

You will also learn about your rights when an employer runs a background check on you, how and when an employer may consider your criminal record, and how to protect your employment rights.

Finally, this chapter has some important information about applying for a professional or occupational license and alternatives to traditional employment, like starting your own business.

DISCLAIMER

YOUR RESPONSIBILITY WHEN USING THIS GUIDE: When putting together this guide, #cut50 and Root & Rebound did our best to give you useful and accurate information. However, the laws change frequently and have different interpretations. We do not have the resources to make changes to this informational material every time the law changes. If you use information from this guide, it is your responsibility to make sure that the law has not changed and applies to your particular situation. If you are incarcerated, most of the materials you need should be available in your institution's law library. The guide is not intending to give legal advice, but rather general legal information. No attorney-client relationship is created by using any information in this guide. You should always consult your own attorney if you need legal advice specific to your situation.

Chapter 5: Table of Contents

Employment

WHAT WILL I LEARN?

In this chapter, you will learn about:

- Your rights throughout the job search process
- How to prepare for the job market
- How to make the best impression on employers
- What to do if an employer or background check company violates your rights
- How to maximize your opportunities of finding the right job for you

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KEY TERMS IN THE EMPLOYMENT CHAPTER

Before we discuss the laws that will affect you as you reenter the job market, let's review a few key terms.

Criminal Record: This is the general term we use for all the information about your criminal history. Your “criminal record” includes arrests, charges against you, convictions, pleas, acquittals, dismissals, sentences, and any other time your contact with law enforcement was documented.

RAP Sheet: A RAP sheet (Record of Arrest and Prosecution) is the government's official version of your criminal record. It lists every contact you've had with the criminal justice system, including arrests, convictions, acquittals, dismissals, and sentences.²⁵⁰ If you've been arrested or convicted of a crime, you could have three different RAP sheets:

- **FBI RAP sheet**—all your contact with the criminal justice system from anywhere in the U.S. (so if you have arrests or convictions in more than one state, all of these should show up on your FBI RAP sheet).²⁵¹
- **County RAP sheet**—all of your criminal justice contact in a single county (so if you have arrests or convictions in more than one county, you will have a separate RAP sheet for each county).
- **State RAP sheet**—all your contact with the criminal justice system across any county in the state.

Background Check: This is the process of looking up information about someone's past activities—their criminal records, finances and credit, or other personal information—through public records, Internet searches, or interviewing people you know. When you apply for a job, the employer is allowed to pay an outside company to run a background check on you — but only AFTER they have you given written permission to perform the check.²⁵² Some states impose tougher standards.

Rehabilitative Evidence: Evidence of the steps you've taken to improve your life since the time of your criminal conviction or conduct. Some examples include: letters of support from former employers or others, certificates or diplomas for education or training programs you've completed, letters or certificates for completing alcohol/drug treatment programs, and letters or certificates of completion for rehabilitation programs.

Professional or Occupational License: A license that you need to get from your state in order to work in certain jobs. Licensing requirements will be different depending on the state. Some examples of professions that can require a professional or occupational license can include: security guards, nurses, doctors, lawyers, barbers, cosmetologists, and others. Depending on the type of job and industry, professional and occupational licenses are given and regulated by various licensing boards, bureaus, and agencies.

Consumer Report: This is the technical, legal name of the document that is produced when an employer (or anyone else) runs a background check on you (produced by private companies called “Consumer Reporting Agencies”—see next definition). Since “consumer report” is the technical term, but not used by most, this chapter uses the layperson term “background check reports.”

If there's a mistake in your background check, tell the employer, explain the mistake, and provide any documentation or information that clarifies the mistake. If the error is in a report that came from a credit reporting agency, contact the source and tell them what the error is. You can get your free credit report online by visiting www.annualcreditreport.com or calling 1-877-322-8228. It is free to communicate with the credit reporting agency and fix errors in your credit report; you don't have to buy any of their products.²⁵³

Reporting Agency: This is a company that investigates and produces background check reports.²⁵⁴ They're also called Consumer Reporting Agencies (federal law) and Investigative Consumer Reporting Agencies (state law), but this chapter uses the layperson term “background check companies.”

²⁵⁰ U.S. Dep't Justice v. Reporters Comm., 489 U.S. 749, 749 (1989).

²⁵¹ 28 C.F.R. § 16.31;

²⁵² Background Checks: What Employers Need to Know, U.S. Equal Employment Opportunity Commission, https://www.eeoc.gov/eeoc/publications/background_checks_employers.cfm

²⁵³ Background Checks: What Employers Need to Know, U.S. Equal Employment Opportunity Commission, https://www.eeoc.gov/eeoc/publications/background_checks_employers.cfm

²⁵⁴ 15 U.S.C. § 1681a(p).

I. LOOKING FOR WORK

WHAT WILL I LEARN?

- What to expect as a job applicant with a record
- The basic documents you need to apply for most jobs
- How to prepare for questions about your conviction record
- How to improve your resume
- Basic information on cleaning up your record
- How to target your job search to find a job right for you
- The types of jobs that commonly have barriers for people with criminal records
- Options for work beyond traditional employment—like starting your own business
- Important information about filling out job applications
- How to succeed in job interviews and present your best self to employers
- Special benefits that are available to employers who hire people with criminal records

People with criminal convictions can and do get jobs—it happens every day! They are employed in the workforce at all levels, from entry-level jobs to executive positions. You may (or may not) have to work a little harder to get a job, but it can and will happen. Remember the 3 “P”s—be Persistent, be Professional, and keep a Positive attitude.

PREPARING TO ENTER THE JOB MARKET

This section goes over what you can expect from today’s job market, the things you need to do before you can hold any job, and your rights during the job application process. To find employment resources and workforce developments groups near you, go to the Resource Directory on [p. 141](#).

WHAT CAN I EXPECT AS A JOB APPLICANT WITH A CRIMINAL RECORD?

Finding a job can be competitive and overwhelming. When you have a record, so many people have probably told you that you cannot find a job, that no one will hire you, and other negative comments and warnings. Although it may be a tough process, finding a job *is possible* if you give it time and effort and get support!

As a job applicant with a criminal record, you do have LEGAL RIGHTS. Under federal law, employers cannot reject everyone with a criminal record for that reason alone, and they cannot see and consider everything.²⁵⁵ Plus, your state law might have even more protections.

It is important to get organized and learn about your options. This section will help you understand the unique rights that you have as a job applicant with a criminal record and how to exercise those rights during your job search.

HOW WILL MY CRIMINAL RECORD AFFECT MY JOB PROSPECTS?

Unfortunately, if you have a criminal record, it may be harder to get hired, paid, and promoted fairly. But you are not alone—in the United States, roughly 65 million residents, or one in three adults, have an arrest or conviction record.²⁵⁶

Having a record does not mean you are unqualified for the job. If you take steps to understand your rights, and develop an action plan to overcome the barriers, **you can get a job that is right for you.**

Employers often run background checks on job applicants – and sometimes on current employees. In order to be prepared for this, you will want to:

1. Gain strategies for how to present your skills, achievements, and personal background; and
2. Know your legal rights in the job application process.

WHAT DOCUMENTS DO I NEED BEFORE I APPLY FOR ANY JOB?

1. **First—You will need official ID.**

Before applying for most jobs, you will need to get an official government-issued photo ID. There is detailed information about getting ID in Chapter 2, beginning on [p. 6](#). In most cases, you will need to give a copy of the following to your employer when you start: (1) Either state ID/Driver’s License (see [p. 19](#)) or Passport (see [p. 24](#)), AND (2) Either your Social Security Card ([p. 15](#)) or Birth Certificate ([p. 12](#)).

FIND A TRUSTED PERSON

Find a trusted person and/or other local resources to help you prepare for the job search, navigate any record-related barriers, and find the right job for you!

²⁵⁵ Federal Trade Commission and Equal Employment Opportunity Commission, Background Checks: What Employers Need to Know, <https://www.ftc.gov/system/files/documents/plain-language/pdf-0142-background-checks-what-employers-need-know.pdf>

²⁵⁶ The Sentencing Project, Poverty and Opportunity Profile: Americans with Criminal Records, <https://www.sentencingproject.org/wp-content/uploads/2015/11/Americans-with-Criminal-Records-Poverty-and-Opportunity-Profile.pdf>.

You will need ID when you start a new job so that you can complete the U.S. Citizenship and Immigration Services (USCIS) Form I-9, which all employees in the United States must fill out. Form I-9 proves you are legally allowed to work in the country. Your employer should give you this form to fill out.²⁵⁷ More information about Form I-9 is available online here: <https://www.uscis.gov/i-9>

Please note that an employer cannot keep your documents, but may make a photocopy of them for your employment file.²⁵⁸

2. **Second—You may want to order a copy of your criminal record to see what is on it, and clean up anything that you can.**

You may want to get copies of your criminal records JUST FOR YOUR OWN REVIEW—not to provide to a potential employer—so that you know what might show up on a background check for employment. If you live in a state where employers can still ask about your record on a job application, it can also help you to answer that question accurately. See the text box on p. 98 for information about “Ban the Box” state and local laws, which have been adopted in many states across the country and give additional protections for job applicants with records.

If there are mistakes in your criminal record, or if you are able to clean up anything on your record (for example, expunge or seal certain convictions), it is a good idea to talk to a legal aid lawyer about how to do this. You can find a legal services organization near you by visiting the website www.LawHelp.org. To learn about record-cleaning options available in your state, visit the Clean Slate Clearinghouse website at: <https://cleanslateclearinghouse.org/states/>. Another online source of state-specific record-cleaning information is the Collateral Consequences Resource Center: <http://ccresourcecenter.org/resources-2/state-specific-resources/>

By submitting fingerprints and paying a fee to the Federal Bureau of Investigation (FBI), the FBI can provide you with an **Identity History Summary**—often referred to as a “criminal history record” or a “RAP sheet.” This report will have any and all information the FBI has about your history of arrests and convictions—and may also include information about your history of employment, naturalization (if you became a U.S. citizen after moving to the United States from another country), or U.S. military service.²⁵⁹

With a copy of your criminal record in hand, you can also schedule an appointment with a legal services provider in your area that provides help with expungements.

The Council of State Governments (CSG), a national organization, has a clean slate online clearinghouse that sets out resources in all 50 states.²⁶⁰

WHAT DOES “CLEANING UP” MEAN FOR YOUR CRIMINAL RECORD?

In this chapter, when we say “clean up,” it can mean 1) fixing MISTAKES in your background check report as well as 2) figuring out if there are any avenues in the law to hide or seal some of the information on your criminal record.

WHAT IF I CAN’T PAY THE \$18 TO REQUEST AN IDENTITY HISTORY SUMMARY CHECK?

If you are unable to pay the \$18 fee, your request for a waiver of the fee must include a claim and proof of **indigence**, such as a notarized affidavit of indigence (meaning a signed and notarized statement from you that you are low-income and cannot afford the fee). See p. 12 for information about how to get a document notarized.

If you are submitting your request electronically, you will need to contact (304) 625-5590 or identity@fbi.gov to receive instructions for requesting a waiver for the fee prior to submitting your request.



IMPORTANT PROTECTIONS FOR YOU & YOUR RECORD: Some of the information you will find on yourself will be things that employers CANNOT SEE, ASK ABOUT, or CONSIDER when you apply for a job. But it is good to know what information is out there, just to be aware of what employers might find and to know how to respond if illegal information shows up in a background check. For more information on what criminal record information an employer can and cannot see, ask about, or consider, see p. 101.

HOW CAN I PREPARE FOR EMPLOYERS’ QUESTIONS ABOUT MY CRIMINAL RECORD?

1. **First—Know about everything that shows up on your official criminal record.**

Knowing absolutely everything about your criminal record means that you know not only what is on your record, but also what is NOT on your record. You should be aware of all arrests, convictions, dismissals, and sentences that are currently part of your record, AND you should also know about any information that has been dismissed, expunged, sealed, removed, or corrected.

Once you know what is on your record, and what is NOT on your record anymore, you will know how to answer questions in the job search about your history. Again, we also strongly suggest talking to a legal services lawyer who can advise you about what you do and do not have to report about your record, and when it will come up in the hiring process—which all depends on which state you live in and what type of job you are applying to! Find a legal services organization near you by visiting the website www.LawHelp.org.

²⁵⁷ U.S. Citizenship and Immigration Services, I-9 Employment Eligibility Verification Form, <https://www.uscis.gov/i-9>.

²⁵⁸ Adapted from Texas Community Building with Attorney Resources, *Locked Out: A Texas Legal Guide to Reentry* (2012).

²⁵⁹ Federal Bureau of Investigation, Identity History Summary Checks, <https://www.fbi.gov/services/cjis/identity-history-summary-checks>.

²⁶⁰ Clean Slate Clearinghouse, Learn About Your State, <https://cleanslateclearinghouse.org/states/>.

2. **Second—Know what employers could find out about you.**

To know what information an employer could find out about you, you will need to do research on yourself! Researching yourself will let you see anything that the public can easily find, especially on the Internet (for example, by searching for yourself on Google, Facebook, Twitter, or Instagram).

Once you know what employers are going to see, you can better prepare to answer their questions about your history and address any of their concerns. You can also correct any mistakes, and ensure that background check companies are not *illegally* providing information to the employers that they should not be reporting.

Here are some suggestions for how to do research on yourself:

- **Look online** – The best place to start is online. (If you don't feel comfortable using a computer or the Internet, ask a trusted person—like a case manager, counselor, or friend—to help you.) Search for your name on www.google.com to see what shows up. If you control any of the information (such as a public Facebook profile), remember that employers often do searches for this type of information before making hiring decisions. If there is negative or untrue information in search results that are not under your control, you (or a trusted person) can send an email to the person who posted the information or the website owner and politely ask them to remove it. Unfortunately, there is no guarantee that they will do so, and it could require a lawsuit to get the information removed. If the person running the website won't remove the information, you may want to get the advice of a lawyer. You can find a legal services organization near you by visiting the website LawHelp.org
- **Call your references** – When you apply for a job, the new employer and/or background check company may contact your past employer(s), people you list as references, and/or other people who know you (like a landlord, neighbor, or teacher) to find out about your work history or other information. An important way to research yourself is to call some of these people (or have a trusted person call for you), tell them you are applying for a job, and find out what they would say about you if you were to list them as a reference. This way you know beforehand if someone is likely to say something negative about you, and you can be sure NOT to list them as a reference on the job application. For more information on listing references, see [p. 96](#).
- **Get copies of your criminal records** – Getting copies of your official and unofficial criminal records can help you learn about and prepare for what an employer might see when they run an in-house background check or pay a third-party company to run a background check on you.

3. **Know what employers CAN and CANNOT consider about your criminal record.**

Knowing your employment rights means knowing what employers can and cannot consider about your criminal record in deciding whether to hire you—and it also means knowing what action steps you can take to protect your rights. See [p. 101](#) to learn more about your rights and how to protect them. In the meantime, below is a summary of what employers can and cannot consider about your criminal record.

4. **Present yourself in the best way possible.**

Presenting yourself in the best way possible means doing what you can to reduce any negative impressions that your criminal record may cause. This might include addressing your past during job interviews and talking about your rehabilitation efforts and all the changes you have gone through; obtaining proof of rehabilitation, where possible (see definition of rehabilitative evidence on [p. 90](#)); making thoughtful decisions about what jobs you apply for (see [p. 95](#)); and cleaning up your record, where it is possible (see [p. 94](#)).

HOW TO PRESENT YOUR BEST SELF

HOW DO I PRESENT MY BEST SELF TO AN EMPLOYER?

While you can't control everything about the job search, there are MANY steps you can and should take to improve your chances of being hired for the job you want—whether that means trying to clean up your record, finishing school, or learning new skills and getting more experience. This section will explain what you can do *before* you begin applying for jobs, *throughout* your job search, and *during* your application process, to help improve your chances of being hired.

- **BEFORE YOU APPLY:** 1) Beef up your resume before any new job application, 2) Clean up your record, and 3) Edit any online profiles of yourself that are under your control and that show up in public search results.
- **THROUGHOUT THE JOB SEARCH:** Target your job search for jobs that are an appropriate fit for you. It may be useful to discuss targeting your job search with a counselor at a job center, such as an office of America's Job Center or any workforce aid center.
- **WHILE APPLYING FOR JOBS:**
 - Ace the job application
 - Practice the interview
 - Interview well, and
 - Understand and explain the benefits to the employer

TATTOO REMOVAL

My visible tattoos are preventing me from obtaining employment and moving on with my life after incarceration. I'd like them removed. Is there anyone who can help?

Yes. If you are interested in removing your tattoos, there are organizations in some states that offer free or low-cost tattoo removal for people who are having trouble obtaining employment due to visible tattoos, particularly if they are gang-related tattoos. Upon your release, you can search for more organizations that provide these services on Jails to Jobs' website at: <http://jailstojobs.org/wordpress/tattoo-removal>.

Beef up your resume.

HOW CAN I BUILD UP MY RESUME?

1. Volunteer. Volunteering is a great way to learn new skills, gain solid references, find out about local job opportunities, and show potential employers that you are dedicated and responsible. Although it is usually unpaid, it strengthens your application, shows good character, and offers work experiences you can talk about in your job search. Make sure you record your volunteer experiences in your job application materials. Describe what you have done. Explain how you have contributed to the organization.

2. Go back to school. Going back to school to get your GED or advanced college or professional degree shows that you are responsible, focused, and driven—all qualities that employers look for when hiring. As a practical matter, going back to school can offer you training to expand your skillset and qualify you for more jobs.

3. Participate in a reentry program. Employers will be impressed if you are proactive and take steps to grow and learn from challenging past situations. Reentry programs in your local area may be able to help you in your job search, and support you in your transition. To find out about reentry programs or other employment opportunities, we recommend that you attend local reentry fairs and/or talk to people (in prison or jail or outside) who might know about these programs. Ask your counselor or case manager, parole or probation officer, mentor or sponsor, or others for recommendations. A national resource is the National Reentry Resource Center.²⁶¹

4. Participate in workforce development (job readiness) programs. Many organizations have workforce development or job readiness programs for people with criminal records or other employment barriers. These programs help you to search for jobs, improve your job skills, and prepare for job applications and interviews. They provide services like job counseling, job training, resume writing, interview coaching, and sometimes job placement and referrals.

Even if there are no job readiness programs for people in reentry in your area, look for similar services. Sometimes the only workforce development program near you will be an America's Job Center, which is run by the government. If the America's Job Center is your only option, take advantage of the case managers and other programs there. If there are other workforce programs available in your area, try those first, as they often provide more individual attention and help. For a list of workforce development programs go to The American Job Centers.²⁶², or call 2-1-1 for local referrals.

HELPFUL HINT

What are American Job Centers?

American Job Centers are a network of thousands of federally funded job readiness centers located across the U.S. Their system is coordinated by the Employment and Training Administration (ETA), which is within the Department of Labor.²⁶³ American Job Centers provide FREE services and resources to people looking for work, including: job counseling to figure out what jobs are right for you; free access to phones, fax machines, computers, and Internet; job search and resume writing workshops; community resources and referrals for training; and job fairs. To locate a job center near you, turn to the Resource Directory on p. 141 or visit the following website and click on "Find Local Help": careeronestop.org

Clean up your record.

CAN I CLEAN UP MY RECORD?

Maybe. You may be able to clean up or lessen the impact of your criminal record. Check with the courts in the jurisdiction where you were convicted to get specific information about whether your convictions may be expunged. Record-cleaning is not usually available for federal convictions, but you may be able to clean your record for older convictions such as convictions from state courts. The Clean Slate Clearinghouse provides people with criminal records with information on record-cleaning laws in all U.S. states.²⁶⁴ Visit the Clean Slate Clearinghouse website at: <https://cleanslateclearinghouse.org/>

Different organizations may offer "clean slate" services in your area, such as: Public Defenders offices; "Reentry," "Clean Slate," "Expungement," or "Second Chance" clinics; and some civil legal aid organizations. For more information expungement services in your area, see the list of legal aid providers at the Clean Slate Clearinghouse.²⁶⁵ You can also go to www.LawHelp.org to search for legal service organizations near you.

VOLUNTEERING

Consider volunteering with local religious or community organizations, and plan to stick around for at least six months. The length of time you remain dedicated to the organization is more important than the amount of time you spend volunteering during a particular day or week. Your volunteer work can help to calm an employer's concerns about your past, and strong references can go a very long way in helping to secure a future paying position.

TALK TO YOUR TRUSTED PERSON

Talk to your trusted person or someone at a workforce development program to see what school, work, and volunteer opportunities are available in your area, and for other ideas about how to build your resume and gain new skills.

²⁶¹ The National Reentry Resource Center, <http://csqjusticecenter.org/nrrc>; Reentry Services Directory, <https://csqjusticecenter.org/nrrc/reentry-services-directory/>.

²⁶² Career One Stop, U.S. Department of Labor, <https://www.careeronestop.org/localhelp/americanjobcenters/find-american-job-centers.aspx>.

²⁶³ American Job Centers, <https://www.dol.gov/general/topic/training/onestop>.

²⁶⁴ Clean Slate Clearinghouse, <https://cleanslateclearinghouse.org/>.

²⁶⁵ Equal Employment Opportunity Commission, Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964, https://www.eeoc.gov/laws/guidance/upload/arrest_conviction.pdf.

WHAT SHOULD I SAY IN A JOB INTERVIEW OR WRITE ON A JOB APPLICATION FORM IF MY CRIMINAL RECORD HAS BEEN EXPUNGED?

The right way to talk about a conviction that has been expunged from your record will be different depending on the state laws in the state where you are living. To find out about expungement and record-cleaning laws in your state, go to the Clean Slate Clearinghouse web page “Learn About Your State”:
<https://cleanslateclearinghouse.org/states/>

Target your job search.

HOW DO I TARGET MY JOB SEARCH AND FIND THE BEST FIT?

1. **Consider the type of job you’re applying for.**

Employers will be more concerned if the job position you are applying for requires you to do work that directly relates to your past convictions. For example, if you’ve been convicted of theft, this may concern an employer who is looking to hire someone to become a manager or cashier at a store. If you can proactively point out that the circumstances of your crime—including the seriousness of the offense and the length of time since it occurred—won’t affect your ability to do the job, an employer is more likely to feel you will be an honest and truthful worker. Also, there may be some types of jobs or occupational licenses that you can’t hold by law, based on your conviction. To research occupational licensing requirements in your state and the effect of a criminal record on them, visit the National Inventory of Collateral Consequences of Conviction website here:
<https://niccc.csgjusticecenter.org/>

2. **Consider the type of employer you’re applying to.**

Consider the type, size, and management style of the company to which you are applying. Employers are legally required to do an individualized assessment of how your conviction relates to the position. In these assessments, employers must examine if your conviction history would have a direct impact on your performance in a given job. They will look at things like the specific crime, the amount of time that has elapsed, and the nature of the job.²⁶⁶

ARE THERE CERTAIN TYPES OF JOBS I CAN’T HAVE BECAUSE OF MY CRIMINAL RECORD?

It’s possible. Before applying for work or going back to school in a particular job field, you should research if that job has any rules or restrictions that could prevent you from working in that position. Some jobs will consider *certain convictions for a certain period of time*, but it is illegal for employers to deny *everyone with a criminal record*. Instead, employers should be doing an individualized assessment—meaning a case-by-case review of people’s convictions, how they relate to the job duties, the time that has passed, and any other **rehabilitative evidence** that you present.



IMPORTANT: Most jobs do NOT have legal restrictions. The information here isn’t meant to discourage you, but to help you prepare and find the job that’s right for you. Even if an employer cannot hire you for one type of job based on your record, they may have other types of jobs available that are a better fit.

Also, certain types of jobs require you to have a **professional or occupational license** from the state, and such licenses have their own rules and restrictions about which convictions will be considered. For more information about occupational license requirements in your state, visit the website for the National Inventory of Collateral Consequences of Conviction: <https://niccc.csgjusticecenter.org/>

Examples of jobs that might have legal restrictions for certain types of convictions: Airport security screeners;²⁶⁷ Law enforcement officers;²⁶⁸ Bank employees;²⁶⁹ Childcare workers in federal facilities or agencies;²⁷⁰ Port workers.²⁷¹

Examples of jobs that might require a professional or occupational license: Barber; Beautician/Cosmetologist; Pharmacist; Nurse; Cemetery / funeral home worker; Real estate agent.

HELPFUL HINT: CONSIDER ALL YOUR JOB OPTIONS

As you are thinking about jobs or looking for work, it can be helpful to think about nontraditional options—alternatives like starting your own business, joining a worker-run cooperative business, or going through a temp agency. You may decide that one of these alternatives is more exciting, more convenient for your schedule and needs, or just a good way to get your foot in the door with an employer. Below are some ideas for earning an income that are different from traditional employment:

- Consider self-employment or become an independent contractor
- Start your own business
- Join a worker-run cooperative business
- Apply to jobs through a temp agency
- Take short-term jobs or temporary positions to get your foot in the door.
- Learn more about these options on [p. 104](#) below.

²⁶⁶ Equal Employment Opportunity Commission, Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964, https://www.eeoc.gov/laws/guidance/upload/arrest_conviction.pdf.

²⁶⁷ 49 U.S.C. § 44935(e)(2)(B).

²⁶⁸ 5 U.S.C. § 7371(b).

²⁶⁹ 12 U.S.C. § 1829.

²⁷⁰ 34 U.S.C. § 20351.

²⁷¹ 46 U.S.C. § 70105.

Ace the job application

HOW CAN I HAVE A SUCCESSFUL JOB APPLICATION?

In the past, applying for a job meant filling out a paper application and handing or mailing it to the employer. Now, most applications are submitted online – but *any* information that you give about yourself may become part of your job application that the employer considers. This includes information you share with the employer or other employees at the company, with a temp agency, at a job fair, at a workforce development center, or with other people or organizations that are involved in your job search process. It can include paperwork you fill out or sign, a questionnaire you complete, information you type in online, documents you hand in, or answers/information that you say in person. Many employers also conduct informal research to look at any publicly available social media accounts, like Facebook and Instagram.

A NOTE ABOUT BAD REFERENCES

References *can* say bad things about you. So, before you list someone, *you should always ask if they are willing to be a reference, and you can ask what they will say about you before you list them.*

HELPFUL HINTS

- 1. List Previous Work Experience, especially if it is RELEVANT to the job.** If an application asks about your previous work experience, **MAKE SURE** you accurately write the dates and wages of your previous employment! The new employer may contact your former employers to check your references and ask about this information. If you can't remember the exact dates you worked or your wages, write down that you are estimating this information, and cannot recall the exact dates or wages. This will show the employer that you are trying to be honest.
- 2. You should list professional references and may also wish to list one personal reference.** When you apply for a job, you will probably have to give a list of **references**—people who know you and can talk about whether you were a good employee or colleague. References could include past employers, a teacher or professor, or someone from a community or faith-based organization you're involved in. The new employer may contact these people to ask about your work history, personality, whether you were a good employee, and other information to help decide if they should hire you.

Be careful who you list as a reference! It is best to call the person beforehand (or have a trusted person call for you) to ask if they will serve as a reference and what they will say about you. If it turns out they say something negative, you will know not to list them after all. You want references to speak to your best qualities as a job candidate.

- 3. Ask your trusted person to review your application!** If you are filling out a paper or online job application, you can ask your trusted person, or someone from a local reentry or workforce development program, to review it before sending it to the employer.

Interview well.

HOW CAN I SUCCEED IN AN INTERVIEW?

Here is a list of the essential steps to prepare for and succeed in an interview with a potential employer. Practice thoughtful answers to each interview question in the comment box to the right.

STEP 1: Ask your own questions.

STEP 2: Practice beforehand!

If possible, you should try to do a practice (“mock”) interview before the real thing with your case manager, social worker, counselor, or even family or friends. Remember, even if you have your answers prepared on paper or in your head, things will sound different when you try to say them out loud! Most interviews will cover common ground with certain interview questions, so it is wise to prepare answers to the most common questions.

STEP 3: Be polite and confident during the interview.

STEP 4: Follow-up after the interview.

COMMON INTERVIEW QUESTIONS

- Tell me about yourself.
- How did you hear about this position?
- Why do you want this job?
- What are your strengths?
- What are your weaknesses?
- What do you know about the company or organization?

ADDITIONAL JOB INTERVIEW RESOURCES AND TIPS

- Wisconsin Job Center: www.wisconsinjobcenter.org/exo/eo_criminal_background.pdf
- Jobs Not Jails: jailstojobs.org/html/interview_tips.html
- EASTBAY Works: [www.eastbayworks.com/alamedacounty/admin/gsipub/htmlarea/uploads/000311-Reentry_Employment_Resource_Lists_\(Complete\)_072908.doc](http://www.eastbayworks.com/alamedacounty/admin/gsipub/htmlarea/uploads/000311-Reentry_Employment_Resource_Lists_(Complete)_072908.doc)
- Connect with a workforce development program that can help counsel and coach you through the job application and interview process. Find out more in the National Resource Directory on [p. 141](#).

If helpful, explain the benefits of hiring people with records to the employer.

If you are speaking with an employer who is on the fence about hiring formerly incarcerated people or people with records, it might help to inform them of the benefits!

For example, there are two government programs that are meant to encourage employers to hire people with criminal records: (1) the Federal Bonding Program and (2) the Work Opportunity Tax Credit (WOTC).

Additionally, many studies show that workers with records are more loyal to their employers, and perform equally well to workers without records (and sometimes better!). To learn more about these studies, you can download and read:

- American Civil Liberties Union (ACLU), *Back to Business: How Hiring Formerly Incarcerated Job Seekers Benefits Your Company*: <https://www.aclu.org/report/back-business-how-hiring-formerly-incarcerated-job-seekers-benefits-your-company>
- Root & Rebound and Twin Cities RISE, *Minnesota Employers' Fair Chance Hiring Guide*: <http://www.rootandrebound.org/minnesota>
- Root & Rebound, *California Employers' Fair Chance Hiring Toolkit*: <http://www.rootandrebound.org/ca-fair-chance-toolkit>

BONDING INSURANCE: WHAT IS IT & HOW CAN IT ENCOURAGE EMPLOYERS TO HIRE ME?

Some employers require their employees to be covered under fidelity bonding insurance, which is a special type of insurance that protects the employer from money or property loss caused by employee dishonesty. If your employer requires fidelity bonding insurance, there are two options: (1) private fidelity bonding insurance, and (2) the **Federal Bonding Program**.²⁷²

(1) Private Bonding Insurance—Many private insurance companies sell fidelity bonding insurance that employers can buy. The insurance will reimburse employers for losses due to things like forgery, theft of money or valuables, or fraud by a company employee. An employer can buy insurance coverage for ALL employees, or for only a few, specific employees.²⁷³ However, if you already have a criminal conviction record, your employer may not be able to get private bonding insurance for you.²⁷⁴ In this case, the employer may be able to get bonding insurance through a special federal government program (see immediately below).

(2) Federal Bonding Program—If you already have a conviction record, your employer may not be able to get private bonding insurance for you. If you are applying for a job with an employer who requires employees to be covered by fidelity bonding insurance, the federal government has a special program to provide **FREE** fidelity bonding insurance for six months to cover eligible employees.²⁷⁵

IMPORTANT: Your employer can only get free federal bonding insurance coverage for the first six months that you work there; after that they would have to purchase this type of insurance directly. If you switch to another job that also requires bonding, you will have to reapply to the Federal Bonding Program, and the government will decide on a case-by-case basis if you can get the free insurance coverage for the new employer.

WORK OPPORTUNITY TAX CREDITS: WHAT ARE THEY & HOW CAN THEY ENCOURAGE EMPLOYERS TO HIRE ME?

Another benefit offered by the government to employers for hiring employees with records is called the **Work Opportunity Tax Credit (WOTC)**.²⁷⁶ The WOTC is a federal tax credit available to employers for hiring job applicants who face significant barriers to employment, including people with felony convictions who are hired within one year after their conviction or release from prison,²⁷⁷ veterans,²⁷⁸ and recipients of certain public benefits.²⁷⁹ (For this reason, be sure to answer truthfully if an employer or job application asks whether you receive public benefits!) The WOTC ranges from \$1,200 to \$9,600, depending on your hours and pay during your first year as an employee.²⁸⁰

²⁷² The Federal Bonding Program: A US Department of Labor Initiative, <https://nicic.gov/federal-bonding-program-us-department-labor-initiative>.

²⁷³ Here are some insurance companies that offer private fidelity bonding insurance for employers:

Cal-Nevada Insurance Agency—<http://www.cal-nevada.com/business-insurance/fidelity-bonds/>

State Farm Insurance—<https://www.statefarm.com/small-business-solutions/insurance/surety-fidelity-bonds>

Nationwide Insurance—<http://www.nationwide.com/crime-insurance.jsp>.

²⁷⁴ See U.S. DEP'T OF LABOR, The Federal Bonding Program: Program Background, <http://www.bonds4jobs.com/program-background.html>.

²⁷⁵ See U.S. DEP'T OF LABOR, The Federal Bonding Program: Program Background, <http://www.bonds4jobs.com/program-background.html>.

²⁷⁶ <https://www.irs.gov/businesses/small-businesses-self-employed/work-opportunity-tax-credit>.

²⁷⁷ 26 U.S.C. § 51(d)(4).

²⁷⁸ 26 U.S.C. § 51(d)(3).

²⁷⁹ 26 U.S.C. § 51(d)(8)ff.

²⁸⁰ See 26 U.S.C. § 51; see also U.S. DEP'T OF LABOR, WOTC Tax Credit Amounts, <http://www.Doleta.Gov/Business/Incentives/Opptax/Benefits.Cfm>. Employers may use the "WOTC Calculator" tool available online at: <http://www.doleta.gov/business/incentives/opptax/wotcEmployers.cfm>.

II. UNDERSTANDING BACKGROUND CHECKS

WHAT WILL I LEARN?

- The three ways employers can learn about your past, and what kinds of information employers CAN and CAN'T consider about you at different points in the hiring process
- What kinds of information employers can ask you about your criminal record
- What your rights are if an employer runs a background check on you through a private background check company
- What your rights are if an employer decides not to hire you based on the results of a private background check
- What your rights are if an employer runs an “in-house” background check on you
- How to correct errors in your “in-house” background check

This section explains your rights when an employer runs a background check on you for a job. It will explain what information an employer *can* and *cannot* see, ask about, and consider about your criminal record; and what information background check companies *can* and *cannot* report about you. It also explains how to fix errors in a background check report and what you can do if your rights are violated.

HOW DO EMPLOYERS LEARN ABOUT MY CRIMINAL RECORD?

There are three main ways an employer can access information about your criminal history:

1. *The employer can ask you about your record directly—through an application or interview.* In states that have passed “Ban the Box” laws, the employer may have to WAIT to ask you about your record or run a background check until *later* in the hiring process—banning the “do you have a conviction” question on the initial application. To find out if your state has stronger laws for job applicants with records, visit the NELP “Ban the Box” information page here: <https://www.nelp.org/publication/ban-the-box-fair-chance-hiring-state-and-local-guide>
2. *The employer can pay a private background check company to run a report on you.* Background check companies are private companies that create background check reports for employers. This is the most common way for an employer to find out information about your past because it is easy, fast, and usually done online.
3. *The employer can do an “in-house” background check where they do their own research.* Some employers might look up your public records, research you online, and call your friends, family members, and former employers to ask about you.

CAN EMPLOYERS ASK ABOUT MY CRIMINAL RECORD?

Yes. Employers can ask about your criminal record or run a background check on you, so long as they follow the law in doing so.

You do have some protections in this process. For example, a federal law known as the Fair Credit Reporting Act (FCRA) has created a set of steps and rules that employers MUST follow if they use a private background check company to run a report on you.²⁸¹ These background checks are also called “*consumer reports*” and the companies that run them are also called “*consumer reporting agencies*.”

Before rejecting you based on information in a consumer report, the employer must give you:

- A written notice that includes a copy of the *consumer report* (the background check report); and
- A document called “**A Summary of Your Rights Under the Fair Credit Reporting Act.**”²⁸²

SOME STATES HAVE STRONGER PROTECTIONS!

Many states and local jurisdictions have adopted stronger employment protections for people with criminal records. These are often called “Ban the Box” or “Fair Chance Hiring” laws. The National Employment Law Project (NELP) reports that 35 states and more than 150 counties and cities have passed such laws.²⁸³ “Ban the Box” laws usually require that an employer consider the qualifications of a job applicant before asking about or considering an arrest or conviction record.²⁸⁴

To find out if your state has stronger laws for job applicants with records, visit the NELP “Ban the Box” information page here: <https://www.nelp.org/publication/ban-the-box-fair-chance-hiring-state-and-local-guide/>

IS THERE ANYTHING AN EMPLOYER CAN'T ASK ABOUT MY CRIMINAL RECORD?

Yes—there are some things that an employer *cannot* ask about on your criminal record. However, these rights usually come from **state and local laws** (not federal law). In other words, under many state and local laws, there are

²⁸¹ 15 U.S.C. § 1681 et seq.; see also Federal Trade Commission, Using Consumer Reports: What Employers Need to Know, <https://www.ftc.gov/tips-advice/business-center/guidance/using-consumer-reports-what-employers-need-know>.

²⁸² Federal Trade Commission, Using Consumer Reports: What Employers Need to Know, <https://www.ftc.gov/tips-advice/business-center/guidance/using-consumer-reports-what-employers-need-know>.

²⁸³ National Employment Law Project, Ban the Box: U.S. Cities, Counties, and States Adopt Fair Hiring Policies, April 19, 2019, <https://www.nelp.org/publication/ban-the-box-fair-chance-hiring-state-and-local-guide/>

²⁸⁴ National Employment Law Project, Ban the Box: U.S. Cities, Counties, and States Adopt Fair Hiring Policies, April 19, 2019, <https://www.nelp.org/publication/ban-the-box-fair-chance-hiring-state-and-local-guide/>

certain parts of your criminal record that employers CANNOT legally ask you about at any time. To learn more about state and local laws that give more protections for job applicants with records, visit the National Employment Law Project (NELP) webpage “Ensuring People with Convictions Have a Fair Chance to Work”:
<https://www.nelp.org/campaign/ensuring-fair-chance-to-work/>

If the employer uses a private company to run a background check on you

CAN AN EMPLOYER USE A PRIVATE COMPANY TO RUN A BACKGROUND CHECK ON ME?

Private background check companies can usually provide background checks (also called consumer reports) to anyone the agency reasonably believes will use the information “for employment purposes.”²⁸⁵

A federal law known as the **Fair Credit Reporting Act (FCRA)** sets the national standard for employment background checks.²⁸⁶ Even in states that have their own laws about how background checks can be used, employers must still follow FCRA because it’s a federal law, which means it applies across every state as a bare minimum. State laws may give *more rights* to workers, but they cannot take away from the basic rights of the FCRA.



If you have questions about your credit history or your consumer rights, contact a local legal service organization. To find a legal service organization near you, go to the Legal Services Corporation’s “Find Legal Aid” page here: <https://www.lsc.gov/what-legal-aid/find-legal-aid>

ARE EMPLOYERS REQUIRED TO RUN A BACKGROUND CHECK ON ME?

Generally, no. Most of the time, the employer is not legally required to run a background check on you, though many still choose to.²⁸⁷ The only **exception** to this rule is if the job involves **unsupervised access to sensitive populations or the handling of sensitive information** (like law enforcement officers,²⁸⁸ airport security screeners,²⁸⁹ security guard positions,²⁹⁰ bank employees,²⁹¹ port workers,²⁹² childcare workers in federal facilities or agencies,²⁹³ certain insurance personnel,²⁹⁴ any personnel involved in administration of an employee benefits plan,²⁹⁵ defense contractors,²⁹⁶ and prisoner transportation personnel).²⁹⁷ For these specialized jobs, a background check is mandatory.

WHAT ARE MY RIGHTS RELATED TO BACKGROUND CHECKS WHEN AN EMPLOYER USES A PRIVATE BACKGROUND CHECK COMPANY?

You have a number of important legal rights related to how an employer can run and use a background check report in making decisions about hiring, firing, promoting, or re-assigning you.²⁹⁸

(Please note: There are different rules that apply if an employer runs a background check on a current employee because the employer suspects the employee of misconduct or wrongdoing.)²⁹⁹

Before an employer runs a background check on you using a private background check company, the employer must do ALL of the following: give you notice, get your written permission (consent) to run the check, inform you of your rights, and offer you a copy of the report, once it is done.³⁰⁰

STEP 1: An employer must give you ADVANCE, WRITTEN NOTICE

An employer must provide you with *advance, written notice* if it intends to hire a private background check company and use information in your background check to make decisions related to your employment. This notice must be given to you in its own separate written document; it cannot be buried in other information and it cannot be simply mentioned verbally in a conversation. The employer must give you the written notice before running the background check.³⁰¹

STEP 2: An employer must get YOUR WRITTEN PERMISSION before they run a background check.

After the employer gives you advance, written notice, *the employer must ask for and get your permission in writing BEFORE* running a background check.³⁰² Usually, there will be a box to check on the job application, asking you for your permission for the employer to do a background check.

²⁸⁵ See 15 U.S.C. § 1681b.

²⁸⁶ 15 U.S.C. §§1681 et seq.

²⁸⁷ 42 U.S.C. § 2000e-2; see also, NELP, Top Ten Best Practices for Fair Chance Policies, at 1-2, http://www.nelp.org/page/-/SCLP/2014/Guides/NELP_Best_Practices_and_Model_Policies.pdf?nocdn=1.

²⁸⁸ 5 U.S.C. § 7371(b).

²⁸⁹ 49 U.S.C. § 44935(e)(2)(B).

²⁹⁰ 34 U.S.C. 41106(a).

²⁹¹ 12 U.S.C. § 1829.

²⁹² 46 U.S.C. § 70105(c).

²⁹³ 42 U.S.C. § 13041(a).

²⁹⁴ 18 U.S.C. § 1033(e).

²⁹⁵ 29 U.S.C. § 1111(a).

²⁹⁶ 10 U.S.C. § 2408(a).

²⁹⁷ 42 U.S.C. § 13726b(b)(1).

²⁹⁸ Equal Employment Opportunity Commission, Background Checks: What Employers Need to Know, https://www.eeoc.gov/eeoc/publications/background_checks_employers.cfm.

²⁹⁹ 15 U.S.C. § 1681; The FCRA specifically excludes from the definition of consumer report "communications made to employers in connection with an investigation of: (i) suspected misconduct relating to employment, and (ii) compliance with federal, state, or local laws and regulations, the rules of a self-regulating organization, or any preexisting written policies of the employer."

³⁰⁰ Equal Employment Opportunity Commission, Background Checks: What Employers Need to Know, https://www.eeoc.gov/eeoc/publications/background_checks_employers.cfm.

³⁰¹ 15 U.S.C. § 1681b(b)(2)(A)(i).

³⁰² 15 U.S.C. § 1681b(b)(2)(A).

“IN-HOUSE” BACKGROUND CHECKS

WHAT IS AN IN-HOUSE BACKGROUND CHECK?

Instead of hiring a *private background check company*, an employer could conduct its own *“in-house” (internal) background check* on you. This means that the employer looks at your public records themselves, as well as considering interviews with former employers, co-workers, or personal references.

In this situation, there are fewer legal protections than when a private company runs the background check.

Regardless of whether the employer does an *in-house background check* OR uses a *private background check company* to run a background check report on you, the employer must treat everyone equally. For example, it’s illegal for an employer to check the background of applicants and employees based on the job applicant’s race, national origin, color, sex, religion, disability, or age (40 or older).³⁰³

Some examples of ways an employer can conduct an in-house background search are:

- Looking at public records, such as criminal convictions and civil judgments.
- Talking to friends, neighbors, former employers, or colleagues about your character, reputation, or living situation.
- Verifying school records—your attendance and any degrees you earned. However, employers cannot see your transcripts (courses and grades) or other school records (e.g., disciplinary records) unless you give written consent.³⁰⁴
- Online searches—like searching for your name on Google, looking at your Facebook page, checking other social networking sites (Twitter, MySpace, etc.).

HOW DOES FEDERAL DISCRIMINATION LAW APPLY TO BACKGROUND CHECKS?

There are two ways in which an employer’s use of criminal history information may violate Title VII.

First, Title VII prohibits employers from treating job applicants with the same criminal records differently because of their race, color, religion, sex, or national origin (“disparate treatment discrimination”).

Second, even where employers apply criminal record exclusions uniformly, the exclusions may still operate to disproportionately and unjustifiably exclude people of a particular race or national origin (“disparate impact discrimination”). If the employer does not show that such an exclusion is “job related and consistent with business necessity” for the position in question, the exclusion is unlawful under Title VII.³⁰⁵

- Refusing to investigate or correct mistakes in your background check;³⁰⁶
- Refusing to give you a copy of the report provided to your employer;³⁰⁷
- Refusing to let you see the information that the background check company used to conduct your background check;³⁰⁸
- Reporting information on someone who has a similar name.³⁰⁹

³⁰³ Equal Employment Opportunity Commission, Background Checks: What Employers Need to Know, https://www.eeoc.gov/eeoc/publications/background_checks_employers.cfm.

³⁰⁴ 20 U.S.C. § 1232g(b)(1).

³⁰⁵ Equal Employment Opportunity Commission, Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964, https://www.eeoc.gov/laws/guidance/arrest_conviction.cfm

³⁰⁶ Equal Employment Opportunity Commission, Background Checks: What Employers Need to Know, https://www.eeoc.gov/eeoc/publications/background_checks_employers.cfm.

³⁰⁷ Notice required by FCRA section 605A(i)(5), to constitute compliance with the FCRA provisions requiring the Summary of Consumer Rights.

³⁰⁸ Notice required by FCRA section 605A(i)(5), to constitute compliance with the FCRA provisions requiring the Summary of Consumer Rights.

³⁰⁹ See, e.g., *Jones v. Halstead Mgmt. Co.*, No. 14-CV-3125 (VEC) (order denying motion to dismiss, Jan. 27, 2015) (SDNY).

III. HOW EMPLOYERS CAN (& CAN'T) USE YOUR CRIMINAL HISTORY

WHAT WILL I LEARN?

- What employers CAN and CAN'T consider about your criminal record
- What laws protect people with criminal records against discrimination
- What you can do if an employer illegally discriminates against you
- How to locate an attorney, government civil agency, or non-profit organization to help you if you think an employer illegally discriminated against you

This section will explain the laws on how employers can (and can't) use your criminal history to make employment decisions, and what you can do if you think an employer has illegally discriminated against you.

In general, federal law says that employers should only consider your criminal history if it directly relates to your ability to do the job, and cannot use your criminal record to discriminate against you based on your race, color, religion, sex, national origin, disability, or age (over 40).

However, there is often a gap between what the law says on paper—about your rights as a job applicant or employee, and about the employer's duties to treat you fairly—and how employers act in real life. It can also be difficult to *prove* that an employer has illegally discriminated against you, which can make it difficult to enforce your rights. Still it is important for you to know what your rights are on paper, and know how to spot illegal discrimination and protect yourself from illegal practices as much as possible.

LEGAL VS. ILLEGAL EMPLOYMENT DISCRIMINATION

KNOW YOUR RIGHTS:

General overview of the law & your rights against illegal discrimination.

- An employer CAN run a background check on you.
- An employer CAN consider some parts of your criminal history and use it to deny you a job—so long as the denial would be allowed under the law.
- An employer CANNOT weigh your conviction history more heavily than another candidate's similar conviction history because of your race, color, religion, sex, or national origin.
- An employer CANNOT deny employment to everyone with a criminal history.
- An employer, however, CAN justify a hiring policy against people with criminal histories if it shows the policy is "job related" and "consistent with business necessity."³¹⁰
- An employer SHOULD evaluate your individual circumstances and consider:
 - Facts and circumstances surrounding your offense;
 - The number of convictions in your history;
 - Your age at the time of conviction / release;
 - If you have held the same type of job, post-conviction, without incidents;
 - Your employment history before and after conviction;
 - Your rehabilitation efforts;
 - Employment or character references and any other information pointing to your fitness for the position; and
 - Whether you are bonded.³¹¹
- An employer SHOULD give you notice that you were denied employment because of your criminal history, and also give you a chance to show that it should make an exception for you based on your individual circumstances.

CAN EMPLOYERS LEGALLY DISCRIMINATE AGAINST ME (SUCH AS NOT HIRING OR FIRING ME) JUST BECAUSE OF MY CRIMINAL RECORD?

Usually, no. While employers can consider convictions that will impact your ability to do the duties of the job safely and adequately, there are civil rights laws that make it illegal for employers to have "blanket bans" on people with criminal records, in particular because of the impact such bans have on racial minorities.

³¹⁰ 42 U.S.C. § 2000e-2(k)(1)(A)(i). Hiring policies excluding people based on criminal history must consider at least three factors in order to be "job related" and "consistent with business necessity:" (1) the nature and gravity of the offense; (2) how much time has passed; and (3) the nature of the job sought. See *Green v. Missouri Pac. R.R.*, 549 F.2d 1158 (8th Cir. 1977).

³¹¹ 42 U.S.C. § 2000e et seq. See also EEOC, Enforcement Guidance on the Consideration of Arrest and Conviction Records in Employment Decisions Under Title VII of the Civil Rights Act of 1964 No. 915.002 (Apr. 25, 2012) (herein EEOC Enforcement Guidance).

A **complete ban (called a “blanket ban”)** on job applicants with records is generally illegal. The employer should consider the individual circumstances of the person applying for the job and the duties of the job itself.³¹² The three factors that the employer should consider are:

- 1. The nature and seriousness of the conviction, AND**
- 2. How much time has passed since the conviction, conduct, or completion of the sentence, AND**
- 3. The nature of the job you’re seeking—including the specific duties and responsibilities of the job.**³¹³

In most cases, it is illegal for an employer to have a complete or “blanket” ban on applicants with criminal records because these kinds of bans cause greater harm to Black and Latino applicants, and other applicants of color.³¹⁴

In order to exclude people with certain types of criminal records, an employer must be able to show that the ban is **“job related”** and **“consistent with business necessity”**—meaning that your conviction affects your ability to do specific duties of the job, and the ban is necessary for the good of the business.³¹⁵

If an employer chooses not to hire individuals based solely on their records, the employer must be able to show that doing so is necessary to ensure safe and efficient job performance for the position in question.³¹⁶ In doing so, an employer must show that they evaluated the applicant’s ability to perform the duties of the job and whether any past conviction(s) would pose an unreasonable risk of harm, based on the specific requirements and responsibilities of the position.³¹⁷



IMPORTANT: REPORTING EMPLOYER VIOLATIONS HELPS NOT ONLY YOU, BUT PEOPLE WHO WILL WORK THERE AFTER YOU. There is often a gap between what employers ARE SUPPOSED to do under law, and what employers ACTUALLY do. The courts are still figuring out how civil rights laws protect people with criminal records in different situations, because many of the cases and issues are still new to them. For this reason, it’s important that you talk to a lawyer and/or contact the appropriate government-run employment protection agency if you think an employer has violated your rights. You won’t just be protecting your own rights—you’ll be standing up for the rights of all people with criminal records to be free from employment discrimination!

KNOW YOUR RIGHTS *What is a protected class?*

Certain groups of people are protected under law because they have historically been discriminated against. For example, the law usually protects people from being treated differently because of their race, sex, national origin, sexual orientation or gender identity, disability status, or age (over 40).

- Under the law, it is illegal to discriminate against someone based on a protected characteristic—each of these groups is called a “protected class.” Although “having a criminal record” is NOT considered a protected class under the law, such discrimination usually has an unfair impact on Black and Latino people, as well as other communities of color.
- Under federal law, it is illegal to discriminate against someone for any of the following reasons: Race, Color, National Origin, Religion, Age, Disability, Sex.

CAN AN EMPLOYER HAVE A HIRING POLICY THAT EXCLUDES APPLICANTS WHO COMMITTED CERTAIN SPECIFIC CRIMES?

Maybe. If an employment policy excludes ALL applicants who committed a certain crime (for example, theft), the employer must show that anyone who committed that crime can’t do the job properly or creates too much risk of harm in the position—regardless of how long ago it happened and any rehabilitation that person has gone through.³¹⁸ As you can see, this could be hard for an employer to prove!

However, if the employer puts more limits on the ban—for example, has a policy that will not hire people convicted of theft in the past two years, it may be more likely to be found legal. Every situation could be different though!

WHAT CAN AN EMPLOYER CONSIDER ABOUT MY CRIMINAL HISTORY?

Under the law, an employer SHOULD evaluate you as an individual, and should consider the circumstances around your crime, as well as any progress and rehabilitation that you have made since the conviction.

³¹² EEOC Enforcement Guidance at § V(B)(9). Note: Employers are not necessarily required to give individualized consideration in all circumstances, but doing so will allow them to consider more complete information about the applicant, and will help them to show that the hiring policy—including the rejections of specific job applicants—is “job related” and “consistent with business necessity.” See 42 U.S.C. § 2000e-2(k)(1)(A)(i).

³¹³ EEOC Enforcement Guidance at § V(B)(6)-(8). The employer should develop a targeted screening process that considers at least the following 3 factors: the nature and seriousness of the crime; time elapsed since the crime; and the nature of the job sought (nature of the duties and essential functions, circumstances under which the job is performed such as level of supervision and amount of authority, and the environment in which the job is performed considering location and context). These factors are discussed at length in *Green v. Missouri Pac. R.R.*, 549 F.2d 1158 (8th Cir. 1975).

³¹⁴ *Green v. Missouri Pac. R.R.*, 523 F.2d 1290, 1298 (8th Cir. 1975).

³¹⁵ EEOC Enforcement Guidance at § V(B); see, e.g., *El v. Se. Penn. Transp. Auth. (SEPTA)*, 479 F.3d 232, 238 (3d Cir. 2007); *Green v. Missouri Pac. R.R.*, 523 F.2d 1290, 1295-99 (8th Cir. 1975); 42 U.S.C. § 2000e-2(k)(1)(A)(i).

³¹⁶ *Dothard v. Rawlinson*, 433 U.S. 321, 331 n.14 (1977).

³¹⁷ *El v. Se. Penn. Transp. Auth. (SEPTA)*, 479 F.3d 232, 244-48 (3d Cir. 2007).

³¹⁸ The employer should validate the exclusion for the position in light of the Uniform Guidelines on Employee Selection Procedures. In other words, it should show data or analysis about criminal conduct as related to subsequent work performance or behaviors that supports the exclusion. EEOC Enforcement Guidance at § V(B)(5); see also *El v. Se. Penn. Transp. Auth. (SEPTA)*, 479 F.3d 232, 244-48 (3d Cir. 2007) (stating that employer’s hiring policy for applicants with criminal convictions must “accurately distinguish between applicants that pose an unacceptable level of risk and those that do not”).

WHAT CAN I DO IF I BELIEVE THAT AN EMPLOYER HAS A COMPLETE BAN ON HIRING PEOPLE WITH RECORDS?

If you believe that there is an illegal ban in place, it is important for you to gather all your job application materials and other (detailed) evidence that support your claim. You can also contact an employment attorney or agency that protects employees from discrimination. To find a legal aid lawyer near you, visit: <https://www.lawhelp.org/>

The following evidence can help you to show that the employer has a policy of rejecting applicants with (certain) criminal records:

- A job posting that says the employer will not hire people with (certain) criminal records;
- A copy of the job application that says the employer will not hire people with (certain) criminal records;
- A copy of the employer's written policy, employee handbook, or other document saying the employer will not hire people with (certain) criminal records;
- Information about other applicants whom the employer has hired or rejected for having a criminal record;
- If the employer has a reputation in the community for not hiring people with (certain) criminal records; and/or
- Comments or statements by the employer at any time about not hiring people with (certain) criminal records—make sure you write those down! Try to write down exactly what the employer said, when, to whom the employer was speaking, what the circumstances were, and who else was there.³¹⁹

³¹⁹ EEOC Enforcement Guidance at § V(A).

IV. ALTERNATIVES TO TRADITIONAL EMPLOYMENT

WHAT WILL I LEARN?

Other ways of earning an income that are different from traditional employment, including:

- Self-employment or starting your own business
- What an independent contractor is and how to become one
- Joining a worker-run cooperative business
- Applying through a temp agency
- Taking short-term or temporary positions to get your foot in the door

Where to look for more information about each of these options.

Throughout your job search, keep in mind that traditional employment is NOT your only option. There are many other ways of working and earning legitimate income—like starting your own business, joining a worker-run cooperative business, or applying through a temp agency—and you may decide that one of these options is better for you.

This section will explain some of the alternatives to traditional employment that you may want to consider:

- Self-employment
- Starting your own business
- Becoming an independent contractor
- Joining a worker-run cooperative
- Applying through a temp agency
- Taking short-term jobs or temporary positions to get your foot in the door

HELPFUL HINT:

Talk to a trusted person, or someone from a local reentry or workforce development program, for other ideas about alternative work opportunities that may be available.

CONSIDER SELF-EMPLOYMENT OR START YOUR OWN BUSINESS

Some people find it more fulfilling and empowering to be their own boss. Self-employment can give you more control over the type of work you do, freedom and flexibility to make your own decisions, and greater responsibility within the workplace. It also gives you more legal and business responsibilities, such as managing money and products, paying taxes, marketing your business, and supervising employees.

Starting and running a successful business requires more than just working. You'll need additional time and effort dedicated to completing administrative and legal tasks that keep you, your customers, and your business happy and safe.

Entrepreneurs have multiple responsibilities to different parties and tend to wear many different hats throughout the course of a typical day. But the more successful business owners know when, and how, to ask for help. Fortunately, federal, state and local governments provide a wide range of resources to help small businesses get off the ground. You are not alone!

There are many resources available for people who want to start a business—good places to start are your local library, the Internet, or classes at a local community college or adult school. Also, many non-profit organizations and government agencies now offer this support.

WHAT RESOURCES EXIST TO HELP ME START MY OWN BUSINESS?

The Small Business Administration (SBA) provides educational resources that can help you set up a business and get a business loan. There are SBA resources online that cover how to plan,³²⁰ launch,³²¹ manage,³²² and grow³²³ a business.³²⁴ The SBA Learning Center provides self-paced online training courses, videos, worksheets, and checklists designed by business development specialists and educators to help entrepreneurs learn about business ownership. Courses provide introductory and intermediate entrepreneurship education on a variety of topics.³²⁵ The Office of Women's Business Ownership supports new entrepreneurs by offering training and counseling to help them start and grow their own businesses.³²⁶ To find local help with small business ownership, visit: <https://www.sba.gov/local-assistance/find/>.

CAN I GET A LOAN TO HELP ME START MY OWN BUSINESS?

Maybe. There are associations and lenders focused on helping people get loans for their businesses. The SBA works with lenders like banks and credit unions to provide loans to small businesses by guaranteeing the loan. To read more about potential lenders, visit the lender match page here: <https://www.sba.gov/funding-programs/loans/lender-match>.

³²⁰Small Business Administration, Write Your Business Plan, <https://www.sba.gov/business-guide/plan-your-business/write-your-business-plan>.

³²¹Small Business Administration, Choose A Business Structure, <https://www.sba.gov/business-guide/launch-your-business/choose-business-structure>.

³²²Small Business Administration, Manage Your Finances, <https://www.sba.gov/business-guide/manage-your-business/manage-your-finances>.

³²³Small Business Administration, Get More Funding, <https://www.sba.gov/business-guide/grow-your-business/get-more-funding>.

³²⁴Small Business Administration, Business Guide, <https://www.sba.gov/business-guide>.

³²⁵Small Business Administration, Learning Center, <https://www.sba.gov/course/>.

³²⁶Small Business Administration, Office of Women's Business Ownership, <https://www.sba.gov/offices/headquarters/wbo>.

WHAT IF I NEED A PROFESSIONAL LICENSE TO OPERATE MY BUSINESS?

An “occupational license” is a license that you need to get from your state in order to work in certain jobs. You may also need an occupational license to start a business. Licensing requirements will be different depending on the state. Some examples of professions that can require a professional or occupational license can include security guards, nurses, doctors, lawyers, barbers, cosmetologists, and others. Depending on the type of job and industry, professional and occupational licenses are given and regulated by various licensing boards, bureaus, and agencies.

To research occupational licensing requirements in your state and the effect of a criminal record on them, visit the National Inventory of Collateral Consequences of Conviction website here: <https://niccc.csgjusticecenter.org/>.

HELPFUL HINT:

Talk to someone from a local reentry or workforce development program for advice about finding a good temp agency and what to expect.

BECOME AN INDEPENDENT CONTRACTOR

Being an independent contractor is a form of self-employment somewhere between being an employee and running your own business. Employers usually hire independent contractors to do specific tasks or short-term jobs—like painting a house, installing plumbing, or doing landscaping work. The job usually ends automatically once the task is finished, although the employer can always hire the independent contractor again for another task.

The BIG difference between independent contractors and employees is that, under the law, independent contractors are self-employed. This means that independent contractors have more control over the work they choose to do. They also have legal responsibilities—like filing self-employment taxes and reporting certain business information to the government—and fewer legal rights in the workplace. On the other hand, employees have more legal rights and protections in the workplace, but the employer gets to control the work they do.

KNOW YOUR RIGHTS: *Am I an independent contractor or employee?* In some cases, an employer may call you an independent contractor, even though you are ACTUALLY an employee. The difference between an employee and an independent contractor is important, because you have more rights (and the employer has more responsibilities) if you are an employee; and you have fewer rights (and the employer has fewer responsibilities) if you are an independent contractor.

Sometimes an employer will get this wrong by accident, but other times an employer may misclassify you on purpose in order to avoid fulfilling their legal duties. According to the law, whether you are an employee or an independent contractor depends on the specific details of your work situation—NOT on what the employer calls you.

JOIN A WORKER-RUN COOPERATIVE BUSINESS

A worker cooperative is a business that is owned and controlled by its workers. In other words, the workers are both the employees AND the employer. Usually, workers run the day-to-day operations of the business—such as making business decisions, assigning tasks to each person, etc., as well as the business’s finances. Although each person has a different level of responsibility, all workers are equal members and have equal power within the business.

Any business can be a worker-owned and controlled cooperative. Worker co-ops have been successful in many different industries. Some examples are:

- Service—housecleaning, day labor, restaurants, taxis, childcare
- Farming and food production—urban or community farms, community-supported agriculture programs, bakeries, restaurants
- Retail—grocery stores, bookstores, bike shops
- Health care—nursing, home health care, clinics, bodywork
- Skilled trades—printing, plumbing, woodworking, contracting
- Manufacturing and engineering—machine parts, fabricating
- Technology—web hosting, networking, voice and data systems
- Education—charter schools, teacher/student/parent-run schools
- Media and the arts—designers, galleries, performers, publishers

For more information about worker cooperatives and how to join or start a cooperative near you, here are some helpful resources:

- U.S. Federation of Worker Cooperatives—Democracy at Work Institute: <http://institute.usworker.coop/>
- Sustainable Economies Law Center: <http://www.theselc.org/cooperatives>
- Examples of existing worker cooperatives: <http://institute.usworker.coop/examples-worker-cooperatives>

APPLY TO WORK THROUGH A TEMP AGENCY

Temp agencies (also called staffing agencies) help match people who are looking for work with employers who want to hire them. Temp agencies can often help you to find a short-term job or part-time job quickly, which, in some cases, can get your foot in the door for a permanent position in the future. In addition, some temp agencies specifically focus on helping people with criminal records get jobs, and they work with employers who are open to hiring applicants with criminal records.

Another benefit of going through a temp agency is that once you apply to the agency, they can place you in jobs with many different employers who want to hire. Applying to a temp agency is like applying for a job directly with the employer—it will likely include an interview, checking your references, and possibly even doing a background check. The temp agency may also have you take an assessment test to evaluate your work strengths and skills. It still can be easier to apply through a temp agency rather than an employer, because most agencies always want to increase their pool of employees to choose from, and employers often prefer to hire temp workers because it's cheaper.

If you're interested in applying to a temp agency, here are some things to keep in mind:

- Not all temp agencies are the same! Just like employers, some temp agencies are better to work for than others. Ask around to find a temp agency that treats employees well and has a good record of placing people in jobs. Some things to ask about are: how long people usually have to wait before getting placed with an employer; how long most jobs last; what employers the temp agency works with; whether the agency places many people with criminal records; and how the agency treats people.
- Different temp agencies may focus on different types of jobs or different industries. Each temp agency is different, so the application requirements and process may be different from one agency to another. If there are several different temp agencies available in your area, do your homework to find out which one is right for you.
- When you apply through a temp agency, you will have to sign a contract with the agency that makes you an employee. Any offers of work that you get, either temporary or permanent, must go through the agency. The contract may even prohibit you from looking for work on the side, outside of the agency. If you want to look for other work on your own, you may need to ask the agency to release you from your contract. Before you sign up with a temp agency, it is recommended that you read all the fine print and ask questions about anything you don't fully understand!
- The temp agency is responsible for paying the employees they send to work for an employer. The employer will pay the temp agency—NOT the employee—for the work, and then the agency takes a cut of the money and gives the rest to the employee. For example, if the employer pays the temp agency \$20/hour for each employee, the agency may keep \$5/hour of pay and then pay the employee \$15/hour.
- Beware of any temp agency that charges you a fee for job placement! Most agencies collect their fees from the employer—NOT from the job applicant or employee.

For more information about applying for jobs through a temp agency, here are some resources:

- How Temp Agencies Work—<http://money.howstuffworks.com/business/getting-a-job/temp-agencies.htm>
- Working for Temp Agencies—Pros & Cons of Temping (Temporary Job)—<http://www.moneycrashers.com/working-temp-agencies-temping/>
- How Do Temp Agencies Work? 9 Tips You Can't Afford to Miss—<http://www.jobunlocker.com/blog/how-do-temp-agencies-work-9-tips-you-cant-afford-to-miss/>

GET YOUR FOOT IN THE DOOR THROUGH TEMPORARY POSITIONS

Some employers will give you the opportunity to prove yourself by starting work in a short-term, part-time, or temporary position, or for a test period. This gives you a chance to show the employer that you are a hard worker, and that you can work safely and responsibly. It may help get your foot in the door for a more permanent job afterward. If you do well during the testing period, you can ask the employer to consider hiring you for a permanent or full-time job, or to keep you in mind if a permanent job opens in the future.

If you're participating in a workforce development program or have enrolled at an America's Job Center, you can also ask whether they have any special programs that let you get paid for doing on-the-job training or getting work experience with an employer.

Chapter 6

FINANCES

Chapter 6 focuses on finances. The first part of this chapter gives a basic overview of how to set up your personal finances when you come home. The second part of this chapter includes information and strategies for dealing with court-ordered debt (money you may owe because of past court involvement).

DISCLAIMER

YOUR RESPONSIBILITY WHEN USING THIS GUIDE: When putting together this guide, #cut50 and Root & Rebound did our best to give you useful and accurate information. However, the laws change frequently and have different interpretations. We do not have the resources to make changes to this informational material every time the law changes. If you use information from this guide, it is your responsibility to make sure that the law has not changed and applies to your particular situation. If you are incarcerated, most of the materials you need should be available in your institution's law library. The guide is not intending to give legal advice, but rather general legal information. No attorney-client relationship is created by using any information in this guide. You should always consult your own attorney if you need legal advice specific to your situation.

Chapter 6: Table of Contents

Finances

WHAT WILL I LEARN?

In this chapter, you will learn about:

- Ways to set up and manage your personal finances after leaving prison
- Steps for opening a bank account
- Steps for opening a credit card account
- Resources for learning about financial planning
- Strategies for managing and reducing your court-ordered debt

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KEY TERMS IN THE FINANCES CHAPTER

Let's review a few key terms that are important to know when managing your finances.

Inmate Deposit Fund Account: A personal account in which money can be deposited for people who are incarcerated in federal prison.

Debit Card: A personal card issued by a bank that can be used to make purchases. When you use a debit card to pay for something, the card takes the money out of your personal bank account and transfers it to the person or company you're making the purchase from.

Credit Card: A personal card issued by a bank or business that can be used to make purchases. When you use a credit card to pay for something, you purchase the item or service "on credit." This means that the money is not taken from your personal bank account immediately, and instead you pay by making payments on the credit card later. If the amount you owe isn't paid in full every month, the bank will charge interest on the remaining balance that you owe. Interest rates vary depending on the type of credit card that you have.

Court-Ordered Debt: Money that you may owe because of some past involvement you had with the criminal justice system—whether you were convicted, acquitted, your charges were dismissed, or you were only ever arrested. You may owe this money to the court itself, to the county or other government agency, to a victim of your crime, or even to a collection agency.

Restitution: Money that you are ordered to pay to victims and to the state if you are convicted of a crime.

Court fines and penalties: Money you must pay as part of your punishment for your conviction, in addition to the rest of your sentence. The amount you have to pay will depend on the specific offense you were convicted of, and the total amount you owe for other fines.

Court administrative fees: Money you pay to the courts and other agencies to cover the day-to-day costs of running the courts and criminal justice system. Administrative fees are used to pay for things like court security, probation supervision, public defender fees, jail time, and debt collection.

Child support debt: Money that a judge can order a parent (including an adoptive parent) to pay to another parent or caregiver to cover the child's care and living expenses.

I. INTRODUCTION TO PERSONAL FINANCES

Personal finances are an important part of working, paying rent, taking care of loved ones, and achieving your goals. Financial management can be hard to master, but there are resources out there to help you learn strategies for saving money and growing your take-home income every month.

Many people coming home from prison or jail are surprised to find that they owe lots of money to various courts, agencies, and people. The money you may owe related to your court case (or old cases) can make it very hard to get back on your feet, which can leave you feeling frustrated and discouraged. While this chapter includes some bad news about court-ordered debt that can never go away, it also includes some good news about how to set up and manage your debt and finances.

This chapter will also give you information to help you better understand your rights, responsibilities, and opportunities when it comes to managing your money and any court-ordered debt you may have.

HOW DO I MANAGE MY FINANCES AFTER I LEAVE PRISON?

When you leave prison, you will need to figure out a few things about your personal finances. Here are some starter questions you will likely need to ask yourself:

- Do you have any expected *income* (from public benefits, from work, from family support, etc.)?
- What are your monthly *expenses*? How much money do you need to spend each month to be able to support yourself and anyone else you are responsible for (like children)?
- Do you have any money *saved*?
- Do you have a *bank account* where you can start saving your money? If not, can a family member, friend, or service provider (like a case manager) help you open one?
- Do you owe any *debts*? This could be court-ordered debt, child support, school loans, credit card debt, etc.

It is really important to ask yourself these tough questions and make goals early on. If you try to run and hide from your personal finances, it could get worse over time. The sooner you tackle your personal finances and make step-by-step goals, the closer you will get to a feeling of financial stability, empowerment, and freedom.

FREE RESOURCES ON MANAGING YOUR MONEY

There are great online resources about **setting money goals** and **knowing you rights with a criminal record** from the federal Bureau of Consumer Financial Protection. You can also order a free printed copy. View and order the “Your Money, Your Goals Toolkit” online here: www.consumerfinance.gov/practitioner-resources/your-money-your-goals/toolkit (available in English, Spanish, and Chinese).

- Read the online English version here: www.consumerfinance.gov/documents/7186/cfbp_your-money-your-goals-toolkit_2018-11_en_ADA.pdf
- Order a free print copy (English or Spanish) here: pueblo.gpo.gov/CFPBPubs/CFPBPubs.php?PubID=13272&PHPSESSID=ic71h6c6025t3mi0rj9ldg5gj5
- The “Your Money, Your Goals Toolkit” has information to help you:
 - Set goals and calculate how much money you need to save to reach these goals
 - Plan for large purchases and life events
 - Learn to effectively save money
 - Establish an emergency savings fund
 - Get tax refunds and put the funds toward achieving your goals
 - Track the specific ways you are using your money
 - Bring your cash flow budgets into balance
 - Make a simple plan to pay down debt
 - Get, review, and fix errors on your credit reports
 - Evaluate financial products and services
 - Learn how to protect yourself from identity theft and fraud.³²⁷

The Bureau of Consumer Financial Protection has also created **special resources just for people with criminal records**, given the unique financial, credit, and debt challenges you may face. You can find those online here: www.consumerfinance.gov/practitioner-resources/your-money-your-goals/companion-guides/#anchor_reentry.

- There, you will find more information on setting goals; managing money; dealing with debt; understanding credit reports and scores and disputing errors on your credit report; background screening reports; obtaining your criminal records and disputing errors in your criminal records; using and protecting your money; and more. You will find information on many of these topics in this “First Step to Second Chances” guide, but the Bureau of Consumer Financial Protections’ resource goes into much more detail.³²⁸

³²⁷ Bureau of Consumer Financial Protection, “Your Money, Your Goals: A financial empowerment toolkit” available at https://files.consumerfinance.gov/f/documents/cfbp_your-money-your-goals-toolkit_2018-11_en_ADA.pdf.

³²⁸ Bureau of Consumer Financial Protection, “Your Money, Your Goals: Focus on reentry” available at https://files.consumerfinance.gov/f/documents/cfbp_ymyg_reentry_supplement.pdf.

HOW DO I GET MONEY OUT OF MY PRISON TRUST ACCOUNT?

When you are released from prison, you have the right to receive your personal funds from your **Inmate Deposit Fund Account**. This payment will be given to you in cash up to \$500, and the remaining balance will usually be given in the form of a U.S. Treasury check.³²⁹

SHOULD I OPEN A BANK ACCOUNT? IF SO, HOW DO I OPEN A BANK ACCOUNT?

A **checking and savings bank account** is helpful for many people to save money, pay bills, and make purchases. Before you open a bank account, it can be helpful to compare banks, and ask friends or family what banks they use and why.³³⁰

When choosing which bank to open an account with you should find out: the services the bank offers, the fees it charges, the interest it pays on savings accounts, and the availability of its ATMs. You should also find out how much money you need in order to open the account, and how much money needs to be in the account as a minimum at all times, in order to avoid penalty fees.

You should also ask about what documents and information you need to open an account. You will most likely need proof of your identity (see the ID chapter on p. 6 for information about getting identity documents), proof of your address (where you're living) and the minimum amount of money that the bank requires in order to open an account.

Learn more about opening a bank account from the “Your Money, Your Goals Toolkit” on the Bureau of Consumer Financial Protection’s website at: https://files.consumerfinance.gov/f/documents/cfpb_your-money-your-goals-toolkit_2018-11_en_ADA.pdf (starting on p. 182).

SHOULD I OPEN A CREDIT CARD ACCOUNT? IF SO, WHAT ARE THE FIRST STEPS?

Depending on your credit history, you can open a **credit card** (which you can use to purchase items and then have to pay the credit card bill later on). Note: This type of card is different from a **debit card** (which you use to withdraw money directly from your **checking account**—see the question above for more information on bank checking accounts).

When you apply for a credit card, they will automatically check your credit history. Before you apply for a credit card, you can get a free copy of your credit report. Once every 12 months, you can get a free copy of your credit report from the three national credit reporting companies. To order your free credit report, you can order it online at annualcreditreport.com or call 1-877-322-8228.³³¹

Similar to opening a bank account, it’s important to do your research! Read about the credit card companies you’re considering, and ask your family and friends what credit cards they use and why.

HOW DO I FIND OUT MORE INFORMATION ABOUT FINANCIAL PLANNING?

Financial planning is a big concept that includes things like budgeting, savings, retirement planning, getting insurance, and getting out of debt. Reading more about financial planning can help you learn how these strategies work together and how to use them to build financial stability.

You can learn more about financial planning with the “Your Money, Your Goals Toolkit” on the Bureau of Consumer Financial Protection’s website at: https://files.consumerfinance.gov/f/documents/cfpb_your-money-your-goals-toolkit_2018-11_en_ADA.pdf

The Bureau of Consumer Financial Protection also has a “Your Money, Your Goals: Focus on Reentry” companion guide available online at: https://files.consumerfinance.gov/f/documents/cfpb_ymyg_reentry_supplement.pdf.

³²⁹ Federal Bureau of Prisons, Trust Fund/Deposit Fund Manual, available at <https://www.bop.gov/policy/progstat/4500.12.pdf>.

³³⁰ Bureau of Consumer Financial Protection, “Your Money, Your Goals: Focus on reentry” available at https://files.consumerfinance.gov/f/documents/cfpb_ymyg_reentry_supplement.pdf.

³³¹ Federal Trade Commission, Get My Free Credit Report, <https://www.ftc.gov/faq/consumer-protection/get-my-free-credit-report>.

II. COURT-ORDERED DEBT

WHAT IS COURT-ORDERED DEBT, AND WHY DO I NEED TO KNOW ABOUT IT?

Court-ordered debt is money that you may owe because of some past involvement you had with the criminal justice system—whether you were convicted, acquitted, your charges were dismissed, or you were only ever arrested, you could still have court-ordered debt connected to your case. You may owe this money to the *court* itself, to the *county* or another *government agency*, to a *victim* of your crime, or even to a *collection agency* who has taken over control of collecting on your debt.

If you were convicted of a crime, you most likely owe court-related costs, or owed them at one point. But *even if you were never convicted* of anything, the court can still make you pay other fees, such as jail booking fees, public defender fees, and fees associated with minor offenses called infractions. It is important that you know about and understand any court-ordered debt you owe, because this debt can make it difficult for you to move forward with your life in many different ways.

IF I HAVE NEVER RECEIVED ANYTHING TELLING ME THAT I OWE MONEY, IS IT POSSIBLE THAT I STILL OWE COURT-ORDERED DEBT?

Yes, it is possible that you owe court-ordered debt even if you do not remember receiving any paperwork. People move, paperwork gets lost in the mail, and addresses get written down incorrectly all the time. Just because you haven't heard anything doesn't mean you don't owe court-ordered debt. Remember, if you have had any involvement with the criminal justice system, especially if you have a conviction, a judge most likely ordered you to pay money back to the court or to the government at some point. If you don't take steps to find out about and take care of your debt, there could be serious consequences.

Even if you feel 100% positive that you have paid off your court-ordered debt, check again. Your payments may not have been properly recorded, or your name could be attached to someone else's debt! It is better to check and be safe than to assume and be sorry.

WHAT ARE THE DIFFERENT TYPES OF CRIMINAL COURT-ORDERED DEBT?

There are three main types of criminal court-ordered debt: (1) **restitution**; (2) **finer and penalties**; and (3) **administrative fees**.

Please note: In addition to criminal court-ordered debts, you may also owe debts ordered by *other types of courts*—like **child support debt** which is typically ordered by a family law judge in a family court or child welfare case.

HOW CAN MY COURT-ORDERED DEBT AFFECT ME WHILE I AM ON SUPERVISION (SUPERVISED RELEASE/FEDERAL PROBATION/PAROLE)?

Some court-ordered debts are conditions of your supervision. For example, for many people on a type of federal supervision (such as supervised release, federal probation or federal parole), making **restitution** payments will be a condition of supervision.³³²

A district court can require you comply with a preexisting child support order as a condition of supervised release.³³³

IMPORTANT! —IF YOU ARE ON SUPERVISION: It is very important to know which debts are conditions of that supervision—and to pay them first, if possible. In general, making restitution payments will ALWAYS be a condition of your supervision.³³⁴ You can find out exactly which payments the court considers conditions of your probation by asking your parole or probation officer for a copy of your supervision order. You (or your lawyer) can also go to the court and ask the clerk for a copy of the records (the “minutes”) from your sentencing.

A court may not impose a fine and place a defendant on probation if the offense is punishable by fine or imprisonment.³³⁵ However, probation as to one count can be conditioned on payment of fine imposed under another count.³³⁶ If a defendant is unable to pay fees, revocation of probation for nonpayment is unconstitutional.³³⁷

³³² United States v. Boswell, 565 F2d 1338 (CA5 Miss 1978).

³³³ United States v. Barajas, 331 F3d 1141 (CA10 Kan 2003).

³³⁴ United States v. Boswell, 565 F2d 1338 (CA5 Miss 1978).

³³⁵ United States v. Temple, 372 F2d 795 (4th Cir. 1967).

³³⁶ Reeves v. United States, 35 F2d 323 (8th Cir. 1929).

³³⁷ United States v. Santarpio, 560 F2d 448 (1st Cir. 1977).

WHAT HAPPENS IF I DON'T PAY OFF MY COURT-ORDERED DEBTS?

It depends. Different types of court-ordered debts have different consequences if you don't pay them off. The consequences also depend on *the amount* of debt you owe, *how old* the debt is, and *which agency* is trying to collect the debt.

Debt collection processes can lower your credit score, which can make it harder to get a loan or rent an apartment. To learn more about debt collection, you can visit the Consumer Financial Protection Bureau webpage here: <https://www.consumerfinance.gov/consumer-tools/debt-collection/>

I HAVE DEBT RELATED TO A FEDERAL COURT CASE. WHAT CAN I DO?

If you have debts that stem from a *federal* offense, your court-ordered debt will look different from debt ordered by a state court, because federal courts have their own rules for restitution, fines, and fees. However, these three general *types* of debt are the same in the federal system:

1. **Restitution:** Repays any victims (people, organizations, government agencies, etc.) that suffered harm, property damage, or monetary losses caused by your actions.³³⁸
2. **Fines:** Serve as additional punishment for your offense and are part of your criminal sentence.³³⁹ The amount of the fine will depend on the crime for which you were convicted.³⁴⁰ These are like fines and penalties in state court.
3. **Special Assessments:** Fees assigned for each separate offense you were convicted of. The amount of the Assessment depends on the seriousness of the offense. ALL of your federal Special Assessment debt will be forgiven 5 years after your conviction, after which you will no longer owe this debt.³⁴¹

WHAT IS A "PRIVATE COLLECTION AGENCY"?

When courts (or anyone else) can't get a person to pay their debt on time, they often will hire a "collection agency" to try to get back the money owed. Collection agencies track down the person who owes the debt and try to get them to pay. Collection agencies are paid to help get this debt paid back.



WARNING: Just like for state court debt, you may also owe additional interest or other penalties on your federal court-ordered debt (for example, if you don't make required payments on time).

FOR MORE INFORMATION ON FEDERAL COURT-ORDERED DEBT

If you have questions about your federal court-ordered debt, you should contact your federal public defender or the federal public defender office in your area.

- To find out how much you owe, contact the federal district court where you were convicted. You will need to speak with the Finance Department to find out your balance.
- To find out if you owe additional interest or penalties, you will need to contact the U.S. Attorney's Financial Litigation (Collections) Unit to learn about these additional amounts.

Your federal probation officer may also be able to answer questions about your court-ordered debt, such as how much you owe and/or how to make payments.

³³⁸ 18 U.S.C. §§ 3556, 3663, 3663A, 3664.

³³⁹ 18 U.S.C. § 3571.

³⁴⁰ 18 U.S.C. § 3571 et seq.

³⁴¹ 18 U.S.C. § 3013.

HOW DO I FIND OUT HOW MUCH COURT-ORDERED DEBT I OWE?

Since there are typically three types of debt: restitution, court fines and penalties, and court administrative fees, to find out how much you owe requires you to ask different questions to different people/agencies to make sure you know of all of your debt and to figure out how much you owe. Below is an example of how to find out whether you have any debt from court fines and penalties.

COURT FINES AND PENALTIES

Court fines and penalties are debts you may get as punishment or consequences for the crime you were charged with.

HOW DO I FIND OUT IF I HAVE ANY COURT FINES AND FEES?

STEP 1: Contact the court where you were convicted

To find out how much you owe in court fines and fees, you should start by contacting the court in the county where you were convicted. You should try to provide your case number; however you may be able to locate your case using your name, birthdate, and/or other personal information. If you have any court papers from your case, they will list your case number and the county you were convicted in. If you don't have any of your court papers, you may need to get a copy of your RAP sheet to figure out what court(s) you have convictions from.

STEP 2: Find out where your debt is now

When you contact the court, the clerk should be able to tell you what you were ordered to pay, whether your case has been sent to collections, and if so, which collection agency now has your debt. Remember, if you have convictions from multiple cases, even if they are all in the same county, you will need to ask about every case.

If you have convictions from different counties, you will need to contact the court in each county.

Make sure to ask the court for the contact information for each and every agency that will be collecting your debt. If some or all of your debt is still with the court, ask the clerk how to contact the court's "collection" or "revenue" unit (the department that keeps track of court-ordered debts and payments). (Contact the collection agency in charge of your debt

Once you know which collection agency is collecting your debt, you can contact them directly to ask how much you owe and how to pay. Remember that your debts may be collected by several different collection agencies, so you may need to contact all the different agencies to find out how much you owe in total. You may get shuffled around to many different people, but this is important, so be patient!

REQUESTING COPIES OF YOUR ORIGINAL SENTENCING ORDERS

If you want to see what amounts you were originally ordered to pay, you can request a copy of your sentencing order from the court that sentenced you.

HOWEVER, these amounts are the *original* amounts ordered by the court, and will NOT reflect any payments that you've made OR include any interest or fees that have been added since. The order also will NOT show the debts you owe from ANY other cases.



How you pay your fines, fees, and restitution will vary, because each court and agency handles unpaid debts slightly differently. Depending on *where* you were convicted, the *type(s) of debt(s)* you owe, *how much* you owe, *how old* your debt is, and whether you are currently *incarcerated* or on *supervision*, your debt may be collected by any one of these departments or agencies:

- Court Collections
- A state corrections department
- Local jail or juvenile hall
- Parole officer
- Probation Department
- Victim Compensation & Government Claims Board
- State tax agency
- County collection agency
- Private collection agencies

WHAT WILL MY PAYMENT OPTIONS BE?

When you contact the collection agency or court that's in charge of your debt, a representative can help you design a payment plan that works best for your situation. The goal is to create a plan that will prevent you from facing extra fees or other penalties (like a hold on your Motor Vehicle record) that can result from late or insufficient payments.

It is important to be open and honest about your current financial situation, including whether or not you have a job, pay child support, or owe any other debts or payments. Most of the time, the collection representative will take these things into account and work with you to create a plan that you can realistically stick to.

Depending on your individual situation and the amount of money you owe, the collection agency may ask you to pay everything off right away. In other situations, they may allow you to set up a payment plan so that you make smaller payments over time. Remember that the agency or court might charge a fee to cover the costs of managing

your payment plan, and might charge additional fees for each payment you make. *Make sure you ask about fees and penalties and read the fine print before you agree to a payment plan!*



IMPORTANT WARNING FOR PEOPLE WITH OPEN WARRANTS: if there's ANY possibility that you might have an outstanding warrant for your arrest—for ANY reason (including new charges against you or a failure to appear in court) from ANY county—it is recommended that you call the public defender or a private lawyer to check on your warrant status first, and to ask what your options are.

III. CONCLUSION

Many people struggle with different types of debt, but it can be particularly difficult if you are trying to rebuild your life after incarceration. If you have court-ordered debt, the bottom line is, you will likely have to figure out a way to pay it off at some point. Hopefully this Chapter gave you some useful information to help you manage your finances and learn not only how to minimize the debt itself, but also its impact on your life.

Chapter 7

Health Care

The HEALTH CARE chapter has information about accessing health care coverage, including a summary of the different health care options nationally. This chapter also has information about accessing mental health treatment and substance abuse treatment.

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Chapter 7: Table of Contents

Health Care

WHAT WILL I LEARN ABOUT HEALTH CARE BENEFITS?

- An overview of different types of health care coverage
- How to figure out which health care plan is best for you
- What benefits you get from the different health care plans
- How to apply for health care
- Whether you can receive or apply for health care while incarcerated
- How your criminal history could affect your ability to get health care coverage
- What to do if you are wrongly denied health care
- Getting mental health and substance use help

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I. HEALTH CARE BENEFITS

WHY SHOULD I GET HEALTH CARE COVERAGE (HEALTH INSURANCE)?

First, everyone needs health care at some point in life. If you have health care coverage, you can access hospitals and medical services when you need them. Most health insurance will cover mental health and substance abuse treatment too.³⁴² Second, for almost everyone living in the U.S., it's now required by law that you have adequate health care coverage.

While you're incarcerated, the jail or prison is responsible for providing you with essential health care, including mental health services. You have a constitutional right to treatment while in jail or prison.³⁴³ Once you have a release date, you should ensure that you have health care coverage in place for when you get out.

SUMMARY OF THE MAJOR GOVERNMENT-RUN HEALTH CARE PROGRAMS		
Health Care Plan:	Brief Breakdown of Plan:	Who Qualifies:
Marketplace	A service that helps people enroll in health insurance. The federal government operates the Marketplace, available at HealthCare.gov, for most states. Some states run their own Marketplaces. ³⁴⁴	U.S. residents who are 18 or older, lawfully present in the U.S., and are not currently incarcerated (see more on p. 118)
Medicaid	Medicaid is a joint federal-state program that offers free or low-cost health care for certain people who have limited income.	Generally, U.S. residents who are lawfully present and who have limited income
Medicare	Medicare provides health care for elderly or disabled people. Medicare has 4 parts (A-D).	U.S. citizens or lawful permanent residents who are 65 or older, or have a disability, permanent kidney failure, or ALS (see more on p. 126)

THE MARKETPLACE

WHAT IS THE MARKETPLACE?

The Marketplace is an online health care marketplace where you can sign up for health care coverage online, by phone, by mail, or in person. This online marketplace is a website where you can “shop” by comparing various plans’ prices and benefits and choosing a health care plan. Each health care plan must cover essential health benefits, such as doctor visits, hospitalization, emergency care, maternity leave, pediatric care for children, and prescriptions. Through the Marketplace application process, you can find out if you're eligible to get federal tax credits to reduce your health care costs, or if you're eligible for free or low-cost health care coverage through Medicaid (see [p. 122](#) for more information on Medicaid).

AM I ELIGIBLE TO ENROLL IN HEALTH CARE COVERAGE THROUGH THE MARKETPLACE?

To get health care through the Marketplace, you must be: 1) A U.S. resident; 2) Lawfully present in the United States; (3) Age 18 or older; and (4) Not currently incarcerated.³⁴⁵

Based on your household size and income, your family may qualify for financial assistance to help you afford health care. By submitting a Marketplace application, you'll find out exactly what kinds of assistance you can get, and how much.



IMPORTANT NOTE ABOUT IMMIGRATION STATUS: If you have one of these statuses, you may qualify for health coverage through the Marketplace:

³⁴² Mental Health & Substance Abuse Coverage, HEALTHCARE.GOV, <https://www.healthcare.gov/coverage/mental-health-substance-abuse-coverage/>.

³⁴³ Estelle v. Gamble, 429 U.S. 97, 103 (1976); Brown v. Plata, 131 S. Ct. 1910, 1928 (2011) (“Prisoners retain the essence of human dignity inherent in all persons. Respect for that dignity animates the Eighth Amendment prohibition against cruel and unusual punishment . . . A prison that deprives prisoners basic sustenance, including adequate medical care, is incompatible with the concept of human dignity and has no place in civilized society.”); see also Know Your Rights: Medical, Dental, and Mental Healthcare, ACLU NATIONAL PRISON PROJECT, https://www.aclu.org/files/assets/know_your_rights_-_medical_mental_health_and_dental_july_2012.pdf.

³⁴⁴ California, Colorado, Connecticut, Idaho, Maryland, Massachusetts, Minnesota, New York, Rhode Island, Vermont, Washington State, and Washington, D.C., all run their own health insurance marketplaces. The Marketplace in your state, HEALTHCARE.GOV, <https://www.healthcare.gov/marketplace-in-your-state/>.

³⁴⁵ Immigration status and the Marketplace, HEALTHCARE.GOV, <https://www.healthcare.gov/immigrants/immigration-status/>.

Lawful Permanent Resident (LPR/Green Card holder); Lawful Temporary Resident (LTR); asylee or applicant for asylum³⁴⁶; refugee; Cuban/Haitian entrant; paroled into the U.S.; conditional entrant granted before 1980; battered spouse, child or parent; victim of trafficking or that person's spouse, child, sibling, or parent; Individual with Non-immigrant Status³⁴⁷; Temporary Protected Status (TPS) or applicant for TPS³⁴⁸; Deferred Enforced Departure (DED); deferred action status³⁴⁹; individual granted withholding of deportation/removal; applicant for withholding of deportation/removal³⁵⁰; administrative order staying removal issued by the Department of Homeland Security; member of a federally-recognized Indian tribe or American Indian born in Canada; resident of American Samoa; applicant for special immigrant juvenile status; applicant for adjustment to LPR status; applicant for victim of trafficking visa; registry applicant with employment authorization; order of supervision with employment authorization; applicant for cancellation of removal or suspension of deportation with employment authorization; applicant for legalization under Immigration Reform and Control Act (IRCA) with employment authorization; legalization under the LIFE Act with employment authorization.³⁵¹

WHAT BENEFITS AND SERVICES CAN I GET THROUGH THE MARKETPLACE?

As required by law, all Marketplace plans must cover a set of essential health benefits, including:

- Hospital care and emergency services;
- Medical services;
- Prescription drugs;
- Mental health and substance abuse treatment (potentially including treatment that is a condition of probation or parole);
- Maternity and pediatric care;
- Rehabilitation services; and
- Preventative care and chronic disease management.³⁵²

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO GET HEALTH CARE USING THE MARKETPLACE?

No. There is no law or policy that limits your access to the HealthCare.Gov Marketplace based on your criminal history. You have the right to apply for health care coverage, and you should.

AM I LEGALLY REQUIRED TO ENROLL IN HEALTH CARE COVERAGE?

If you live in the U.S., and you're *not currently incarcerated*, the answer is probably yes. This legal requirement is called the "individual mandate" and has been in place since Congress passed the Affordable Care Act (often referred to as "Obamacare" or the "ACA") in 2010.³⁵³ In past years, if an individual didn't enroll in a minimum level of health care coverage, the federal government would have fined them. However, Congress eliminated this fine, called the "shared responsibility payment," in 2018.³⁵⁴ This means under the law the individual mandate still exists, but there is no penalty for not following it. In other words, you're still technically required to get health insurance, but the *federal government* won't do anything if you don't. That said, there is a growing number of states that require their residents to get a minimum level of health insurance.³⁵⁵ So be sure to check in with your home state if you're considering not getting health insurance. (But please read on, because there are likely some low-cost or free options available to you as you're reentering, so there's no reason to skip getting coverage!)

WHEN CAN I APPLY FOR HEALTH CARE THROUGH THE MARKETPLACE?

It depends. If you're planning to buy a *private health care plan* from the federal government's Health Insurance Marketplace, you must enroll during the "Open Enrollment Period" to get coverage for the following year (unless you qualify for a Special Enrollment Period, see p. 120). The Open Enrollment Period typically runs for a short period toward the end of the year. For example, the *federal* 2019 Open Enrollment Period for coverage starting on January 1, 2019 lasted from November 1, 2018, through December 15, 2018.³⁵⁶ State-level Open Enrollment Periods may differ, so be sure to check in with your home state. If you don't enroll during this period, you may not be able to find a private plan that can cover you (but see below for a discussion of exceptions to the Open Enrollment requirement). To get the specific start and end dates for the next Open Enrollment period, call the Health Insurance Marketplace at 1-800-318-2596 (TTY 1-855-889-4325). You can also check online at www.healthcare.gov.

³⁴⁶ Applicants for asylum are eligible only if they've been granted employment authorization or are under the age of 14 AND have had an application pending for at least 180 days. Immigration status and the Marketplace, HEALTHCARE.GOV, <https://www.healthcare.gov/immigrants/immigration-status/>.

³⁴⁷ Individuals with non-immigrant status includes worker visas (such as H1, H-2A, H-2B), student visas, U-visa, T-visa, and other visas, and citizens of Micronesia, the Marshall Islands, and Palau. Immigration status and the Marketplace, HEALTHCARE.GOV, <https://www.healthcare.gov/immigrants/immigration-status/>.

³⁴⁸ Applicants for TPS must have an employment authorization. Immigration status and the Marketplace, HEALTHCARE.GOV, <https://www.healthcare.gov/immigrants/immigration-status/>.

³⁴⁹ Deferred Action for Childhood Arrivals (DACA) is not an eligible immigration status. Immigration status and the Marketplace, HEALTHCARE.GOV, <https://www.healthcare.gov/immigrants/immigration-status/>.

³⁵⁰ Applicants for withholding are eligible only if they've been granted employment authorization or are under the age of 14 AND have had an application pending for at least 180 days. Immigration status and the Marketplace, HEALTHCARE.GOV, <https://www.healthcare.gov/immigrants/immigration-status/>.

³⁵¹ Immigration status and the Marketplace, HEALTHCARE.GOV, <https://www.healthcare.gov/immigrants/immigration-status/>.

³⁵² 42 U.S.C. § 18022(b) (2014).

³⁵³ 26 USC 5000A(a) (2018).

³⁵⁴ SEC. 11081 of the Tax Cuts and Jobs Act, Public Law No: 115-97.

³⁵⁵ At the time of this writing, Massachusetts, New Jersey, and Washington, D.C., all require residents to have a minimum level of health insurance or face a tax penalty. Vermont is set to join these locales in 2020. Connecticut, Hawaii, and Maryland have considered bills to do the same, and California is currently considering it.

³⁵⁶ When can I enroll in a 2019 Marketplace plan?, HEALTHCARE.GOV BLOG, <https://www.healthcare.gov/blog/when-is-2019-open-enrollment/>.

But, if you're eligible for Medicaid based on your income³⁵⁷ you can apply to Medicaid at any time, even if it's not currently Open Enrollment period. If you qualify for Medicaid, you can enroll right away.³⁵⁸ To learn more, go to [p. 122](#).

HELPFUL HINT

Saving Money on Private Health Care

If you're planning to buy a private health care plan, you may be eligible to save money through a tax credit or other cost-sharing reductions.³⁵⁹ When you apply for coverage through HealthCare.Gov, the website should tell you whether you qualify for either program.

Premium Tax Credit³⁶⁰

The premium tax credit is a refundable tax credit that helps people cover their health insurance premiums (the amount of money they pay each month to their insurance plan). To get this credit, you must meet certain requirements and file a tax return. When you apply for coverage, the Marketplace will look at whether you're eligible for advance payments of this credit. Called "advance credit payments," these payments go directly to your insurance company on your behalf, lowering your monthly out-of-pocket expenses. If you get a premium tax credit, you must notify the Marketplace of any changes in your household or household income.

Cost-Sharing Reductions³⁶¹

A cost-sharing reduction (often called "extra savings") is a discount that lowers the amount you have to pay on deductibles, copayments, and coinsurance. Whether you're eligible depends on your income and the kind of plan you select — *cost-sharing reductions are only available to people who enroll in a plan in the Silver category*.³⁶² You'll learn at the application stage whether you might qualify for these extra savings.

Here's a link to an online tool to help you estimate how much you can save:

www.healthcare.gov/lower-costs/qualifying-for-lower-costs/

Note: Even if you don't file taxes, you may qualify for free or low-cost health insurance through Medicaid. To learn about signing up for Medicaid, go to [p. 122](#).

IMPORTANT: Remember, if you qualify for a Medicaid program that counts as qualifying health coverage under the ACA, then you are NOT eligible for cost savings for private health care plans through the Marketplace. In other words, you will have to pay full price for your share of the Marketplace plan you want.³⁶³

Exceptions to the Open Enrollment requirement: Certain people with special situations may enroll in private health care through the Health Insurance Marketplace during a Special Enrollment Period ("SEP").³⁶⁴ This is a 60-day period outside of the Open Enrollment Period, typically starting from the day that the special situation started for a person.³⁶⁵

Two types of situations may allow you to enroll in private health insurance through the Marketplace during a Special Enrollment Period:³⁶⁶

4. A "qualifying life event" suddenly creates a greater need for health coverage. For example: *getting released from prison/jail/detention*, getting married or divorced, having a baby, losing a job, moving, or losing your health coverage.³⁶⁷ Go to [p. 122](#) to learn more about Special Enrollment Periods.
5. A complex problem that prevented you from enrolling successfully. For example: a major accident, a natural disaster, misconduct by someone who helped with your health care application, or an error by the Marketplace or an insurance company in processing your application.³⁶⁸

If one of these situations comes up for you, you have 60 days to notify the Marketplace, get approved for a SEP, submit (or re-submit) an application, and enroll in a health care plan. If you don't complete this process in 60 days, you will probably have to wait until the next Open Enrollment Period to apply for coverage.³⁶⁹

³⁵⁷ In many but not all states, your income must be at or below 138% of the federal poverty level to qualify for Medicaid. Some states have not expanded Medicaid coverage to cover people at that low-income level. Medicaid expansion & what it means for you, HEALTHCARE.GOV, <https://www.healthcare.gov/medicaid-chip/medicaid-expansion-and-you/>. Please see the section below on Medicaid for more information.

³⁵⁸ Still need 2019 coverage?, HEALTHCARE.GOV, <https://www.healthcare.gov/coverage-outside-open-enrollment/your-options/>.

³⁵⁹ How to save on your monthly insurance bill with a premium tax credit, HEALTHCARE.GOV, <https://www.healthcare.gov/lower-costs/save-on-monthly-premiums/>; Cost-sharing reductions, HEALTHCARE.GOV, <https://www.healthcare.gov/lower-costs/save-on-out-of-pocket-costs/>.

³⁶⁰ The Premium Tax Credit - The Basics, IRS.GOV, <https://www.irs.gov/affordable-care-act/individuals-and-families/the-premium-tax-credit-the-basics>.

³⁶¹ Cost Sharing Reduction (CSR), HEALTHCARE.GOV, <https://www.healthcare.gov/glossary/cost-sharing-reduction/>.

³⁶² Plans in the Marketplace are categorized by metal type: Bronze, Silver, Gold, and Platinum. They reflect how much the insurance company pays versus how much you pay. The 'metal' categories: Bronze, Silver, Gold & Platinum, HEALTHCARE.GOV, <https://www.healthcare.gov/choose-a-plan/plans-categories/>.

³⁶³ Canceling a Marketplace plan when you get Medicaid or CHIP, HEALTHCARE.GOV, <https://www.healthcare.gov/medicaid-chip/cancelling-marketplace-plan/>.

³⁶⁴ Enroll in or change 2019 plans — only with a Special Enrollment Period, HEALTHCARE.GOV, <https://www.healthcare.gov/coverage-outside-open-enrollment/special-enrollment-period/>.

³⁶⁵ See Enroll in or change 2019 plans — only with a Special Enrollment Period, HEALTHCARE.GOV, <https://www.healthcare.gov/coverage-outside-open-enrollment/special-enrollment-period/>; Special Enrollment Periods for complex issues, HEALTHCARE.GOV, <https://www.healthcare.gov/sep-list/>.

³⁶⁶ Special Enrollment Period, HEALTHCARE.GOV, <https://www.healthcare.gov/sep-list/>

³⁶⁷ For more information on qualifying life events for special enrollment available at, Special Enrollment Period, HEALTHCARE.GOV, <https://www.healthcare.gov/coverage-outside-open-enrollment/special-enrollment-period/>.

³⁶⁸ Special Enrollment Period, HEALTHCARE.GOV, <https://www.healthcare.gov/sep-list/>.

³⁶⁹ Special Enrollment Period, HEALTHCARE.GOV, <https://www.healthcare.gov/sep-list/>.



IMPORTANT: For more information on SEPs and how to appeal if you were denied a SEP, please visit: www.healthcare.gov/coverage-outside-open-enrollment/special-enrollment-period/, or call the federal government’s Health Insurance Marketplace at 1-800-318-2596 (TTY 1-855-889-4325).

HOW DO I ENROLL IN HEALTH CARE THROUGH THE MARKETPLACE?

You can apply for Marketplace coverage through several methods: online, by phone, or by mail. You can get the paper application online at <https://marketplace.cms.gov/applications-and-forms/marketplace-application-for-family.pdf>.

- **Online:** Go to www.HealthCare.gov or your state’s Marketplace.³⁷⁰ Set up an account with a username and password. Once you log in, you can browse different health plans and start the application process.
- **By phone:** Call the Marketplace Call Center at 1-800-318-2596 (TTY: 1-855-889-4325; en Español: 1-800-318-2596; in other languages: call 1-800-318-2596 and tell the representative the language you need). A staff person will walk you through the application process. If your state runs its own Marketplace, you’ll be given the number you need to call when you call the federal Marketplace 800 number.
- **By mail:** Send your completed application form to Health Insurance Marketplace, Dept. of Health and Human Services, 465 Industrial Blvd., London, KY 40750-0001. Or if you’re in a state with its own Marketplace, be sure to send your application by mail to the appropriate address (which you can find online at www.healthcare.gov/marketplace-in-your-state/).

If you want free help with your HealthCare.gov Marketplace application:

- Call 1-800-318-2596 (TTY: 1-855-889-4325) at any time.³⁷¹ (If you’re in a state that runs its own Marketplace, be ready with a pen to jot down the number for your state!)
- Local community-based organizations, community clinics, and trained insurance professionals provide free assistance. You can identify where to go locally for help with enrollment by calling the Marketplace or using the “Find Local Help” tool at localhelp.healthcare.gov.



IMPORTANT: Remember that certain states run their own health insurance marketplaces. You’ll have to follow different instructions to apply for coverage if you live in California, Colorado, Connecticut, Idaho, Maryland, Massachusetts, Minnesota, New York, Rhode Island, Vermont, Washington State, or Washington, D.C.³⁷²

HELPFUL HINT

Information to Have on Hand When Applying

By having the following information ready when you apply, you’ll be sure to get the most out of the Marketplace.

- Birthdates and Social Security Numbers (SSNs) of all household members. For the Health Insurance Marketplace, a “household” is defined as the person who files taxes as head of household, their spouse if they have one, plus all dependents claimed on those taxes.³⁷³
- Current income and latest tax return information for your household. You may be asked to follow up with documents proving your income. If you earn wages, acceptable proof may include: your most recent W-2, a recent pay stub, a letter from your employer on official office letterhead, or a copy of a check paid to you as wages.³⁷⁴
- Information about any health insurance that you or any household member receives through a job.

Here’s a link to a checklist to make sure you have all the information you need to apply:
www.healthcare.gov/downloads/application-checklist.pdf

CAN I GET HEALTH CARE THROUGH THE MARKETPLACE WHILE I’M INCARCERATED?

No. You cannot get health care through the Marketplace while you are incarcerated, but you may apply once you are released (see below for more details). Importantly, incarceration does not mean being on probation, parole, or home confinement.³⁷⁵

See more information on Medicaid below.

³⁷⁰ Find links to state marketplaces at The Marketplace in your state, HEALTHCARE.GOV, <https://www.healthcare.gov/marketplace-in-your-state/>.

³⁷¹ Contact Us, HEALTHCARE.GOV, <https://www.healthcare.gov/contact-us/>.

³⁷² The Marketplace in your state, HEALTHCARE.GOV, <https://www.healthcare.gov/marketplace-in-your-state/>.

³⁷³ Who to include in your household, HEALTHCARE.GOV, <https://www.healthcare.gov/income-and-household-information/household-size/>. You can find more information about who counts as a dependent with the IRS at Publication 501 (2018), Dependents, Standard Deduction, and Filing Information, IRS.GOV, https://www.irs.gov/publications/p501#en_US_2018_publink1000220868.

³⁷⁴ For a full list of documents you can use to verify your income, see How do I resolve a data matching issue?, HEALTHCARE.GOV, <https://www.healthcare.gov/help/how-do-i-resolve-an-inconsistency/>.

³⁷⁵ Health coverage for Incarcerated People, HEALTHCARE.GOV, <https://www.healthcare.gov/incarcerated-people/>.

HELPFUL HINT

If you're currently serving a prison sentence, special rules apply to you for getting health insurance:

While you're incarcerated:

- You *can* enroll in Medicaid (if it's available to you in your home state). You can apply 1) online, through HealthCare.gov or your state's Marketplace website; 2) by mailing a filled-out paper application; or 3) through your state Medicaid office.³⁷⁶ You can't start using a Medicaid health care plan while you're incarcerated; but if you enroll before your release, you may be able to get health care more quickly once you're out.³⁷⁷ To learn more about Medicaid and how to enroll while incarcerated, go to [p. 122](#).
- You *cannot* buy a private health care plan through the Marketplace.

Once you're released:

- If you want to enroll in Medicaid, and you didn't already enroll while incarcerated, you can apply at any time after your release. For details about Medicaid, go to [p. 122](#).
- If you want to buy a private health care plan (and also get tax credits to help pay for it), you have 60 days after your release to notify the Marketplace, get approved for a Special Enrollment Period (see [p. 120](#)), submit an application, and enroll in a health care plan. If you don't complete this process in 60 days, you must wait for the next Open Enrollment period (see [p. 119](#)).³⁷⁸

Whether you're applying for Medicaid or for private health insurance, you can use [HealthCare.Gov](#) or your state marketplace website to apply.

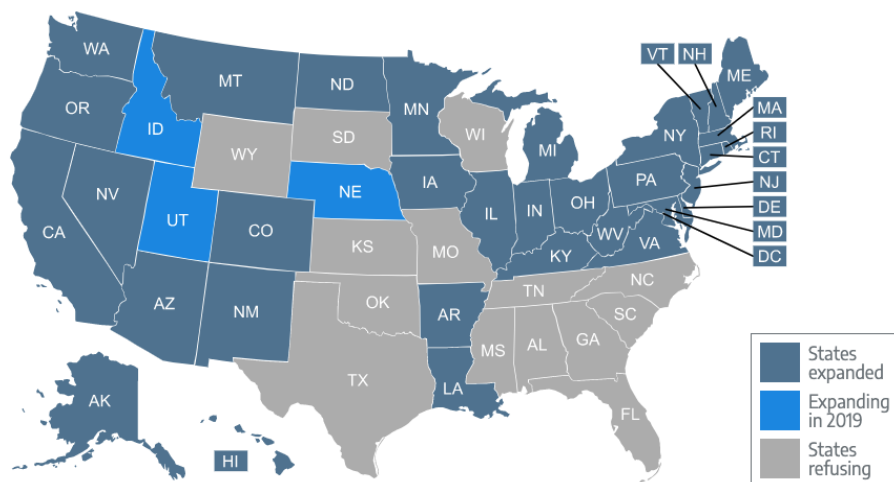
MEDICAID

WHAT IS MEDICAID?

Medicaid offers free or low-cost health care coverage to millions of Americans with limited income.³⁷⁹ It is a joint federal-state program, which means that federal law lays out the general program but each state runs its own Medicaid plan. Federal law requires some uniformity among the states' plans, but eligibility and services vary from state to state.

WHAT IS MEDICAID EXPANSION?

The Affordable Care Act in 2010 expanded federal Medicaid eligibility and funding to cover all people with household incomes below a certain level (often referred to as "Medicaid expansion").³⁸⁰ But a 2012 Supreme Court ruling allowed states to opt out of this expansion, staying at previous eligibility and funding levels instead.³⁸¹ The below map shows states that have not expanded Medicaid, those that plan to expand in 2019, and those that have declined to expand.



Source: HealthInsurance.org, Medicaid Coverage in Your State, available at: <https://www.healthinsurance.org/medicaid/>

IMPORTANT: If you applied for Medicaid before 2010 and were denied, apply again. You may be eligible under new rules.

³⁷⁶ Health coverage for Incarcerated People, HEALTHCARE.GOV, <https://www.healthcare.gov/incarcerated-people/>. Your facility might also have an enrollment program.

³⁷⁷ Exception: Federal law permits states to allow the use of Medicaid while incarcerated for the purpose of paying for medical expenses occurred during an inpatient stay in a non-correctional health facility (such as a hospital), if that stay lasts longer than 24 hours. 42 U.S.C. 1396d(a)(30)(A) (2018). How states administer this exception may vary. For instance, according to a 2018 analysis of 50-State Medicaid Budget Surveys, Florida and Wyoming do not provide for this exception. States Reporting Corrections-Related Medicaid Enrollment Policies in Place for Prisons or Jails, HENRY J KAISER FAMILY FOUNDATION, <https://www.kff.org/medicaid/state-indicator/states-reporting-corrections-related-medicicaid-enrollment-policies-in-place-for-prisons-or-jails/>.

³⁷⁸ Health coverage for Incarcerated People, HEALTHCARE.GOV, <https://www.healthcare.gov/incarcerated-people/>.

³⁷⁹ Eligibility, MEDICAID.GOV, <https://www.medicaid.gov/medicaid/eligibility/index.html>.

³⁸⁰ This is typically defined as 138% of the Federal Poverty Level. A few states use a different limit. Medicaid expansion & what it means for you, HealthCare.gov, <https://www.healthcare.gov/medicaid-chip/medicaid-expansion-and-you/>. See chart at U.S. Federal Poverty Guidelines Used to Determine Financial Eligibility for Certain Federal Programs, U.S. DEP'T OF HEALTH & HUMAN SERVS., <https://aspe.hhs.gov/2019-poverty-guidelines>.

³⁸¹ National Federation of Independent Business v. Sebelius, 567 U.S. 519 (2012).

AM I ELIGIBLE FOR MEDICAID?

It depends. You may qualify for full Medicaid coverage in a few different ways:

First: You may be eligible for Medicaid if you (1) meet the income requirements, and (2) fall into one of these special categories:

- Adults age 65 and older
- Blind or disabled individuals
- Children under age 21
- Pregnant women
- Women diagnosed with breast and/or cervical cancer
- Parents or caretakers of disadvantaged children under 21
- Residents in skilled nursing or intermediate care homes
- Individuals enrolled in certain other public benefits programs, including TANF, SSI/SSP, Refugee Assistance Program, Foster Care or Adoption Assistance Program.³⁸²

To find out if you're eligible for full or partial health care coverage through Medicaid, find the information for contacting your local public benefits agency here: <https://www.medicaid.gov/about-us/contact-us/contact-state-page.html>.

You may also seek to apply using a paper application or apply online through the Marketplace.³⁸³

Second: You may be eligible for Medicaid based on your income alone (and if your home state has expanded Medicaid coverage).

1. You're a U.S. citizen or national³⁸⁴ or you're a "qualified non-citizen,"³⁸⁵ and
2. You have limited income. This is typically defined as 138% of the Federal Poverty Level, though a few states use a different limit.³⁸⁶

HELPFUL HINT

Qualifying for Medicaid Because of a Disability

If you think you qualify for Medicaid based on a disability, contact your county Medicaid office before you apply. Also, if you are homebound or living in an assisted care facility, you can ask to have a Medicaid representative visit you and help complete your application in person.

WHAT IF MY STATE HASN'T EXPANDED MEDICAID?

If your state hasn't expanded Medicaid and it seems like you won't qualify, you can apply for Medicaid anyway. There may be a coverage option available to you.³⁸⁷

1. If you apply and you find out you don't qualify for Medicaid, you can go to a nearby community health center. Find a health center at findahealthcenter.hrsa.gov
2. If your income increases so that it's between 100% and 400% of the federal poverty level, you may become eligible for the premium tax credit discussed above.³⁸⁸ That means you can get advance payments of that credit to bring down the amount of money you pay on your insurance plan each month.³⁸⁹

WHAT BENEFITS AND SERVICES CAN I GET THROUGH MEDICAID?

Medicaid covers inpatient and outpatient hospital services, physician services, laboratory and x-ray services, and home health services, and others. Optional benefits include prescription drugs, case management, physical therapy, and occupational therapy.³⁹⁰ Under the Affordable Care Act, if a state has expanded Medicaid, it must provide new enrollees with the same baseline coverage.³⁹¹ But it can provide even more. For example, many states cover certain benefits, such as vision and dental care, on top of the baseline essential health benefits.³⁹²

³⁸² See List of Medicaid Eligibility Groups - Mandatory Categorically Needy, MEDICAID.GOV, <https://www.medicaid.gov/medicaid-chip-program-information/by-topics/waivers/1115/downloads/list-of-eligibility-groups.pdf>.

³⁸³ Or, if you have Internet access and a printer, download and print it at <https://marketplace.cms.gov/applications-and-forms/marketplace-application-for-family.pdf>.

³⁸⁴ Coverage for U.S. citizens & U.S. nationals, HEALTHCARE.GOV, <https://www.healthcare.gov/immigrants/us-citizens-and-nationals/>.

³⁸⁵ The term "qualified non-citizen" includes: Lawful Permanent Residents (LPR/Green Card Holder); asylees; refugees; Cuban/Haitian entrants; paroled into the U.S. for at least one year; conditional entrant granted before 1980; battered non-citizens, spouses, children, or parents; victims of trafficking and his or her spouse, child, sibling, or parent or individuals with a pending application for a victim of trafficking visa; granted withholding of deportation; and member of a federally recognized Indian tribe or American Indian born in Canada. Coverage for lawfully present immigrants, HEALTHCARE.GOV, <https://www.healthcare.gov/immigrants/lawfully-present-immigrants/>.

³⁸⁶ Medicaid expansion & what it means for you, HEALTHCARE.GOV, <https://www.healthcare.gov/medicaid-chip/medicaid-expansion-and-you/>. See chart at U.S. Federal Poverty Guidelines Used to Determine Financial Eligibility for Certain Federal Programs, U.S. DEP'T OF HEALTH & HUMAN SERVS., <https://aspe.hhs.gov/2019-poverty-guidelines>.

³⁸⁷ For instance, the Affordable Care Act allows states to create what is called a "Basic Health Program" to cover people who earn too much to qualify for Medicaid but too little to afford a Marketplace plan. Only two states have done this, Minnesota and New York, but they have proven to be popular plans, helping more than 800,000 people across both states. The Trump administration, however, reduced funding for these programs. So this

³⁸⁸ Medicaid expansion & what it means for you, HEALTHCARE.GOV, <https://www.healthcare.gov/medicaid-chip/medicaid-expansion-and-you/>.

³⁸⁹ How to save on your monthly insurance bill with a premium tax credit, HEALTHCARE.GOV, <https://www.healthcare.gov/lower-costs/save-on-monthly-premiums/>.

³⁹⁰ <https://www.medicaid.gov/medicaid/benefits/list-of-benefits/index.html>

³⁹¹ Medicaid Benefit Designs for Newly Eligible Adults: State Approaches, THE COMMONWEALTH FUND,

<https://www.commonwealthfund.org/publications/issue-briefs/2015/may/medicaid-benefit-designs-newly-eligible-adults-state-approaches>. Essential Health Benefits include the following ten benefit categories, recognizing that some of the benefit categories include more than one type of benefit: (1) ambulatory patient services, (2) emergency services, (3) hospitalization, (4) maternity and newborn care, (5) mental health and substance use disorder services, including behavioral health treatment, (6) prescription drugs, (7) rehabilitative and habilitative services and devices, (8) laboratory services, (9) preventive and wellness services and chronic disease management, and (10) pediatric services, including oral and vision care.

³⁹² Medicaid Benefit Designs for Newly Eligible Adults: State Approaches, THE COMMONWEALTH FUND, <https://www.commonwealthfund.org/publications/issue-briefs/2015/may/medicaid-benefit-designs-newly-eligible-adults-state-approaches>.

HELPFUL HINT

Retroactive Medicaid Coverage in Some States

In some states, when applying for Medicaid benefits, you may request retroactive Medicaid coverage for medical services you received during any of the three calendar months immediately before the month that you applied to Medicaid. This applies so long as the services would have qualified for coverage had you been enrolled in Medicaid at the time.³⁹³

The details for retroactive Medicaid vary from state to state. You can usually request retroactive coverage when you apply for Medicaid. Of you may be able to complete a supplemental request form within a specified period of time the last month for which retroactive coverage is sought.³⁹⁴

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO GET MEDICAID BENEFITS?

No! There are no restrictions on Medicaid eligibility based on past convictions or violations. Being on probation or parole does not affect your eligibility either.

CAN I APPLY FOR MEDICAID WHILE INCARCERATED?

Yes,³⁹⁵ and you should! You can talk with your case manager about applying for Medicaid before you get out to help smooth your transition.

NOTE: BOP will continue to pay for your health care if you're at a Residential Reentry Center (RRC). Medicaid coverage won't kick in until after until your status changed to home confinement, parole, probation, or full-term release.³⁹⁶ (Though you can and should still apply for Medicaid if you're in an RRC.)

HOW DO I APPLY FOR MEDICAID?

You can apply for Medicaid by submitting a Marketplace application through several methods: online, by phone, by mail, or in person.³⁹⁷ You can get the paper application at your local county social services office or online at marketplace.cms.gov/applications-and-forms/marketplace-application-for-family.pdf.

Online: Go to www.HealthCare.gov or your state's Marketplace.³⁹⁸ Set up an account with a username and password. Once you log in, you can browse different health plans and start the application process.

- **By phone:** Call the Marketplace Call Center at 1-800-318-2596 (TTY: 1-855-889-4325; en Español: 1-800-318-2596; in other languages: call 1-800-318-2596 and tell the representative the language you need). A staff person will walk you through the application process. If your state runs its own Marketplace, you'll be given the number you need to call when you call the federal Marketplace 800 number.
- **By mail:** Send your completed application form to Health Insurance Marketplace, Dept. of Health and Human Services, 465 Industrial Blvd., London, KY 40750-0001. Or if you're in a state with its own Marketplace, be sure to send your application by mail to the appropriate address (which you can find online at www.healthcare.gov/marketplace-in-your-state/).
- **In person:** You can go in person to your state Medicaid agency. Find your state's agency at www.healthcare.gov/medicaid-chip/getting-medicaid-chip/.³⁹⁹

If you want free help with your Medicaid application:

- Call 1-800-318-2596 (TTY: 1-855-889-4325) at any time.⁴⁰⁰ (If you're in a state that runs its own Marketplace, be ready with a pen to jot down the number for your state!)
- Local community-based organizations, community clinics, and trained insurance professionals provide free assistance. You can identify where to go locally for help with enrollment by calling the Marketplace or using the "Find Local Help" tool at localhelp.healthcare.gov.

IMPORTANT: If you were also on SSI disability benefits before your incarceration, you may need to contact the Social Security Administration to restart your SSI checks before you can get back on Medicaid.⁴⁰¹

³⁹³ Federal law requires state plans provide for this retroactivity. 42 U.S.C. § 1396a (a) (34) (2019). However, states can get permission to not follow certain Medicaid rules in order to experiment with new approaches. The Secretary of Health and Human Services can grant these "Section 1115 Medicaid Demonstration Waivers" to states as long as the experiment is "likely to assist in promoting the objectives" of Medicaid. 42 U.S.C. § 1315 (2014). As of May 2019, Arizona, Arkansas, Delaware, Florida, Indiana, Kentucky, Maine, New Hampshire, Massachusetts, New Mexico, Oklahoma, and Utah have eliminated, restricted, or are seeking to eliminate or restrict retroactive Medicaid coverage. How Retroactive Medicaid Coverage Works and Can Help Pay Existing Nursing Home Bills, AMERICAN COUNCIL ON AGING, <https://www.medicaidplanningassistance.org/retroactive-medicaid>.

³⁹⁴ See e.g., 22 C.C.R. § 50148(b).

³⁹⁵ Health coverage for incarcerated people, HEALTHCARE.GOV, <https://www.healthcare.gov/incarcerated-people/>.

³⁹⁶ Centers for Medicare & Medicaid Services, Letter to State Health Officials, "To Facilitate Successful Re-entry for Individuals Transitioning From Incarceration to Their Communities," p 4 (Apr. 28, 2016), <https://www.medicaid.gov/federal-policy-guidance/downloads/sho16007.pdf>.

³⁹⁷ You can get the paper application at your local county social services office or online at <https://marketplace.cms.gov/applications-and-forms/marketplace-application-for-family.pdf>.

³⁹⁸ Find links to state marketplaces at The Marketplace in your state, HEALTHCARE.GOV, <https://www.healthcare.gov/marketplace-in-your-state/>.

³⁹⁹ See also Contact Your State With Questions, MEDICAID.GOV, <https://www.medicaid.gov/about-us/contact-us/contact-state-page.html>.

⁴⁰⁰ Contact Us, HEALTHCARE.GOV, <https://www.healthcare.gov/contact-us/>.

⁴⁰¹ If your SSI payments were only suspended while you were in prison, they can be reinstated usually without much delay once you're released. If your benefits were terminated, it can take a few months to get a new disability determination. Entering the Community After Incarceration — How We Can Help, SOCIAL SECURITY ADMINISTRATION, <https://www.ssa.gov/pubs/EN-05-10504.pdf>.

HELPFUL HINT

Where Is My Home State?

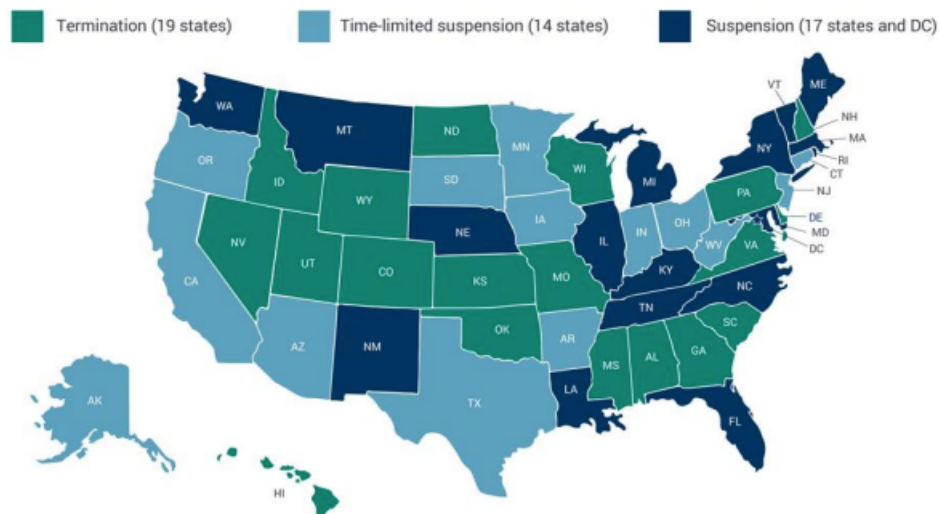
Your home state is where you consider your permanent place of residence (or “domicile”) to be. It’s where you intend to return if you’re not there now. If you intend to live in a different state when you get out, you can consider that your domicile and use it when applying for health insurance.

Medicaid doesn’t require a fixed address when you apply. You can even use your probation office or residential reentry center as your address on your Medicaid application.⁴⁰²

I HAD MEDICAID WHEN I ENTERED PRISON. WHAT HAPPENS TO IT WHILE I’M INCARCERATED?

It depends. Some states terminate (or end) Medicaid for people when they enter the justice system. Other states suspend (or pause) Medicaid for a specific period of time, such as 30 days or up to a year. Still others suspend Medicaid for the entire period of incarceration. Suspending coverage, rather than terminating it, generally makes it easier for people to regain Medicaid coverage when they get out of prison.

FIGURE 1. State Policies on Medicaid Enrollment during Incarceration, 2018



Notes: Colorado and Hawaii recently passed laws to suspend rather than terminate Medicaid enrollment, and are in the process of implementing the law. Some states specify that suspension policies apply to specific prisons and jails.

Sources: KFF 2017 and Families USA 2016.

MY MEDICAID STOPPED WHILE I WAS INCARCERATED. HOW DO I RESTART IT?

If your Medicaid was suspended, “the suspension must be promptly lifted” and officials should reinstate your coverage once you’re released.⁴⁰³ If your Medicaid was terminated, however, you’ll have to reapply.

I BELIEVE MY MEDICAID WAS WRONGLY DENIED OR STOPPED. HOW DO I APPEAL?

If and when the Medicaid office decides to suspend or end your Medicaid coverage, it must send you a “Notice of Action” explaining this decision.⁴⁰⁴ If you disagree with the decision and want to appeal (challenge) it, read the back of the Notice for instructions about how to request a hearing.

HELPFUL HINT

Benefits.gov

Benefits.gov is an online portal that helps people find federal benefits they may be eligible to receive. Benefits categories include education and training, employment and career development, financial assistance, food and nutrition, healthcare and medical assistance, and housing and public utilities, among many others!

Fill out the Benefit Finder questionnaire at [Benefits.gov](https://www.benefits.gov) to see the federal benefits you may be eligible to receive!

⁴⁰² Incarcerated and Recently Released Consumers, CENTERS FOR MEDICARE & MEDICAID SERVICES, <https://marketplace.cms.gov/technical-assistance-resources/incarcerated-and-recently-released-consumers.pdf>.

⁴⁰³ Centers for Medicare & Medicaid Services, Letter to State Health Officials, “To Facilitate Successful Re-entry for Individuals Transitioning From Incarceration to Their Communities” 6 (Apr. 28, 2016), <https://www.medicare.gov/federal-policy-guidance/downloads/sho16007.pdf>.

⁴⁰⁴ 42 CFR 435.917(a), 457.340(e)

MEDICARE

WHAT IS MEDICARE?

Medicare is a federal health care program for people who are elderly and people who have disabilities. Medicare benefits are grouped into four parts: Part A covers hospital care; Part B covers outpatient services; Part C covers services offered by private insurance plans; and Part D covers prescription drugs. There are two main ways to get your Medicare coverage: (1) Original Medicare (Part A and Part B) OR (2) a Part C Medicare Advantage Plan. Some people get extra coverage, such as optional prescription drug coverage through Part D.

CAN MY CRIMINAL HISTORY LIMIT MY ABILITY TO GET MEDICARE?

No! There are no eligibility restrictions based on past convictions or violations.

AM I ELIGIBLE FOR MEDICARE?

When you apply for Medicare, you have to consider whether you will be eligible to enroll in each part Parts A and B (and possibly D) or Part C (and possibly D). This is because each Part has different requirements and rules, and your incarceration affects each Part differently.⁴⁰⁵ If you're a citizen of the U.S., or you've been a legal resident for 5+ years, you may qualify for Medicare if:

- You're age 65 or older, and you or your spouse has worked and paid into Medicare for 10+ years; or
- You have a disability that qualifies you for Social Security Disability benefits (no matter how old you are); or
- You have permanent kidney failure requiring dialysis or a kidney transplant.⁴⁰⁶

WHAT BENEFITS AND SERVICES CAN I GET THROUGH MEDICARE?

Medicare covers services and supplies that are medically necessary to treat a disease or condition.⁴⁰⁷

ORIGINAL MEDICARE (Part A and Part B): Part A covers hospital insurance,⁴⁰⁸ and Part B covers medical insurance.⁴⁰⁹ Part A Hospital Insurance covers: Hospital care; Nursing care; Nursing home care; Hospice; and Home health services.⁴¹⁰ Part B Medical Insurance covers: Medically necessary services (services that are needed to diagnose or treat a medical condition); and Preventative services (health care to detect or prevent illness).⁴¹¹

You have your choice of doctors, hospitals, and other providers that accept Medicare. You pay a monthly premium for Part B, and you may pay no or very low premiums for Part A (depending on your employment history).⁴¹² Note: Part B is optional. When you enroll in Part A, you can choose whether to get Part B. If you're on Social Security benefits, Part B premiums will get deducted from your Social Security checks; otherwise, you'll get billed for Part B premiums.⁴¹³

MEDICARE ADVANTAGE PLAN (Part C): Part C plans include hospital and medical insurance (Parts A and B). Private insurance companies, approved by Medicare, provide this coverage. You choose a Part C plan, and then you must use doctors, hospitals or other providers listed in that plan (or else pay higher costs). You pay an extra premium for getting Part C, in addition to whatever it would cost you to be enrolled in Parts A and B (through Original Medicare).⁴¹⁴

MEDICARE PRESCRIPTION DRUG PLAN (Part D): Part D provides prescription drug insurance for anyone enrolled in Medicare. You choose a Part D plan, and it works as an addition to your Original Medicare (Parts A and B)—or your Medicare Advantage Plan (Part C). PLEASE NOTE: Part D is optional. When you enroll in Medicare, you can choose whether to get Part D. If you have low income, you can get extra help paying for Part D.⁴¹⁵

APPLY TO MEDICARE BEFORE YOU TURN 65!

You can start getting Medicare when you turn 65. However, you can enroll up to 3 months before you turn 65. To confirm whether you qualify and to learn which Parts/Plans are right for you, call the SSA at 1-800-772-1213.

⁴⁰⁵ Medicare, JUDGE DAVID L. BAZELON CENTER FOR MENTAL HEALTH LAW, <http://www.bazon.org/Where-We-Stand/Access-to-Services/Medicare.aspx>.

⁴⁰⁶ Medicare, LEGAL SERVICES OF NORTHERN CALIFORNIA, <http://health.lsn.net/medicare/>.

⁴⁰⁷ Some services may only be covered in certain places, or for patients with certain conditions. What Medicare Covers, MEDICARE.GOV, <http://www.medicare.gov/what-medicare-covers/>.

⁴⁰⁸ This includes hospital care, skilled nursing facility care, nursing home care, hospice care, and home health services. What Part A Covers, MEDICARE.GOV, <http://www.medicare.gov/what-medicare-covers/part-a/what-part-a-covers.html>, <https://cahealthadvocates.org/the-basics/medicare-part-a-hospital-insurance/>.

⁴⁰⁹ Part B covers 2 types of services: medically necessary services that are needed to diagnose or treat a medical condition, and preventive services that help detect and prevent illnesses. This includes doctors' visits, lab tests, ambulance services, mental health care, and certain medical supplies. Medicare Part B <http://www.medicare.gov/what-medicare-covers/part-b/what-medicare-part-b-covers.html>, <https://cahealthadvocates.org/the-basics/medicare-part-b-medical-insurance/>.

⁴¹⁰ Medicare Part A, MEDICARE.GOV, <http://www.medicare.gov/what-medicare-covers/part-a/what-part-a-covers.html>

⁴¹¹ Medicare Part B, MEDICARE.GOV, <http://www.medicare.gov/what-medicare-covers/part-b/what-medicare-part-b-covers.html>.

⁴¹² Part A costs vary based on how many years you (or your spouse) have paid into the Social Security system. If you have 10+ years of Social Security credit, you can get Part A without paying premiums. <https://www.medicare.gov/sign-up-change-plans>, <https://cahealthadvocates.org/the-basics/medicare-part-a-hospital-insurance/>; Medicare: An Overview, CAL. HEALTH ADVOCATES, <https://cahealthadvocates.org/the-basics/medicare-an-overview/>.

⁴¹³ Medicare Part B, CAL. HEALTH ADVOCATES, <https://cahealthadvocates.org/the-basics/medicare-part-b-medical-insurance/>.

⁴¹⁴ The details of MA plans available to you through Part C depend on where you live. Some cover prescription drugs; some don't. <https://cahealthadvocates.org/the-basics/medicare-an-overview/>.

⁴¹⁵ Extra Help with Part D Costs for People with Low Income, CAL. HEALTH ADVOCATES, <https://cahealthadvocates.org/prescription-drugs/extra-help-with-part-d-costs-for-people-with-low-income/>.

BELOW IS A SUMMARY OF ELIGIBILITY FOR SPECIFIC TYPES OF MEDICARE COVERAGE.⁴¹⁶

MEDICARE PART (DESCRIPTION):	YOU'RE ELIGIBLE TO ENROLL IF:
Medicare Part A (hospital insurance): covers inpatient hospital stays, care in a skilled nursing facility, hospice care, and some home health care.	<ul style="list-style-type: none"> You're at least 64 years and 9 months old*; or You have a qualifying disability; or You have permanent kidney failure.
Medicare Part B (medical insurance): covers certain doctors' services, outpatient care, medical supplies, and preventive services	<ul style="list-style-type: none"> You're at least 64 years and 9 months old*; or You have a qualifying disability; or You have permanent kidney failure. <p><i>Note:</i> Part B is optional. When you first enroll in Part A, you can choose whether to enroll in Part B.</p>
Medicare Part C (Medicare Advantage plans): are health plan offered by private companies that contract with Medicare to provide Part A and B benefits to you	<ul style="list-style-type: none"> You're enrolled in both Part A and Part B; and You don't have permanent kidney failure.
Medicare Part D (prescription drug plan): adds prescription drug coverage to Part A, Part B, and some Part C plans. Part D plans are offered by private companies approved by Medicare.	<ul style="list-style-type: none"> You're enrolled in Medicare. You're not enrolled in a Part C plan that already includes prescription drug coverage. <p><i>Note:</i> Part D is optional. When you first enroll in Medicare, you can choose whether to enroll in Part D.</p>

HOW DO I APPLY FOR MEDICARE?

If you're currently incarcerated: Skip to the next question.

If you are *not* incarcerated and have never been enrolled in Medicare: Read on for details. How to apply depends on your individual situation.

- If you're approaching age 65:**

...AND already getting Social Security benefits: you'll automatically get Parts A and B when you turn 65. About 3 months before you turn 65, you'll get your Medicare card by mail. If you want Part D as well, you must sign up for that separately by calling 1-800-MEDICARE.⁴¹⁷

...And NOT getting Social Security benefits, you should apply for Medicare by contacting the Social Security Administration at 1-800-772-1213 (TTY 1-800-325-0778).⁴¹⁸

- If you're under 65 and have a disability:**

...And you're already getting disability benefits from Social Security; you'll automatically get Parts A and B after 24 months of disability benefits.⁴¹⁹ In the 25th month, you'll get your Medicare card by mail. If you want Part D as well, you must sign up separately by calling 1-800-MEDICARE.⁴²⁰

...And you're not getting disability benefits from Social Security, you should apply for SSDI (Learn more at the Social Security Administration webpage on Disability benefits here: <https://www.ssa.gov/disability/disability.html>)

CAN I APPLY FOR MEDICARE WHILE INCARCERATED?

Yes! If you turn 65 and become eligible for Medicare while incarcerated, you should contact the Social Security Administration (SSA) to enroll in Parts A and B. Unlike people who are not in custody, you will NOT be automatically enrolled—so you need to take action. Although Medicare won't start paying for your health care until you're released, it's important to get enrolled as soon as you can. This way, you avoid getting charged penalties for late enrollment, and you also ensure that your Medicare is ready as soon as you're out.

- When:** Contact the SSA to get enrolled during the 7-month period surrounding your 65th birthday—the month of your birthday, plus 3 months before, and 3 months following. This is called your Initial Enrollment Period ("IEP"). Supposing that you turn 65 on April 10, 2020, your Initial Enrollment Period would run from January 1, 2020 through July 31, 2020. If you don't enroll during your Initial Enrollment Period, you may not have access to health care for months after you're released; and you may get charged penalties if you try to enroll in Medicare later.
- How:** Send a signed and dated letter to the Social Security Administration. The letter should include your full name, Social Security Number, a clear statement that you want to enroll in Medicare Parts A and B, and the date that your coverage should be effective. Make sure you sign the letter. Keep a copy of your letter and a copy of the envelope—and, if possible, send the letter by certified mail with return receipt.⁴²¹

⁴¹⁶ Medicare Eligibility: Who is Eligible for Medicare? KAISER PERMANENTE, https://medicare.kaiserpermanente.org/wps/portal/medicare/plans/learn/what-is-medicare?contentid=/html/medicare/en/content/nat/learn_eligibility.html

⁴¹⁷ You can also enroll online using the Medicare Plan Finder: <https://www.medicare.gov/find-a-plan/questions/home.aspx>.

⁴¹⁸ You can also enroll online using the official Social Security website: <http://www.socialsecurity.gov/medicare/apply.html>.

⁴¹⁹ If you have permanent kidney failure, you can get Medicare earlier during your first 3 months of dialysis treatment; and other special rules apply to you. If you have Amyotrophic Lateral Sclerosis ("ALS," or Lou Gehrig's disease), you'll be automatically enrolled in Medicare when you start getting SSDI. Contact the Social Security Administration at 1-800-722-1213 or visit www.ssa.gov for details about these special kinds of cases.

⁴²⁰ You can also enroll online using the Medicare Plan Finder: <https://www.medicare.gov/find-a-plan/questions/home.aspx>.

⁴²¹ If You Become Eligible for Medicare While Incarcerated, MEDICAREINTERACTIVE.ORG, http://www.medicareinteractive.org/page2.php?topic=counselor&page=script&script_id=1783.

I HAD MEDICARE WHEN I ENTERED PRISON OR JAIL. WHAT HAPPENS TO IT WHILE I'M INCARCERATED?

All your Medicare benefits get suspended (paused) while you're incarcerated. The rules for staying enrolled and restarting your benefits upon release are different for each Part of Medicare.⁴²²

> **Your Part A (hospital insurance) enrollment stays in place.** Although you won't get Part A benefits while incarcerated, you don't have to do anything to stay enrolled. When you're released, your access to Part A benefits should be automatically restored.⁴²³

> **Your Part B (medical insurance) is more complicated, since you can only stay enrolled by paying premiums.**⁴²⁴

- If you keep paying premiums, you'll stay enrolled, although you won't get Medicare benefits while incarcerated.
- If you stop paying premiums, your coverage will be ended; and for every 12 months that pass before you re-enroll, your premium amount will be higher by 10%.⁴²⁵ Also, you can re-enroll in Part B only during the General Enrollment Period ("GEP"), which runs January through March, and coverage starts July 1 of the year that you enroll. Depending on your release date, this may cause a gap in your medical coverage.⁴²⁶

These rules create a dilemma if you're someone who can't afford to keep paying Part B premiums while incarcerated and won't be able to afford higher premiums upon release. If you were on Medicare and SSDI before incarceration, you may be able to address this dilemma by applying for SSDI while incarcerated.

> **Your Part C (Medicare Advantage plan) and Part D (prescription drug plan) will end when you're incarcerated.** You're no longer eligible to be enrolled in these plans while the prison or jail is providing your health care. If you want Part C and/or Part D after release, you'll have to re-enroll (for details, see [p. 128](#)).⁴²⁷

ENROLL FOR PART B PREMIUMS AFTER INCARCERATION

If you've been getting Social Security or SSDI, these benefits have been paying for your Part B premiums. Once you've been incarcerated for 30 days, these benefits get suspended; so you must call 1-800-MEDICARE within that 30-day window and set up direct payment if you want to keep Part B.

MY MEDICARE STOPPED WHILE I WAS INCARCERATED. HOW DO I RESTART IT?

If you had Part A (hospital insurance) before you were incarcerated, you don't have to do anything to restart it. Your enrollment should still be in place, and you should have access to Part A coverage as soon as you're released.⁴²⁸

If you had Part B (medical insurance) before you were incarcerated, your next steps depend on your situation:

- **If you kept paying premiums and stayed enrolled in Part B while incarcerated:** you don't have to do anything to restart it. Your enrollment is in place, and you should have access to Part B coverage once you're released.⁴²⁹
- **If you stopped paying premiums and your Medicare enrollment was ended while incarcerated:** you can re-enroll during General Enrollment Period ("GEP"), which runs January to March.
 - Your Part B coverage will start on July 1 of that year.
 - You'll have a higher premium based on how many months passed since your Medicare enrollment ended.
 - If you're under 65 and previously qualified for Medicare due to a disability, you must restart your SSDI before you can get Part B again. Once you know your release date, contact Social Security to do this.
- **If you had Part C (Medicare Advantage) and Part D (prescription drug plan) before you were incarcerated,** these forms of coverage ended during your incarceration. If you want Part C and/or D after release, you must enroll again during your Special Enrollment Period ("SEP"). Your SEP starts the month before your release date and ends two months after that date. If you miss your SEP, you'll be charged a penalty when you try to enroll later.⁴³⁰



IMPORTANT: If you qualified for Medicare through SSDI, you must restart your SSDI before you can get Medicare coverage back. Even if you contact Social Security before your release, you won't start getting SSDI again until a month after release. One possible way to avoid a gap in health care coverage is to apply for SSI before your release, if you qualify. If your SSI application is approved, you'll be automatically enrolled in both SSI and Medicaid after release. You'll only be on SSI for one month until your SSDI kicks in, and then your Medicaid will link to your SSDI again.⁴³¹

⁴²² If You Already Have Medicare When You are Incarcerated, MEDICAREINTERACTIVE.ORG, http://www.medicareinteractive.org/page2.php?topic=counselor&page=script&script_id=1782.

⁴²³ If You Become Eligible for Medicare While Incarcerated, MEDICAREINTERACTIVE.ORG, http://www.medicareinteractive.org/page2.php?topic=counselor&page=script&script_id=1783.

⁴²⁴ If You Already Have Medicare When You are Incarcerated, MEDICAREINTERACTIVE.ORG, http://www.medicareinteractive.org/page2.php?topic=counselor&page=script&script_id=1782.

⁴²⁵ Medicare Part B Late Enrollment Penalty, MEDICAREINTERACTIVE.ORG, http://www.medicareinteractive.org/page2.php?topic=counselor&page=script&script_id=316, <http://www.bazon.org/LinkClick.aspx?fileticket=10XzWkOBc%3d&tabid=353>.

⁴²⁶ If You Become Eligible for Medicare While Incarcerated, MEDICAREINTERACTIVE.ORG, http://www.medicareinteractive.org/page2.php?topic=counselor&page=script&script_id=1783.

⁴²⁷ http://www.medicareinteractive.org/page2.php?topic=counselor&page=script&script_id=1784.

⁴²⁸ If You Become Eligible for Medicare While Incarcerated, MEDICAREINTERACTIVE.ORG, http://www.medicareinteractive.org/page2.php?topic=counselor&page=script&script_id=1783

⁴²⁹ If You Already Have Medicare When You are Incarcerated, MEDICAREINTERACTIVE.ORG, http://www.medicareinteractive.org/page2.php?topic=counselor&page=script&script_id=1782

⁴³⁰ If you have a Medicare Advantage plan or a Part D plan before your incarceration, MEDICARE.GOV, http://www.medicareinteractive.org/page2.php?topic=counselor&page=script&script_id=1784

⁴³¹ A Manual on SSI/SSDI for Prisoners & Their Advocates (2004), LEGAL SERVICES FOR PRISONERS WITH CHILDREN, www.prisonlegalnews.org/media/publications/manual_on_social_security_benefits_for_prisoners.pdf; Your Right to Representation to the Community (2009).

I BELIEVE MY MEDICARE WAS WRONGLY DENIED OR STOPPED. HOW DO I APPEAL?

The steps to take depend on what Medicare coverage you have, what decision you want to challenge, and what your situation is. Call 1-800-MEDICARE to learn what you can do in your situation.⁴³²

You can also appoint a representative to act on your behalf. This can be a family member, friend, advocate, attorney, doctor, or anyone else you choose. You can appoint a representative in 2 ways:⁴³³

Fill out and submit an “Appointment of Representative” form (available at: <https://www.cms.gov/Medicare/CMS-Forms/CMS-Forms/downloads/cms1696.pdf>).⁴³⁴

- Along with your appeal, submit a written request that includes:
 - Your name, address, phone number, and Medicare number;
 - Your representative’s name, address, phone number, professional status, and relationship to you;
 - A statement that clearly (1) appoints your representative, (2) authorizes release of your personal and health information to your representative, and (3) explains why you’re being represented; and
 - Your signature and the date you signed; your representative’s signature and the date they signed.⁴³⁵

HELPFUL HINT

If you are eligible for both, Medicare and Medicaid (“Dual Eligibility”)

Those Eligible for Both Medicare and Medicaid: People who qualify for both Medicare and Medicaid are known as “dual eligibles” or “Medi-Medis.” People typically become “dual eligible” by first being enrolled in one program and later becoming eligible for the other program. For example, someone may already meet Medicaid’s income requirements, and then age into Medicare when he or she turns 65. Dual eligibles do not necessarily receive the same benefits from Medicare and Medicaid. The majority of dual eligibles receive full Medicaid benefits and assistance with Medicare premiums and cost-sharing.⁴³⁶

GETTING HELP: MENTAL HEALTH AND SUBSTANCE ABUSE

If you’ve struggled with mental health and substance abuse, you are not alone. The National Institute of Mental Health estimates that in a given year 1 in 5 adults in the U.S. (46.6 million) experiences a mental illness, and approximately 1 in 25 adults in the U.S. (11.2 million) experiences a serious mental illness.⁴³⁷ What is more, the Substance Abuse and Mental Health Services Administration has found that among the 20.2 million adults in the U.S. who experienced a substance use disorder, more than half (50.5% adults or 10.2 million) had a mental illness at the same time.⁴³⁸

These numbers are often higher for people who have been impacted by the U.S. criminal justice system. For example, a June 2017 Bureau of Justice Statistics report found that people in U.S. prisons and jails are 3 to 5 times more likely than the general adult population to experience serious psychological distress. Oftentimes people in prison had traumatic life experiences before prison.⁴³⁹ And a 2010 CASA report found that 65% of people in U.S. prisons and jails met the medical criteria for substance abuse addiction.⁴⁴⁰

WHAT CAN I EXPECT IN MY FIRST WEEKS OUT?

The first few weeks out of prison can be the most difficult. This is a stressful time when people are visiting with family and friends they haven’t seen in years and finding housing and employment.

WILL MY HEALTH CARE COVER MY MENTAL HEALTH OR SUBSTANCE ABUSE TREATMENT?

If you have any of the health care coverage discussed above, your mental health and substance abuse treatment will probably be covered. All Marketplace insurance plans are required to cover mental health and substance abuse treatment.⁴⁴¹ And if you’re eligible for Medicaid under Medicaid expansion, you should have the same coverage.⁴⁴² If you have traditional Medicaid benefits, your state program should cover mental health services, and it may cover substance abuse treatment.⁴⁴³ Medicare also covers treatment and prescriptions.⁴⁴⁴

⁴³² How Do I File An Appeal?, MEDICARE.GOV, <http://www.medicare.gov/claims-and-appeals/file-an-appeal/appeals.html>

⁴³³ <https://www.medicare.gov/claims-appeals/file-an-appeal/can-someone-file-an-appeal-for-me>

⁴³⁴ Available online: <http://www.cms.gov/Medicare/CMS-Forms/CMS-Forms/downloads/cms1696.pdf>

⁴³⁵ Can Someone File an Appeal for Me? MEDICARE.GOV, <https://www.medicare.gov/claims-appeals/file-an-appeal/can-someone-file-an-appeal-for-me>

⁴³⁶ For more information about dual eligibility, please visit: <https://kaiserfamilyfoundation.files.wordpress.com/2013/01/4091-08.pdf>

⁴³⁷ A serious mental illness is one that “substantially interferes with or limits one or more major life activities.” Mental Health By The Numbers, National Alliance on Mental Illness, <https://www.nami.org/learn-more/mental-health-by-the-numbers> (citing Any Mental Illness (AMI) Among Adults. (n.d.). Retrieved May 1, 2019, from https://www.nimh.nih.gov/health/statistics/mental-illness.shtml#part_154785; Serious Mental Illness (SMI) Among Adults. (n.d.). Retrieved May 1, 2019, from https://www.nimh.nih.gov/health/statistics/mental-illness.shtml#part_154788).

⁴³⁸ Mental Health By The Numbers, National Alliance on Mental Illness, <https://www.nami.org/learn-more/mental-health-by-the-numbers> (citing Substance Abuse and Mental Health Services Administration, *Results from the 2014 National Survey on Drug Use and Health: Mental Health Findings*, NSDUH Series H-50, HHS Publication No. (SMA) 15-4927. Rockville, MD: Substance Abuse and Mental Health Services Administration. (2015). Retrieved October 27, 2015 from <http://www.samhsa.gov/data/sites/default/files/NSDUH-FRR1-2014/NSDUH-FRR1-2014.pdf>). People who met the criteria for dependence or abuse for alcohol or illicit drugs in the past 12 months based on criteria specified in the Diagnostic and Statistical Manual of Mental Disorders, 4th edition (DSM-IV) were defined as having an SUD. See the following reference: American Psychiatric Association. (1994). *Diagnostic and statistical manual of mental disorders (DSM-IV)* (4th ed.). Washington, DC: Author.

⁴³⁹ The Relationship between Trauma, Arrest, and Incarceration History among Black Americans: Findings from the National Survey of American Life, <https://www.ncbi.nlm.nih.gov/pmc/articles/PMC5079438/>

⁴⁴⁰ New CASA Report Finds: 65% of all US inmates meet medical criteria for substance abuse addiction, only 11% receive any treatment, Center on Addiction, <https://www.centeronaddiction.org/newsroom/press-releases/2010-behind-bars-ll>.

⁴⁴¹ Mental health & substance abuse coverage, HealthCare.gov, <https://www.healthcare.gov/coverage/mental-health-substance-abuse-coverage/>

⁴⁴² Mental health & substance abuse coverage, MentalHealth.gov, <https://www.mentalhealth.gov/get-help/health-insurance>

⁴⁴³ Mental health & substance abuse coverage, MentalHealth.gov, <https://www.mentalhealth.gov/get-help/health-insurance>

⁴⁴⁴ Mental health care (outpatient), Medicare.gov, <https://www.medicare.gov/coverage/mental-health-care-outpatient>, <https://www.medicare.gov/pubs/pdf/10184-medicare-mental-health-bene.pdf>, Treatment for alcoholism and substance use disorder, Medicare Interactive, <https://www.medicareinteractive.org/get-answers/medicare-covered-services/mental-health-services/treatment-for-alcoholism-and-substance-abuse>, <https://www.mentalhealth.gov/get-help/health-insurance>

HELPFUL HINT

Hotlines and Resources

- **National Suicide Prevention Lifeline** (1-800-273-8255) is a free, confidential, 24/7/365 crisis counseling and mental health referral service. Your call goes to trained crisis workers at the nearest crisis center in the Lifeline national network.
- The **National Alliance for Mental Illness (NAMI)** helpline (800-950-NAMI) is open Monday-Friday, 10 AM – 6PM ET. There are almost 1,000 NAMI State Organizations and NAMI Affiliates across the United States. To find a NAMI Affiliate near you, visit the website here: <https://www.nami.org/Find-Your-Local-NAMI>
- **Substance Abuse and Mental Health Services Administration National Helpline (1-800-662-HELP (4357))** is a free, confidential, 24/7/365 treatment referral and information service (in English and Spanish) for individuals and families facing mental and/or substance use disorders. You can find a treatment center online as well at findtreatment.samhsa.gov.
- In many states, **211** connects people with health and human services such as food, shelter, housing, rent and utility assistance, legal assistance, financial assistance, governmental assistance programs, health care, employment, education, and family support programs. 211 is a free, confidential, and 24-hour service available in over 150 languages

Chapter 8

Voting & Civic Participation

The **VOTING & CIVIC PARTICIPATION CHAPTER** explains voting rights, registration and other parts of civic participation. Voting is an important way to have your voice heard, through which people can participate in government elections and influence decisions made at the federal, state, and local level. Finally, Selective Service registration for the military is required of most men in the U.S., and is critical for going back to school in reentry.

DISCLAIMER

YOUR RESPONSIBILITY WHEN USING THIS GUIDE: When putting together this Guide, #cut50 and Root & Rebound did our best to give you useful and accurate information. However, the laws change frequently and have different interpretations. We do not have the resources to make changes to this informational material every time the law changes. If you use information from this Guide, it is your responsibility to make sure that the law has not changed and applies to your particular situation. If you are incarcerated, most of the materials you need should be available in your institution's law library. The Guide is not intending to give legal advice, but rather general legal information. No attorney-client relationship is created by using any information in this guide. You should always consult your own attorney if you need legal advice specific to your situation.

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I. VOTING RIGHTS & VOTER REGISTRATION

WHY REGISTER TO VOTE?

Voting is a way to participate in *choosing the laws and the decision-makers* in your community. Voting can be a meaningful way to *exercise your rights* as a citizen, and an opportunity to *express your political wishes* for your city, county, state, and country.

WHO CAN REGISTER TO VOTE?

Generally, to register to vote in the next election, you must be a U.S. citizen, a resident of the state you're registering in, and at least age 18 years old by election day. But even if you meet those requirements, you may lose your right to vote depending on your custody or supervision status. See the next question.

I HAVE A CRIMINAL RECORD. CAN I REGISTER TO VOTE?

Each state has the power to restrict *or* restore the voting rights of people with criminal records.⁴⁴⁵ That means where you live will determine whether you can vote. The practice of restricting voting rights is called criminal (or felon) disenfranchisement. There has been a trend over the last few decades toward restoring the voting rights of people with criminal records, and the rules vary from state to state.⁴⁴⁶ To summarize:

- In 2 states, people convicted of felonies never lose their right to vote, even while in prison.⁴⁴⁷
- In 14 states and the District of Columbia, people convicted of felonies lose their voting rights only while in prison, and their rights are automatically restored upon release.
- In 22 states, people convicted of felonies lose their voting rights while in prison, and for a period of time after (usually while on supervised release or parole). Voting rights are automatically restored after this time period. In some cases, people convicted of felonies may have to pay outstanding fines, fees or restitution before their rights are restored.
- In 12 states people convicted of felonies lose their voting rights permanently for some crimes, requiring a governor's pardon in order for voting rights to be restored; or they face an additional waiting period after completion of sentence (including parole and probation) before voting rights can be restored.

For more information about voting rights, visit websites of the National Conference of State Legislatures (<http://www.ncsl.org/research/elections-and-campaigns/felon-voting-rights.aspx>) and the Sentencing Project (<https://www.sentencingproject.org/publications/felony-disenfranchisement-a-primer/>).

I LOST MY VOTING RIGHTS WHILE IN PRISON. HOW DO I REGAIN MY ABILITY TO VOTE?

It depends on where you live. As summarized above, in the bulk of states (36 states), you'll regain your ability to vote automatically -- *but that does not mean you'll be automatically registered*. If you live in a state that provides for the automatic restoration of voting rights at any time (after getting out of prison or off of supervision), you'll still have to reregister. In other states, you'll have to go through an additional process, like pursuing a governor's pardon, or you'll have to wait a certain period of time after your sentence is complete.

HELPFUL HINT

Find My State or Local Election Office Website

You might want to look more into your state's voting laws. A good place to start would be your state or local election office website! You can find an election office portal here:

<https://www.usa.gov/election-office>

I DON'T KNOW MY SUPERVISION STATUS. HOW DO I FIND OUT?

If you are unaware or unsure of your supervision status, talk to your supervising officer or your federal defender/defense attorney and ask what type it is. Tell them you are trying to determine if you can vote.

WHAT COULD HAPPEN IF I VOTED IN AN ELECTION THAT I WAS NOT LEGALLY ALLOWED TO VOTE IN?

It depends. If you ACCIDENTALLY voted in an election when you weren't legally allowed to, you will probably not be in trouble with the law. Voter fraud typically requires "specific intent." This means that when you voted, you knew that you were illegally voting, and voted with the purpose of breaking the law. If you PURPOSEFULLY voted in an election when you had no legal right to do so, you could be found guilty of voter fraud. The punishment can be sizable.



IMPORTANT: Do not sign the form at home. You must sign it in front of a passport agent. If you fill out the form at home, wait until the agent asks you to sign it at the passport office.

⁴⁴⁵ U.S. CONST. AMEND. 14, §2; *Richardson v. Ramirez*, 418 U.S. 24, 56 (1974).

⁴⁴⁶ <http://www.ncsl.org/research/elections-and-campaigns/felon-voting-rights.aspx>; <https://www.sentencingproject.org/publications/felony-disenfranchisement-a-primer/>

⁴⁴⁷ Maine, Vermont.

REGISTERING TO VOTE:

I WANT TO VOTE IN THE NEXT ELECTION. WHEN IS THE LAST DAY I CAN REGISTER TO VOTE?

It all depends on where you live. In most states, you can register in person, by mail, and online. Some states permit same-day registration, meaning you can register at the polling place right before you vote. While others require registration 30 days before Election Day.⁴⁴⁸ You can check your registration deadline using this tool: <https://www.usvotefoundation.org/vote/state-elections/state-election-dates-deadlines.htm>

I DON'T HAVE OFFICIAL PHOTO ID. CAN I STILL REGISTER TO VOTE?

It depends. In most states, you may be able to register, but whether you will be allowed to vote on Election Day is a different question. However, if you register to vote without a Driver's License number, state ID number, or Social Security Number, then when you later go to vote in person, you might have to show documents with your name and address. Examples of documents you could show at the voting poll are a military ID, student ID, *prison ID*, utility bill, and/or public benefits check.⁴⁴⁹

I DON'T HAVE OFFICIAL PHOTO ID. CAN I STILL VOTE ON ELECTION DAY?

Again, it depends. States' voting laws vary across the country. Two-thirds of states expect voters to show an ID at the polls.⁴⁵⁰ As of 2018, 17 states request a photo ID while 17 states accept non-photo IDs (like a utility bill with your address on it). There are 10 states that are strict in requiring identification and 25 states that are not considered strict. Strict states require ID or else a voter must fill out a provisional ballot AND take additional steps after Election Day so their vote is counted. Non-strict states provide at least some voters without ID the option of casting a provisional ballot that officials will count without the voter taking additional steps.

I'M HOMELESS. CAN I STILL REGISTER TO VOTE?

Yes. You don't need a home address to register. Using the map on the bottom of the voter registration form, you can identify two cross-streets where you usually stay. If you are registering online, you can check the box that says, "I do not have a street address" in the address section.⁴⁵¹

SINCE THE LAST TIME I REGISTERED TO VOTE, MY ADDRESS, NAME, POLITICAL PARTY OR SUPERVISION STATUS HAS CHANGED. DO I HAVE TO RE-REGISTER?

Probably. You'll probably need to re-register if any one of the following is true:

- You've changed your permanent address, legal name, or political party;
- You haven't voted in a number of years; OR
- You've completed a felony prison sentence or a period of supervision.

I HAVE OTHER QUESTIONS ABOUT REGISTERING TO VOTE. WHO CAN I ASK FOR HELP?

- **Contact your state election official's office;** [OR](#)
- **Contact your county elections office.** This office maintains your voter registration record (if you have one).⁴⁵² You can use this tool to find your state or local election office: <https://www.usa.gov/election-office>

HOW DO I REGISTER TO VOTE? WHAT IS THE APPLICATION PROCESS?

To register to vote, you need to fill out a voter registration form and submit it to your county elections office (learn how to find your county elections office directly above). You can usually do this by (1) filling out a paper form, (2) going in person to register, or (3) filling out an online form (if you have access to a computer that's connected to Internet and a printer).

IMPORTANT TIP

Filling out the Voter Registration Form

If your voter registration form asks "Have you ever been convicted of a felony?", you must truthfully. Even if you have fully served your sentence and your voting rights have been restored, you must check the "yes" box. If you lie, you could be found guilty of perjury.

VOTING ON ELECTION DAY

I AM REGISTERED TO VOTE. WHERE, WHEN, AND HOW DO I VOTE IN THE NEXT ELECTION?

It all depends on where you live. Some states allow for early voting and voting by mail, while others don't.⁴⁵³

CAN I USE MY PRISON ID TO VOTE?

Although a prison ID isn't typically listed as acceptable ID, the law usually allows a "document issued by a government agency" to prove who you are. Your prison ID was issued by a government agency (the Bureau of Prisons), so it *should* be accepted as ID. However, since volunteers who work at polling stations on election day are not legal experts, you might have difficulties getting your prison ID accepted and may need to speak with a few different people. Remember: you won't need your prison ID card at all if you provided a SSN, Driver's License number, or state ID number when you registered.

⁴⁴⁸ This site helpfully summarizes the voter registration deadlines across the country. <https://www.vote.org/voter-registration-deadlines/>.

⁴⁴⁹ For a full list of documents that are acceptable for this purpose, contact your county elections office.

⁴⁵⁰ This site summarizes voter identification laws across the country: <http://www.ncsl.org/research/elections-and-campaigns/voter-id.aspx>.

⁴⁵¹ For more on voting if you don't have a house: "You Don't Need a Home to Vote," Voting Rights: Registration Manual, <http://nationalhomeless.org/wp-content/uploads/2016/04/Voting-Manual.pdf>.

⁴⁵² You can find out more about election administration at the state and local levels here: <http://www.ncsl.org/research/elections-and-campaigns/election-administration-at-state-and-local-levels.aspx>.

⁴⁵³ Absentee and Early Voting, National Conference of State Legislatures, <http://www.ncsl.org/research/elections-and-campaigns/absentee-and-early-voting.aspx>

WHEN IS ELECTION DAY?

The General Election is on the first Tuesday of November.⁴⁵⁴ Federal elections happen every two years (on even-numbered years). You can find other key dates, like when presidential and local primaries are, using this online tool: www.eac.gov/voters/register-and-vote-in-your-state/

CAN I GET TIME OFF FROM WORK TO VOTE?

Again, it all depends on where you live. Some states offer time off from work to vote, others don't.⁴⁵⁵

I HAVE A PHYSICAL DISABILITY. CAN I GET HELP ACCESSING MY VOTING LOCATION?

Yes. Follow these two steps:

STEP 1: First, contact your county elections office to find out if your voting location ("polling place") is accessible to you, given your disability.

STEP 2: Second, if your voting location isn't accessible to you, curbside voting should be available. With curbside voting, you will be asked to get as close to the voting area as you can, and elections officials will bring you a sign-in sheet, ballot, and any other voting materials you need.⁴⁵⁶

ENGLISH ISN'T MY FIRST LANGUAGE. CAN I GET A BALLOT IN MY NATIVE LANGUAGE?

Maybe. Call your county elections office to find out in what languages your county has the ballot available. If your county doesn't have ballots in your native language, you can bring an interpreter with you to vote (but this person can't be your employer or labor union officer).⁴⁵⁷

I CAN'T READ, AND/OR I PHYSICALLY CAN'T VOTE BY MYSELF. CAN I GET HELP IN THE VOTING BOOTH?

Yes. If you can't mark a ballot because you can't read, and/or because you have a disability, tell a poll worker when you get to your polling place.

- You have the right to use a voting machine that is accessible to you. Poll workers should explain how to use the voting equipment before you go into the booth, and should also provide further help if you need it after you go into the booth. They are legally required to do so.
- You also have the right to select up to 2 people (including a poll worker) to help you in the booth, as long as these people aren't your employer, agents of your employer, or officers/agents of your labor union.⁴⁵⁸

WHAT IF I HAVE PROBLEMS TRYING TO VOTE?

If you run into any problems trying to vote, contact the Justice Department's Civil Rights Division by phone (1-800-253-3931) or email (voting.section@usdoj.gov), or you can submit a complaint through its website (<https://www.justice.gov/crt/complaint/votintake/index.php>).

⁴⁵⁴ See Local Election Office Search here: <https://www.fvap.gov/search-offices>.

⁴⁵⁵ Taking Time Off to Vote. NOLO, <https://www.nolo.com/legal-encyclopedia/taking-time-off-voting-jury-29708.html>

⁴⁵⁶ For additional resources for voters with disabilities, see <https://www.eac.gov/voters/resources-for-voters-with-disabilities/>.

⁴⁵⁷ Know Your Voting Rights: What to do when faced with voter intimidation, ACLU, <https://www.aclu.org/know-your-rights/what-do-when-faced-voter-intimidation>.

⁴⁵⁸ Know Your Voting Rights: What to do when faced with voter intimidation, ACLU, <https://www.aclu.org/know-your-rights/what-do-when-faced-voter-intimidation>.

II. SELECTIVE SERVICE REGISTRATION

WHAT IS THE SELECTIVE SERVICE SYSTEM, AND WHY IS IT IMPORTANT?

The Selective Service System is a federal agency that keeps a list of all adult males in the U.S. In case of a military emergency, the federal government uses the Selective Service registration list to draft men for military service⁴⁵⁹ — and to provide public service work assignments for men who are morally opposed to military service.⁴⁶⁰ If you're a male between ages 18 and 25 and you live in the United States, and you don't fall under one of the legal exceptions, you *must* register with the Selective Service *before you turn 26*.⁴⁶¹ To learn about the legal exceptions to registration, see the question below: "WHO IS NOT REQUIRED TO REGISTER...?".

If you do not register in time, there could be negative consequences. Failing to register is a federal felony punishable by a fine of up to \$250,000 or a prison term of five years, or a combination of both.⁴⁶² You can also be denied certain government benefits — such as student financial aid, citizenship, federal job training, or federal jobs.⁴⁶³ Read on for more information.

WHO IS REQUIRED TO REGISTER WITH THE SELECTIVE SERVICE?

Selective Service registration is required for nearly ALL men ages 18 to 25 (before their 26th birthday) who live in the United States. There are a few exceptions, listed in the next question.⁴⁶⁴

WHO IS NOT REQUIRED TO REGISTER WITH SELECTIVE SERVICE?

You are NOT required to register with the Selective Service if you fall into a category below:⁴⁶⁵

(1) Certain people who are confined:

- *People who are incarcerated in jail or prison* — You DO NOT have to register for the Selective Service *while incarcerated*, even if you are a male between ages 18 and 25. But if you are age 25 or younger *at the time of your release*, you must register within 30 days of getting out.
- People who are being kept in a hospital or institution for medical reasons.

(2) Certain people who have disabilities:

- People with a mental or physical disability that prevents them from functioning in public, with or without assistance.
- People who have been confined continuously to a residence, hospital, or institution from age 18 to age 25.

(3) Certain noncitizens:

- Lawful non-immigrants holding visas in the United States.
- Seasonal agricultural workers holding visas (H-2A).⁴⁶⁶

(4) Certain military members:

- Members of the U.S. Armed Forces on active duty.
- Cadets or midshipmen in a U.S. Service Academy or Coast Guard Academy.
- Students in Officer Procurement Programs at certain U.S. military colleges.

(5) Certain people who have had sex reassignment:

- People who were born female (assigned female at birth) and have had a sex reassignment *are not required* to register with the Selective Service. However, people who were born male (assigned male at birth) and have had a sex reassignment *are required* to register.

WHEN DO I REGISTER WITH THE SELECTIVE SERVICE?

You must register within 30 days of your 18th birthday. The Selective Service will accept your late registration through age 25 (up until the last day *before* you turn 26, but *not after*).⁴⁶⁷

⁴⁵⁹ See 50 U.S.C. § 3801 et seq.; Agency Mission, SELECTIVE SERV. SYS., <https://www.sss.gov/>.

⁴⁶⁰ See 32 C.F.R. § 1656.1; Agency Mission, SELECTIVE SERV. SYS., <https://www.sss.gov/consobj>.

⁴⁶¹ 50 U.S.C. § 3802.

⁴⁶² Benefits and Penalties, SELECTIVE SERV. SYS., <https://www.sss.gov/Registration/Why-Register/Benefits-and-Penalties>.

⁴⁶³ Benefits and Penalties, SELECTIVE SERV. SYS., <https://www.sss.gov/Registration/Why-Register/Benefits-and-Penalties>.

⁴⁶⁴ Who Must Register - Chart, SELECTIVE SERV. SYS., <https://www.sss.gov/Portals/0/PDFs/WhoMustRegisterChart.pdf>; see also Back to School: A Guide to Continuing Your Education after Prison, PRISONER REENTRY INSTITUTE, JOHN JAY COLLEGE OF CRIMINAL JUSTICE (July 2010), 23-24.

⁴⁶⁵ Who Must Register - Chart, SELECTIVE SERV. SYS., <https://www.sss.gov/Portals/0/PDFs/WhoMustRegisterChart.pdf>.

⁴⁶⁶ NOTE: Most other categories of noncitizens are required to register. These include legal permanent residents ("green card" holders), undocumented immigrants, refugees, and asylum grantees. See <https://www.sss.gov/Portals/0/PDFs/WhoMustRegisterChart.pdf>

⁴⁶⁷ Men Cannot Register after Reaching Age 26, SELECTIVE SERV. SYS., <http://www.sss.gov/FSmen.htm>.

HOW DO I REGISTER WITH THE SELECTIVE SERVICE?

You can register in 3 ways, and all are equally acceptable. You can register (1) online, (2) by filling out a paper registration form and mailing it to the Selective Service System, OR (3) by checking the “Register Me” option on the Federal Student Financial Aid Application (called the “FAFSA”).

(1) Registering online:

If you have access to a computer with Internet access, this is the fastest and easiest way to register. (Most public libraries have free computer access.)

- Go to <https://www.sss.gov/Home/Registration>.
- Fill out the online form and then click “Submit Registration.”

(2) Registering by mail:

You can find the Selective Service registration form at any U.S. post office and at many high schools. If you want to find it online and print it out to send in by mail, you can go to https://www.sss.gov/Portals/0/PDFs/regform_copyINT_1.pdf.⁴⁶⁸ Fill out the form and mail it to:

Selective Service System
Registration Information Office
P.O. Box 94739
Palatine, IL 60094-4638

(3) Registering through FAFSA (Free Application for Federal Student Aid):

If you are a student applying for federal student financial aid using the FAFSA, you can register simply by checking “Register Me” on Box #22 of that application form. The U.S. DEPARTMENT OF EDUCATION will send your information to the Selective Service, and you are done!

DO I NEED A SOCIAL SECURITY NUMBER (SSN) TO REGISTER WITH THE SELECTIVE SERVICE?

No. If you have a SSN, you must provide it when registering; but if you don't have one, it's not required.

ISSUES WITH SELECTIVE SERVICE REGISTRATION

I REGISTERED WITH THE SELECTIVE SERVICE, BUT I LOST MY REGISTRATION NUMBER AND MY PROOF OF REGISTRATION. HOW CAN I GET THESE?

Contact the Selective Service to request your number and get new proof of registration. Be ready to provide your name, birthdate, Social Security Number, AND current mailing address. **TO CONTACT:**

- *By phone:* Call 1-847-688-6888 or 1-888-655-1825.
- *By mail:* Mail a request to Selective Service System; P.O. Box 94638; Palatine, IL 60094-4638.
- *Online:* Visit <http://www.sss.gov> and click “Check Registration.” You'll need to enter your SSN.

IT'S BEEN MORE THAN 30 DAYS SINCE I TURNED 18, AND I HAVEN'T REGISTERED WITH THE SELECTIVE SERVICE. CAN I STILL REGISTER?

- IF YOU ARE AGE 25 OR YOUNGER, then YES, you can still register. You should do so immediately!⁴⁶⁹
- IF YOU ARE AGE 26 OR OLDER, it's probably too late to register. HOWEVER, if you have *good reasons* for not registering earlier — such as being incarcerated continuously between the ages of 18 and 25 — then you might be able to get an official “Status Information Letter” from the Selective Service stating that you were not required to register.⁴⁷⁰

I AM 26 OR OLDER AND NEVER REGISTERED WITH THE SELECTIVE SERVICE — AND I DON'T FALL INTO ANY OF THE LEGAL EXCEPTIONS. WHAT ARE SOME POSSIBLE CONSEQUENCES?

If you are age 26 or older, failed to register with the Selective Service, and don't fall into any of the legal exceptions to the registration requirement — then, by law, you could face a fine of up to \$250,000 and/or a prison term of up to 5 years.⁴⁷¹ Even if you don't face charges, you may be disqualified from certain government programs and benefits — including *federal student financial aid, naturalized citizenship, federal job training, and federal jobs*.⁴⁷² Failure to register with the Selective Service also means you *can't get STATE-funded student financial aid*.⁴⁷³ In some cases, if you can prove that your failure to register was *unintentional*, you might still be eligible for certain government benefits and programs.

I AM 26 OR OLDER AND NOW I'M DISQUALIFIED FROM CERTAIN GOVERNMENT BENEFITS AND PROGRAMS BECAUSE I NEVER REGISTERED WITH THE SELECTIVE SERVICE. WHAT CAN I DO?

It depends on 2 factors — (1) whether you had good reason for not registering, and (2) what program or benefit you are applying for. Learn more about different situations in the chart that follows.

⁴⁶⁸ How to Register, SELECTIVE SERV. SYS., <http://www.sss.gov/FSregist.htm>.

⁴⁶⁹ Who Must Register, SELECTIVE SERV. SYS., <https://www.sss.gov/Registration-Info/Who-Registration>.

⁴⁷⁰ Status Information Letter, SELECTIVE SERV. SYS., <https://www.sss.gov/Registration/Status-Information-Letter>.

⁴⁷¹ See Benefits and Penalties, SELECTIVE SERV. SYS., <https://www.sss.gov/Registration/Why-Register/Benefits-and-Penalties>.

⁴⁷² See Benefits and Penalties, SELECTIVE SERV. SYS., <https://www.sss.gov/Registration/Why-Register/Benefits-and-Penalties>.

⁴⁷³ 34 C.F.R. § 668.37(d)(2)(i); 34 C.F.R. § 668.37(e).

HOW FAILURE TO REGISTER WITH THE SELECTIVE SERVICE MAY IMPACT YOUR ABILITY TO RECEIVE PUBLIC BENEFITS

YOUR REASON FOR NOT REGISTERING	IMPACT ON YOUR ABILITY TO GET PUBLIC BENEFITS
<p>... You were incarcerated between the ages of 18 and 26.</p>	<p>You may be able to prove that you should qualify for the benefits or programs you are trying to get. To do this, you must fill out a form requesting a “Status Information Letter” from the Selective Service System. You will have to list the dates during which you were incarcerated, and attach any documents that show when and where you were incarcerated. If you can prove that you were incarcerated during the relevant time, the Selective Service System will send you an official letter stating that you <i>were not required to register</i>. If you show this letter to the benefit-issuing agency to which you are applying, it can’t legally deny you benefits because of your Selective Service status.</p>
<p>... You didn’t know about the registration requirement, OR mistakenly believed it didn’t apply to you OR ... You thought you were already registered, but the Selective Service has no record of your registration</p>	<p>You may still be eligible for government benefits if you can prove to the benefit-issuing agency that you did not “<i>knowingly or willfully</i>” fail to register.⁴⁷⁴ The agency handling your case — NOT the Selective Service System — is in charge of deciding whether you have provided enough proof.⁴⁷⁵</p> <p>You must send the benefit-issuing agency certain documents as proof.</p> <ul style="list-style-type: none"> • First, you must request a “Status Information Letter” from the Selective Service System, which summarizes your status with the Selective Service.⁴⁷⁶ • Second, send this letter along with a detailed “explanation letter” stating in your own words why you didn’t register.⁴⁷⁷ This letter should include any information that might be relevant to the agency’s decision — such as where you were living between the ages of 18 and 25, if you wrongly believed you had already registered, and/or why you didn’t know about the registration requirement.⁴⁷⁸ • To present the most persuasive case, you should provide any documentation you have that supports your story.

HOW DO I GET A SELECTIVE SERVICE “STATUS INFORMATION LETTER”?

You can request a Status Information Letter from the Selective Service by (1) calling, OR (2) sending a written request. If you want to show that you were incarcerated, institutionalized, and/or hospitalized between the ages of 18 and 25, be prepared to describe ALL the circumstances that prevented you from registering during that time, and have copies of documents showing all the dates you were confined.⁴⁷⁹

If you are requesting a Status Information Letter because you failed to register for other reasons, you must summarize these reasons on the request form. Note: You do not have to send a separate “explanation letter” to the Selective Service System — that’s only for the agency that denied you the benefits.

TO REQUEST:

- *By phone:* Call 1-847-688-6888 and connect to an operator. Ask for a Status Information Letter.
- *By mail:* Get a copy of the “Request for Status Information Letter” form at <https://www.sss.gov/Portals/0/PDFs/Status.pdf>, and print it from a computer. Fill out the form, sign it, and attach copies of documents to prove the information you write in the form. Mail the form, along with your documents, to: Selective Service System, ATTN: SIL, P.O. Box 94638, Palatine, Illinois, 60094-4638.

How Selective Service Registration Affects Access to School

I’VE HEARD THAT IF I DIDN’T REGISTER WITH THE SELECTIVE SERVICE WHEN I WAS YOUNGER, I MAY NOT BE ABLE TO GET FINANCIAL AID FOR SCHOOL. IS THAT TRUE? WHAT CAN I DO?

It’s true. If you failed to register with the Selective Service between the ages of 18 and 25 (*before* your 26th birthday), you are not eligible for state or federal financial aid — unless you fall into an exception, or you had a really good reason for not registering, such as being incarcerated during the relevant time period.

However, even if you weren’t incarcerated and don’t have a good reason for not registering, you still may be able to get student financial aid, if you can prove that your failure to register was *unintentional*. In other words, you have to prove that even though you knew you were supposed to register, you weren’t avoiding it on purpose.⁴⁸⁰

⁴⁷⁴ See Men 26 and Older, SELECTIVE SERV. SYS., <https://www.sss.gov/Home/Men-26-and-OLDER>. For information about student financial aid, see 34 C.F.R. § 668.37(d)(2)(i); 34 C.F.R. § 668.37(e); U.S. DEP’T OF EDUC. & FED. STUDENT AID, 2014-2015 FEDERAL STUDENT AID HANDBOOK.

⁴⁷⁵ See Men 26 and Older, SELECTIVE SERV. SYS., <https://www.sss.gov/Home/Men-26-and-OLDER>; see also Online Verification, SELECTIVE SERV. SYS., <https://www.sss.gov/Home/Verification>.

⁴⁷⁶ The Status Information Letter will include a code that summarizes the Selective Service’s findings in your case. Different codes correspond to different categories. For example, the Selective Service might include a code indicating that you were sent a letter to inform you of the registration requirement, but that it was returned by the post office as undeliverable. See U.S. DEP’T OF EDUC. & FED. STUDENT AID, 2018-2019 FEDERAL STUDENT AID HANDBOOK, <https://ifap.ed.gov/FSAHANDBOOK/ATTACHMENTS/1819FSAHbkVol1Ch5.PDF>.

⁴⁷⁷ See Request for Status Information Letter, SELECTIVE SERV. SYS., <https://www.sss.gov/Portals/0/PDFs/Status.pdf>.

⁴⁷⁸ See U.S. Dep’t of Educ. & Fed. Student Aid, 2018-2019 Federal Student Aid Handbook, <https://ifap.ed.gov/FSAHANDBOOK/ATTACHMENTS/1819FSAHbkVol1Ch5.PDF>.

⁴⁷⁹ See Men 26 and Older, SELECTIVE SERV. SYS., <https://www.sss.gov/Home/Men-26-and-OLDER>.

⁴⁸⁰ See U.S. Dep’t of Educ. & Fed. Student Aid, 2018-2019 Federal Student Aid Handbook, <https://ifap.ed.gov/FSAHANDBOOK/ATTACHMENTS/1819FSAHbkVol1Ch5.PDF>.

To prove this, you will have to request a Status Information Letter from the Selective Service System, then send that letter to the relevant department at your school, along with a letter explaining why you didn't register. Generally, an employee of your school will be the one who decides whether you have provided enough proof to qualify for financial aid.⁴⁸¹

HELPFUL HINT

Explaining a Failure to Register with the Selective Service to your School

The school employee in charge of your case is required to consider ALL information related to your situation — not just the Letter from the Selective Service System says happened — so provide as much detail as possible to make your case stronger. This may include information about where you were living between the ages of 18 and 25, whether you thought you were already registered, and/or why you weren't aware of the registration requirement.⁴⁸²

⁴⁸¹ See U.S. Dep't of Educ. & Fed. Student Aid, 2018-2019 Federal Student Aid Handbook, [HTTPS://IFAP.ED.GOV/FSAHANDBOOK/ATTACHMENTS/1819FSAHbkVOL1CH5.PDF](https://ifap.ed.gov/fsahandbook/attachments/1819FSAHbkVOL1CH5.PDF).

⁴⁸² See U.S. Dep't of Educ. & Fed. Student Aid, 2018-2019 Federal Student Aid Handbook, [HTTPS://IFAP.ED.GOV/FSAHANDBOOK/ATTACHMENTS/1819FSAHbkVOL1CH5.PDF](https://ifap.ed.gov/fsahandbook/attachments/1819FSAHbkVOL1CH5.PDF).

Chapter 9

National Resource Directory

Chapter 9 has information about national and state resources that can support you in the reentry process. There are websites, phone numbers and addresses for agencies that provide social services and case management, health centers and mental health treatment clinics, legal service organizations, job centers and workforce development groups, housing, and more.

DISCLAIMER

YOUR RESPONSIBILITY WHEN USING THIS GUIDE: When putting together this Guide, #cut50 and Root & Rebound did our best to give you useful and accurate information. However, the laws change frequently and have different interpretations. We do not have the resources to make changes to this informational material every time the law changes. If you use information from this Guide, it is your responsibility to make sure that the law has not changed and applies to your particular situation. If you are incarcerated, most of the materials you need should be available in your institution's law library. The Guide is not intending to give legal advice, but rather general legal information. No attorney-client relationship is created by using any information in this guide. You should always consult your own attorney if you need legal advice specific to your situation.

National Resource Directory

This Directory contains examples of national and local resources for people in reentry. Depending on the requirements of your supervision, there may be restrictions on where you can travel; keep this in mind as you work to get support and reentry resources in your community.

Please note this is not an exhaustive list and will be updated with the second publication of this guide. For access to the most updated resource directory and information, visit FirstStepAct.org.

Below, you can find a list of organizations and directories of resources across the country!

NATIONAL REENTRY RESOURCES

FirstStepAct.org

For access to the most updated resource directory and information about reentry resources across the country, visit FirstStepAct.org.

National Reentry Resource Center

The Reentry Services Directory, developed by the National Reentry Resource Center, has information for local reentry services across the United States. The organizations listed in the directory offer case management, healthcare, housing, employment, and other services: <https://csgjusticecenter.org/nrrc/reentry-services-directory/>

Directory of Programs Serving Children and Families of the Incarcerated

The Directory of Programs Serving Children and Families of the Incarcerated has a list of programs across the United States and around the world that provide support and services to the children and families of people who are incarcerated: <https://nrccfi.camden.rutgers.edu/resources/directory/national-programs/>

Clean Slate Clearinghouse

The Clean Slate Clearinghouse is a project funded through the Department of Labor (DOL) and the U.S. Dept. of Justice. It provides current, updated record clearance information in all U.S. States and Territories: <https://cleanslateclearinghouse.org/states/>

HOUSING

Local Public Housing Agencies

Through the website of the Dept. of Housing and Urban Development, you can find the contact information for your local public housing agency: https://www.hud.gov/program_offices/public_indian_housing/pha/contacts

LEGAL AID

LawHelp.org

LawHelp.org is a national network of legal aid providers. Their website has information to help low-income people across the country access legal aid organizations, programs, information, and forms for states across the country.

EMPLOYMENT AND/OR SUPPORTIVE SERVICES

Goodwill

In 2018, local Goodwill® organizations assisted more than 82,000 people with criminal histories achieve their education and employment goals. Goodwill's reentry model is based on four program components (intake and enrollment, support and stabilization, education and training and employment and advancement). For free virtual services, visit GCFGlobal® at <https://edu.gcfglobal.org/pt/>. To find your local Goodwill, visit the appendix in the back of the Resource Directory or use the locator tool on www.goodwill.org. You can also turn to Appendix A below for a list of Goodwill offices across the United States by city and state.

HonestJobs

HonestJobs.co is a national fair-chance employment platform founded in 2018 that is dedicated to providing great paying job opportunities to the formerly incarcerated. With diverse job openings ranging from positions in IT, software development, warehouses, manufacturing, call centers, management, and more. HonestJobs.co is on a mission to revitalize America's job market by eliminating the barriers of a criminal record. Their website shows

available job openings and has a list of felony-friendly employers to help people transition back into the workforce! Visit the HonestJobs website here: www.HonestJobs.co/jobs

Catholic Charities

Catholic Charities provides comprehensive services and support to people in need across the United States, as well as advocacy for justice in social structures. Find a Catholic Charities office near you at the link here: <https://www.catholiccharitiesusa.org/find-help/>

Aleph Institute Inc.

The Aleph Institute addresses the needs of thousands of individuals in institutional environments such as prisons, mental health facilities, and rehabilitation centers. Find out more about their programs and how to access resources on their website here: <https://aleph-institute.org/wp/programs/>

Salvation Army

The Salvation Army provides a wide range of supportive services to under-resourced communities in offices across the country. To find your local Salvation Army, visit the following webpage and enter your ZIP code: <https://www.salvationarmyusa.org/usn/contact/>

Turn to the next page for a list of local reentry resources, organized by state and federal district.

Northern District of Alabama

211 Connects Alabama. Call 2-1-1 or (888) 421-1266. <http://www.211connectsalabama.org/about-us/> <http://www.211connectsalabama.org/halfway-houses/>

[Federal Public Defender's office https://aln.fd.org/resources.html](https://aln.fd.org/resources.html)

Changed Lives Christian Center, 1308 26th Avenue North, Birmingham, AL 35204, (205) 521-6421

Middle District of Alabama

Comprehensive list of social services divided by county: <http://www.almfd.org/pdfs/Alternatives%20to%20Incarceration.pdf>

Comprehensive list of halfway houses by city: <http://www.almfd.org/pdfs/2015%20Halfway%20House%20List.pdf>

50+ treatment centers in district: <http://www.almfd.org/pdfs/Mens%20SubAbuse%20Doc.pdf>

Middle District of Alabama

Center For Fair Housing, 602 Bel Air Blvd, Mobile, AL 36606. 251-479-1532. www.sacfh.org

Catholic Social Services, 251-434-1550, www.catholic-social-services-mobile.com.

The Neighbor Center (Mobile area interfaith council), 901-A Butler Drive, Mobile AL 36693, 251.308.8725, <http://mobileinterfaith.org/>

District of Alaska

Alaska Department of Health and Social Services, (907) 770-7525 or (888) 578-2547. www.dhss.alaska.gov

Alaska Job Center Network, (877) 724-2539, jobs.alaska.gov/offices/

Alaska Health Care Safety Net Providers, visit: dhss.alaska.gov/dph/HealthPlanning/Pages/SafetyNetDirectory.aspx

District of Arizona

Arizona Department of Housing, (602) 771-1000, housing.az.gov/

[Arizona@Work.arizonaatwork.com/locations](mailto:Arizona@Work.arizonaatwork.com).

Arizona Department of Health Services, (602) 542-1025, www.azdhs.gov/.

Eastern District of Arkansas

Our House Reentry Program, (501) 374-7383. <https://Ourhouseshelter.Org/Reentry/>

Arkansas Reentry Guide: <http://www.arreentryguide.com/resources>

Arkansas Department of Workforce Services, 2311 E Nettleton Ave, Jonesboro, AR, 72401. To find a workforce center near you, visit: https://www.dws.arkansas.gov/About/LocalOffices/A_lojonesboro.htm

Western District of Arkansas

Returning Home: The Center, 703 N. Thompson Street, Springdale AR, 72764, (479) 287-5870. <https://www.returninghomenwa.com>

House of Hope Rescue Mission, 505 E Emma Ave, Springdale, AR 72764, (479) 756-7333

The Salvation Army of Northwest Arkansas, 219 W 15th St, Fayetteville, AR 72701, (479) 521-2151

Central District of California

2-1-1 Los Angeles (Reentry Resources) -- visit <https://www.211la.org/re-entry>

Center for Employment Opportunities (Employment) -- call (212) 42204430 or visit <https://ceoworks.org/locations/san-bernadino>

Anti-Recidivism Coalition (Reentry Services) -- call (213) 955-5885 or visit <https://antirecidivism.org/>

Eastern District of California

National Reentry Resource Center (NRRC) -- visit <https://csgjusticecenter.org/nrrc/reentry-services-directory/#california>

Employment Development Department (EDD) -- visit <https://www.edd.ca.gov/> or call (916) 654-7799

Department of Corrections and Rehabilitation -- visit <https://www.cdcr.ca.gov/adult-operations/fops/reentry-services/>

Notern District of California

California Reentry Program (Reentry Services) -- visit <http://ca-reentry.org/about/what-we-do/>

Homeboy Hotline (Reentry Services) -- call (415) 685-1653 or visit <https://homeboyhotline.org/>

Volunteers of America NorCal (Reentry Services) -- visit <https://www.voanncn.org/community-re-entry-bay-area> or call (916) 265-3400

Southern District of California

Second Chance San Diego (Reentry Services) -- call (619) 234-8888 or visit <https://www.secondchanceprogram.org/>

South Bay Community Services (Family/Youth) -- call (800) 640-2933 or visit <https://southbaycommunityservices.org/>

Mental Health America of San Diego County (Mental Health) -- call (619) 543-0412 or visit <http://mhasd.org/>

District of Colorado

Colorado Criminal Justice Reform Coalition, 1212 Mariposa Street, #6 Denver 80204, (303) 825-0122

National Alliance on Mental Health (NAMI) - Colorado. 2280 S. Albion Street Denver, 80222, (303) 321-3104, <http://www.namicolorado.org/>.

Denver Public Health Clinics, 605 Bannock St., Denver, CO 80204, (303) 602-3700, <http://www.denverpublichealth.org/clinics-services>

District of Connecticut

ABCD, Inc. 1070 Park Avenue, Bridgeport CT 06604. (203) 366-8241, <http://www.abcd.org/support-services.html>.

Americares Connecticut, <https://www.americares.org/en/sub/afc/> (Free health clinics in Bridgeport, Norwalk, Danbury, and Stamford)

Connecticut Public Housing Agencies List, <https://www.hud.gov/states/connecticut/renting/hawbsites>.

District of Delaware

Division of State Service Centers (a network of 15 state service centers located throughout Delaware), <https://www.dhss.delaware.gov/dhss/dssc/index.html>

Delaware State Housing Authority, <http://www.destatehousing.com/Renters/renters.php>

Wilmington Job Corps Center, 9 Vandever Ave, Wilmington, DE 19802, (302) 575-1710, <https://wilmington.jobcorps.gov/contact-us>

District of Columbia

The Mayor's Office on Returning Citizen Affairs (MORCA), 2100 Martin Luther King Jr Avenue, SE, Suite 100, Washington, DC 20020, (202) 715-7670

Thrive DC Reentry Program, 1525 Newton St NW, Washington, DC 20010, (202) 503-1531, <https://www.thrivedc.org/programs/newdirections/>

Welcome Home Reentry Program, (202) 772-4300 ext. 040

Northern District of Florida,

ReEntry Alliance Pensacola, Inc. (Reentry Services), 2615 West Desoto Street, Pensacola, 32505, (850) 332-6677, <https://www.reapreentry.org>
ECHO Outreach Ministries (Fellowship and support), 1707 S Gadsden St, Tallahassee, FL 32301, <https://echothl.org/contact-us/>
Brehon Institute (Services for Families), 1315 Linda Ann Dr, Tallahassee, FL 32301, (850) 656-7110, <http://www.brehonfamilyservices.org>

Middle District of Florida

Project 180 (Reentry Services), P.O. Box 25684, Sarasota, 34277, (941) 677-2281, www.project180reentry.org/
Florida Justice Transitions (Housing & Supportive Services), 2810 US Highway 19 N, Clearwater, Florida 33764, (727) 289-7020, www.floridajusticetransitions.com
Ready4Work (Case Management), 1830 North Main Street, Jacksonville, 32206, (904) 354-4673, <https://operationnewhope.org/programs/ready4work/>

Southern District of Florida

Impact Equitable Justice, Inc. (Workforce Development), 7750 Okeechobee Boulevard, Suite 4-658, West Palm Beach, 33411, (877) 255-0455, <https://www.impactequitablejustice.com/>
The Advocate Program Intake Center (Supportive Services) 1399 NW 17th Ave., 2nd Floor, Miami, FL 33125, 305-704-0200, <https://advocateprogram.org>.
Transition, Inc. (Supportive Services) 1550 NW 3rd Avenue, Building C, Miami, 33136, (305) 571-2001

Northern District of Georgia

Another Chance of Atlanta (Housing & Supportive Services), 777 Cleveland Ave SW, Atlanta, GA 30315, (678) 974-5989, <http://www.anotherchanceofatlanta.org>
Atlanta Center for Self Sufficiency (Workforce Development), 460 Edgewood Ave SE, Atlanta, GA 30312, (404) 874-8001, <http://www.atlantacss.org>
Nspire Outreach (Wraparound Services), 1305 Lakes Pkwy, Suite 121, Lawrenceville, GA 30043 (678) 462-3335, <https://www.nspireoutreach.org/#contacts>

Middle District of Georgia

Adecco Employment Services (Employment), 3555 Mercer University Dr, Macon, GA 31204, (478) 471-1100, <http://www.adeccousa.com>
Enrichment Services Program, Inc., (Services for children & families), 2100 12th Ave, Columbus, GA 31901, (706) 596-0504, <http://www.enrichmentservices.org>
Valley Rescue Mission (Shelter), 1200 11th Ave, Columbus, GA 31901, (706) 653-2061, <http://www.valleyrescuemission.org/shelters/damascus-way/>

Southern District of Georgia

Liberty County Re-Entry Coalition (Reentry Services), Inc., 205 E. Court Street, Hinesville, 31313, (912) 877-5293, <https://www.libertyreentry.org/reentryservices>
Gateway Behavioral Health Services (Mental Health Treatment), 3 Oglethorpe Professional Blvd, Savannah, GA 31406, (912) 355-7035, <http://www.gatewaybhs.org>
Equal Opportunity Authority (Community Services), 618 West Anderson St, Savannah, GA, 31415, (912) 238-2960, <http://www.eoasga.org>

District of Guam

Guam Dept. of Labor, American Job Center, 710 West Marine Corps Drive, Suite 301 (3rd Floor), Bell Tower Plaza, Hagatna, GU 96910, (671) 475-7000, <https://dol.guam.gov/employment-and-training/>
Guam Resident Services Online Directory: <https://www.guam.gov/resident-services/>
Catholic Social Service (Supportive Services), Catholic Charities of Guam, 234 U.S. Army Juan C., Fejeran Street, Barrigada, Guam 96913, (671) 635-1441, <http://www.catholicsocialserviceguam.org/home.html>

District of Hawaii

The Community Assistance Centers, 200 North Vineyard Blvd., #330, Honolulu, HI 96817, (808) 537-2917, <https://www.cachawaii.org>.
HOPE Services Hawaii, The Friendly Place Resource Center; 74-5593 Pawai Place Kailua-Kona, HI 96740, (808) 933-6062, <https://hopeserviceshawaii.org>
ALU LIKE, Inc., (Employment and Education), (808) 535-6700, <https://www.alulike.org/contact-us/office-locations/>

District of Idaho

St. Vincent de Paul (Reentry Services), 8620 Emerald St #140, Boise, ID 83704, <https://www.svdpid.org/reentry-programs-overview/>
Catholic Charities of Idaho (Supportive Services), 7255 W Franklin St, Boise, ID 83709, (208) 345-6031, <https://www.ccidaho.org/>
Idaho Dept of Labor Reentry Guide, <https://labor.idaho.gov/publications/ex-offender.pdf>

Northern District of Illinois

North Suburban Legal Aid Clinic (Legal Aid), 491 Laurel Avenue Highland Park, IL 60035, (847) 737-4042, <https://nslegalaid.org>.
Prairie State Legal Services (Rockford Office - Legal Aid), 303 North Main Street - Suite 600, Rockford, 61101, (815) 965-2902, <http://www.pslegal.org/>

Central District of Illinois

Land of Lincoln Legal Assistance Foundation, Inc. (Legal Aid), 3085 Stevenson Drive, Suite 202 Springfield, IL, 62703, (217) 529-8400; <http://lollaf.org/>

Southern District of Illinois

Land of Lincoln Legal Assistance Foundation (Legal Aid), Dorothy O. Cook Community Law Center, 8787 State Street, East St. Louis, IL 62203 (618) 398-0958, <http://lollaf.org/>

Northern District of Indiana

The Volunteer Lawyer Network, Inc., (Legal Aid) P.O. Box 1358 117 1/2 N. Main Street South Bend, IN 46624; (574) 277-0075; <http://www.volunteerlawyernetwork.org/>
Indiana Legal Services, Inc. (Legal Aid), 919 S. Harrison St. Suite 200, Fort Wayne, IN 46802; (260) 424-9155; General Legal Services; <https://www.indianalegalservices.org/>

Southern District of Indiana

Indianapolis Legal Aid Society (Legal Aid), 615 N Alabama St #122, Indianapolis, IN 46204, USA, (317) 635-9538; <https://www.indylas.org/>
Southern Indiana Pro Bono Referrals, Inc. (Legal Aid-Pro Bono Referrals), P.O. Box 94 New Albany, IN 47151, 1-812-288-8002; <https://probono14.org/>

Northern District of Iowa

Resource Guide - Iowa Department of Corrections -- call (515) 725-5701 or visit https://doc.iowa.gov/sites/default/files/documents/2017/10/ccsr_resource_guide_final_101817.pdf
Inside Out Reentry (Reentry Services) -- call (319) 338-7996 or visit <https://www.insideoutreentry.com/>
Reentry Essentials, Inc. (Resource Guide) -- visit <http://www.reentryessentials.org/images/IowaWebsiteStatePageOutline.pdf>

Southern District of Iowa

Resource Guide - Iowa Department of Corrections -- call (515) 725-5701 or visit https://doc.iowa.gov/sites/default/files/documents/2017/10/ccsr_resource_guide_final_101817.pdf
Bridges of Iowa, Inc. (Substance Abuse) -- call (515) 414-8049 or visit <https://bridgesofiowa.org/>
Inside Out Reentry (Reentry Services) -- call (319) 338-7996 or visit <https://www.insideoutreentry.com/>

District of Kansas

Mental Health America of the Heartland (Healthcare), 739 Minnesota Avenue, Kansas City, KS 66101, (913) 281-2221, <http://mhah.org/>
Twelfth Street Heritage: Reentry Program (Renter Services), 2124 E 12th Street, Kansas City, MO 64127, (816) 216-6242, <http://twelfthstreetheritage.org/reentry-program>
The Help KC: Reentry assistance for women, 1734 E. 63rd St. Suite 108, Kansas City, MO, 64110, (816) 227-6020, <https://www.thehelpkc.org>

Eastern District of Kentucky

Employment Services Directory for E. District of Kentucky: <https://www.kyep.uscourts.gov/offender-employment>
Clark County Homeless Coalition, 19 Wainscott Avenue, Winchester, KY 40391, (859) 744-8733, <http://www.helphomelessfamilies.org/>.
Kentucky Reentry Council, <https://www.kentuckyreentry.org/contact-us/>

Western District of Kentucky

Louisville Resilience and Community Services, 701 West Ormsby Ave, Ste 201, Louisville, (502) 574-5050, louisvilleky.gov/government/resilience-and-community-services/seeking-services
West Kentucky Allied Services (Supportive Services), 33 Construction Drive P.O. Box 736, Mayfield, KY 42066, 270-247-4046, <http://www.wkas.info/>
Kentucky Career Center (Employment Services, multiple locations) 502-564-5331 <https://kcc.ky.gov/Pages/Locations.aspx>

Eastern District of Louisiana

Catholic Charities (Supportive Services), 1000 Howard Ave. Suite 200, New Orleans, LA 70113, (504) 523-3755 or 1 (866) 891-2210, <http://www.ccano.org/>.
JOBview on the Louisiana Eastern District (Employment Opportunity Database), https://www.laep.uscourts.gov/sites/laep/files/How_To_%20Use_JOBview.pdf
Community Employment Resources, <https://www.laep.uscourts.gov/community-resources>

Middle District of Louisiana

Volunteers of America (Housing, Healthcare and Supportive Services), 2119 Oak Park Boulevard, Lake Charles, LA 70601, (337) 497-0034, <https://www.voagr.org/we-re-here-to-help>
Catholic Charities (Housing and Supportive Services), Diocese of Baton Rouge, 1800 South Acadian Thruway, Baton Rouge, LA 70808-1698, USA, 225-387-0561, <https://www.ccdiobr.org/what-we-do/>
Louisiana Workforce Commission, 2424 3rd Street, Lake Charles 70601

Western District of Louisiana

Louisiana Reentry Guide -- visit <http://www.lareentryguide.com/>
Louisiana Dept of Corrections Reentry Guide -- visit <https://doc.louisiana.gov/reentry-programming>

District of Maine

National Alliance on Mental Illness (NAMI) - Maine (Mental Health), 1 Bangor Street, Augusta, ME 04330, (800) 464-5767, <http://www.namimaine.org/>
Northern Maine Regional Reentry Center by Volunteers of America Northern New England, 14 Maine Street, Suite. 301 Brunswick, ME, 04011, (207) 373-1140, <https://www.voanne.org/>
Maine Recovery Fund (Supportive Services and Employment), 494 Forest Avenue, Portland, ME 04101, (207) 807-4992, <https://www.mainerecoveryfund.org>

District of Maryland

Reentry Resources by County in Maryland: <https://www.justice.gov/usao-md/page/file/941351/download>
[Center for Urban Families 2201 N Monroe St. Baltimore, MD 21217 \(410\) 367-5691 https://www.cfuf.org/CFUE-Programs/](https://www.cfuf.org/CFUE-Programs/)
Bon Secours Community Works (Re-entry Services), 26 N Fulton Ave, Baltimore, MD 21223, (410) 362-3629, <http://bonsecours.com/CommunityWorks>

District of Massachusetts

Boston Project Rebound ReEntry Service, 7 Balfour Street, Dorchester, Massachusetts, 02125, (617) 702-2322, <https://bostonprojectrebound.org>
Greater Boston Legal Services (Legal Aid), 197 Friend Street, Boston, MA 02114, 617-371-1234 or 800-323-3205, <http://www.gbls.org>
Coming Home Directory: Reentry Services Available to People Returning from Incarceration to Greater Boston: http://www.cominghomedirectory.org/assets/2018/05/CHD-2018_final-with-cover.pdf

Eastern District of Michigan

Legal Services of Eastern Michigan; 436 S. Saginaw Street Flint, Michigan 48502; (810) 234-2621; General Legal Services w/ Focus on Fair Housing; <http://www.lsem-mi.org/>
First Step (Domestic Violence services), 4400 S. Venoy Wayne, MI 48184; (734)-722-1772; <http://www.firststep-mi.org/>

Western District of Michigan

Legal Aid of Western Michigan; 25 Division Ave S, Ste 300 Grand Rapids, MI 49503; (616)-727-0916; <https://www.lawestmi.org/>
Accelerated Community Entry (ACE) (Reentry Services), 399 Federal Building, 110 Michigan NW Grand Rapids, MI 49503; (616)-456-2381; <https://www.mwd.uscourts.gov/ace-program>

District of Minnesota

Mid-Minnesota Legal Aid; 430 First Avenue North, Suite 300 Minneapolis MN 55401-1780; (612) 334-5970; General Legal Aid; <https://mylegalaid.org/>
Central Minnesota Re-Entry Project; 22 Wilson Ave NE Ste 26 PO Box 6132 St. Cloud, MN 56302; (320) 656-9004; Reentry Aid Program; <https://cmnrp.org/>

Northern District of Mississippi

North Mississippi Rural Legal Services; 5 County Road 1014 PO Box 767 Oxford, Mississippi 38655; 1-800-498-1804; Rural Legal Aid; <http://nmrls.com/>

Southern District of Mississippi

Mississippi Volunteer Lawyers Project (MVLV); P.O. Box 1503 Jackson, MS 39215; 601-960-9577; Family Services; <http://www.mvlp.net/>
Offender Reentry Program: Giving Offenders A Legitimate Shot (GOALS); (228)-563-1860.; <https://www.mssp.uscourts.gov/offender-reentry-program>

Eastern District of Missouri

Legal Services of Eastern Missouri; 4232 Forest Park Avenue St. Louis, MO 63108; (800)-444-0514; General Legal Services; <https://lsem.org/>
Reentry One-Stop Career Center (REOS); <https://www.streentry.org/news/17-reentry-one-stop-careercenter-reos.html>

Western District of Missouri

Legal Aid of Western Missouri; 4001 Blue Parkway, Suite 300 Kansas City, MO 64130; (816)-474-6750; General Legal Aid; <https://lawmo.org/>

District of Montana

Opening Doors, PO Box 1868, Great Falls, Montana 59404, (406) 205-4658, <http://www.openingdoorsmt.org>
National Alliance on Mental Illness (NAMI) - Montana (mental health), 555 Fuller Avenue, Suite 3, Helena, 59601 (406) 443-7871; County Mental Illness Resource Guides <http://www.namimt.org/county-resource-guides.html>
2-1-1 Montana (services finder) <https://www.montana211.org/>

District of Nebraska

NebraskaAccess (a compendium of resources), <http://nebraskaccess.nebraska.gov/index.asp>
Center For People In Need (services), 3901 N. 27th Street Unit 1, Lincoln, NE 68521, 402-476-4357 Fax: 402-476-4358, [https://www.cfpin.org/Iowa/Nebraska211\(servicesfinder\)](https://www.cfpin.org/Iowa/Nebraska211(servicesfinder)), <http://211iowa.org/>

District of Nevada

Nevada 2-1-1 (services finder), <https://www.nevada211.org/>
Hope for Prisoners (reentry services), 3430 E Flamingo Road, Suite 350, Las Vegas, 89121 (702) 586-1371, <https://hopeforprisoners.org/>
National Alliance on Mental Illness (NAMI) - Nevada (mental health), 3100 Mill Street, Suite 206, Reno, NV 89502 (775) 470-5600, <https://www.naminedvada.org/>

District of New Hampshire

NHWorks (employment), 172 Pembroke Road, Concord, 03301 (603) 271-7275, <https://www.nhworks.org/>
2-1-1 New Hampshire (services finder), <https://www.211nh.org/>
HeadRest (substance abuse and crisis help), 14 Church Street, Lebanon, NH 03766 (603) 448-4872, <http://www.headrest.org/>

District of New Jersey

New Jersey Reentry Corporation (reentry services), multiple locations, <https://www.njreentry.org/>
2-1-1 New Jersey (services finder), 32 Ford Avenue, Milltown, New Jersey 08850 (732) 247-3727, <https://www.nj211.org/get-help-with>
Reentry Coalition of New Jersey (reentry resources), 986 South Broad Street, Trenton, NJ 08611, <https://reentrycoalitionofnj.org/reentry-resources-by-county/>

District of New Mexico

Central New Mexico Community College Re-Entry Resources listing (reentry resources), <https://www.cnm.edu/cnm-community/community-resources/re-entry>

Eastern District of New York

Hour Children (Support for Systems-Impacted Families), 36-11 12th Street, Long Island City, 11106 (718) 433-4724, <http://hourchildren.org>
Reentry Resource Center: (Online Resource), <https://www.reentry.net/ny/>
Fortune Society (Reentry Services), 29-76 Northern Boulevard, Long Island City, 11101, (212) 691-7554, <https://fortunesociety.org>.

Northern District of New York

Center for Community Alternatives Reentry Clinic, 115 E. Jefferson Street Suite 300, Syracuse, NY 13202, 315-422-5638, <http://www.communityalternatives.org/>.
Legal Aid Society of Mid-New York (LASMNY), 255 Genesee Street, 2nd Floor, Utica NY 13501, 315 793-7000, <http://www.lasmy.org>.
Alliance for Positive Health, 927 Broadway, Albany, 12207, (518) 434-4686, <http://www.allianceforpositivehealth.org>

Southern District of New York

Center for Urban Community Services, (Housing and Supportive Services) 198 E 121st Street, New York, 10035, (212) 801-3300, <https://www.cucs.org>.
Legal Action Center (LAC) (Legal Aid), 225 Varick Street, New York, NY 10014, 212 243-1313 800 223-4044, lacinfo@lac.org www.lac.org
NYC Reentry Guide: https://www.nycl.org/sites/default/files/connections_2018_m.pdf

Western District of New York

Legal Assistance of Western New York (Legal Aid), One West Main Street, 4th floor, Rochester, NY 14614, (585) 325-2520, <http://www.wnylc.com>.
Peaceprints of WNY (Reentry Services), 660 Smith St. Buffalo NY, 1410, (716) 856-6131, <http://peaceprintswny.org>
Livingston and Wyoming County Reentry Resource Guide: <http://www.co.ontario.ny.us/DocumentCenter/View/8035/Community-Connections>

Eastern District of North Carolina

Inmates to Entrepreneurs (Employment), 5444 Wade Park Blvd, Raleigh, NC 27607, (984) 242-2526, <https://inmatestoentrepreneurs.org>
Family Resource Center (Support for Families), 3825 Barrett Dr #104, Raleigh, NC 27609 (919) 843-9300, <http://www.frdsa.org/>
National Alliance on Mental Illness (NAMI) North Carolina, 309 W. Millbrook Road, Suite 101, Raleigh, 27609, (919) 788-0801, <https://naminc.org>

Middle District of North Carolina

Durham County Criminal Justice Resource Center, 326 E Main Street, Durham, NC, 27701, (919) 560-0500, <https://www.dconnc.gov/government/departments-a-e/criminal-justice-resource-center/reentry-services>
Guilford County Reentry Resource Guide: <https://static1.squarespace.com/static/5a668a5b9f07f5e918f13381/t/5a7e2b930852291995189611/1518218132084/Reentry+Community+Resources.pdf>
Delancey Street Foundation, 811 N. Elm Street, Greensboro NC 27401, (336) 379-8477, <http://www.delanceystreetfoundation.org/facnc.php>

Western District of North Carolina

Crossroads Reentry (Reentry Services), P.O. Box 861, Huntersville, NC 28070, (704) 499-1332, <https://www.crossroadsreentry.org/2018/contact-information.html>
The Center for Community Transitions (Employment and Supportive Services), 301 Wilkinson Blvd., Charlotte, NC 28208, (704) 374-0762, <http://centerforcommunitytransitions.org>
National Alliance on Mental Illness (NAMI) North Carolina, 309 W. Millbrook Road, Suite 101, Raleigh, NC 27609 (919) 788-0801, <https://naminc.org>

District of North Dakota

Delancey Street Foundation, P.O. Box 1240, San Juan Pueblo, NM, (505) 852-4291 X304, <http://www.delanceystreetfoundation.org/facnm.php>

District of the Northern Mariana Islands

Northern Marianas Housing Corporation (housing), 1(670)234-6866/9447/7670, <http://www.nmhcgov.net/>
Northern Mariana Islands Healthcare Directory, <https://www.healthcare.gov/northern-mariana-islands/>
Micronesia Legal Services Corporation; G/F VSS Plaza Bldg. Chalan Piao P.O. Box 500826 Saipan MP 96950; (670)-234-6243 or (670)-234-7729; General Legal Services; <https://micronesialegal.org/>

Northern District of Ohio

National Alliance on Mental Illness (NAMI) Ohio (Advocacy), 1225 Dublin Road, Suite 125, Columbus, OH 43215, 1-800-686-2646, <http://namiohio.org>
2-1-1 Ohio United Way, <http://ouw.org/211-2/>
Career Development and Placement Strategies (Employment), 3631 Perkins Avenue, Suite 3C East, Cleveland, Ohio 44114, (216) 881-5866, www.risingabove-oh.org

Southern District of Ohio

The Exit Program (Reentry Services), 1561 Old Leonard Avenue, Columbus, OH 43219, (614) 253-8969, <http://www.theexitprogram.com>
National Alliance on Mental Illness (NAMI) Ohio (Advocacy), 1225 Dublin Road, Suite 125, Columbus, OH 43215, 1-800-686-2646, <http://namiohio.org>
Ohio Department of Corrections and Rehabilitation Reentry Resource Guide: <https://drc.ohio.gov/reentry-resource-guide>

Eastern District of Oklahoma

Mental Health Association Oklahoma (Advocacy), 1870 S Boulder Avenue, Tulsa, OK 74119 (918) 585-1213, <http://www.mhaok.org>,
2-1-1 Oklahoma, <https://www.211oklahoma.org>
Legal Services of Oklahoma, Inc. (Legal), 1-888-534-5243, <https://www.legalaidok.org>

Northern District of Oklahoma

Oklahoma Indian Legal Services, Inc. (Legal), 4200 Perimeter Center Drive, Suite 222, Oklahoma City, OK 73112, (405) 943-6457, http://www.oilsonline.org/www.oilsonline.org/Welcome_to_OILS.html
Inside Out Re-Entry Services (Reentry Services), 2224 East 56th Place, Tulsa, 74105, (918) 949-4664, <http://insideoutreentryservices.org>
National Alliance on Mental Illness (NAMI) - Oklahoma (Advocacy), 3037 NW 63rd Street, Suite 104W, Oklahoma City, 73116, (405) 607-6018

Western District of Oklahoma

Turning Point Job Readiness: Community Action Agency of Oklahoma City (Employment), 319 SW 25th Street, Oklahoma City, OK 73109, 405-232-0199, <http://www.caaofokc.org>.
Upward Transitions (Wrap-Around Services), 1134 W. Main St., Oklahoma City, OK, 73106, 405-232-5507, <http://www.upwardtransitions.org>
2-1-1 Oklahoma, <https://www.211oklahoma.org>

District of Oregon

Better People 4310 NE, Martin Luther King Jr. Blvd., Portland, OR 97211 503-281-2663, <http://betterpeople.org/>
Community Action Reentry Service): De Muniz Resource Center, Mid-Willamette Valley Community Agency, 3950 Aumsville Hwy, S.E., Salem, OR 97317, (503) 990-7370, <http://mwvcaa.org/programs/cars/>
ROAR (Reentry Organizations and Resources) 503-896-5073; <http://www.roaralliance.org/index.html>,

Eastern District of Pennsylvania

Impact Services (for employment), 1952 E. Allegheny Ave, Philadelphia PA 19134, (215) 739-1600, <http://www.impactservices.org/>

Philadelphia FIGHT - Community Health Centers, Main Phone: (215) 985-4448, <https://fight.org/make-an-appointment/>
OurCloset (for clothing, locations throughout Philadelphia), <https://www.ourclosetpa.org/>

Middle District of Pennsylvania

Aleph Institute (Reentry & Judaism) -- call (412) 421-0111 or visit <https://www.alephne.org/templates/articlecocdoaid/477833/jewish/Re-Entry-Programs.htm>
United Way Pennsylvania (Resource List) -- visit <https://pa211sw.communityos.org/zf/taxonomy/detail/id/634762>
PA Dept of Corrections Reentry Services Map -- visit <http://reentrymap.cor.pa.gov/>

Western District of Pennsylvania

Forgiven Ministries, Inc. (Reentry Services) -- call (814) 451-0479 or visit <https://forgiven-ministries.org/mission--vision/>
Foundation of Hope Aftercare Program (Reentry) -- call (412) 321-3343 or visit <https://www.foundationofhope.org/programs/aftercare/>
PA Dept of Corrections Reentry Services Map -- visit <http://reentrymap.cor.pa.gov/>

District of Puerto Rico

One Stop Career Center of Puerto Rico, Inc. (Employment) -- call (787) 765-3235 or visit <https://www.onestopcareerpr.org/>
US Probation Office -- call (787) 766-5596 or visit <http://www.prp.uscourts.gov>
Puerto Rico Public Housing Resources (Housing) -- call 1-855-297-0139 or visit <http://www.avp.pr.gov/>

District of Rhode Island

CrossRoads (Reentry Services) -- call (401) 521-2255 or visit <http://www.crossroadsri.org>
AmosHouse (Housing and Reentry Services) -- call (401) 272-0220 or visit www.amoshouse.com
OpenDoors (Employment, Housing, Documentation) -- call (401) 781-5808 or visit www.opendoorstri.org

District of South Carolina

Soteria Community Development Corporation -- call (864) 272-0681 or visit <https://soteriacdc.org>
Jump Start (Reentry) -- call (888) 403-3815 or visit www.jumpstartvision.org
Delancey Street Project (Reentry) -- call (843) 554-5179 or visit www.delanceystreetfoundation.org

District of South Dakota

South Dakota Human Services Center (Mental Health) -- Sioux Falls: call (605) 773-3165 or visit <https://dss.sd.gov/behavioralhealth/>
Lutheran Social Services of South Dakota (Reentry Services) -- Sioux Falls: call 1-800-568-2401 or visit <https://www.lsssd.org/what-we-do/family-services/re-entry-services/>
The Glory House (Reentry Services) -- Sioux Falls: call (605) 332-3273 or visit www.glory-house.org
Rapid City Community Resources Dept (Govt Reentry Services) -- Rapid City: call (605) 394-4181 or visit <https://rc.gov.org/departments/community-resources.html>

Eastern District of Tennessee

Breakaway Outreach (Youth Support) -- Cleveland: call (423) 933-6986 or visit www.breakawayoutreach.com
Steps House (Clean Housing) -- Knoxville: call (865) 573-7152 or visit www.steps-house.com
2-1-1 Tennessee (Resource Database) -- visit tn211.myccommunitypt.com

Middle District of Tennessee

Tennessee Prison Outreach Ministry (Reentry Services) -- Nashville: call (615) 870-1126 or visit www.tnprisonministry.org
TRICOR (Employment) -- Nashville: call (615) 741-5705 or visit www.tricor.org
DismasHouse (Reentry Services) -- Nashville: call (615) 297-9287 or visit www.dismas.org
The HELP Center (Case Management) -- Nashville: call (615) 750-2145 or visit www.thehelpcenter.tn.org
Project Return (Reentry Services), 806 4th Avenue South Nashville, TN 37210, 615-327-9654, <https://www.projectreturninc.org/contact-us>

Western District of Tennessee

H. U. G. S. (Reentry Services) -- Madison: call (615) 262-0063 or visit www.huggstn.org
A Hand Up (Reentry Services) -- Memphis: call (901) 801-4169 or visit <https://www.manta.com/c/mttc3sg/a-hand-up-not-a-hand-out>
The Lighthouse (Reentry Services) -- Memphis: visit www.lhmm.org
2-1-1 Tennessee (Resource Database) -- visit tn211.myccommunitypt.com

Eastern District of Texas

Texas Department of Criminal Justice (Reentry Services) -- State-wide: call (512) 671-2134 or visit <https://www.tdcj.texas.gov/>
Texas Workforce Commission (Employment) -- State-wide: call (903) 935-7814 or visit www.twc.texas.gov
Randy Sam's Outreach Shelter (Housing, Case Management) -- Texarkana: call (903) 792-7024 or visit www.randysams.org
Lufkin Goodwill (Employment) -- Lufkin & others: call (936) 632-8838 or visit <http://www.lufkingoodwill.org>
Kaplan Community Clinic (Dental Health) -- Beaumont: call (409) 347-5900 or visit www.kaplancommunityclinic.com

Northern District of Texas

Texas Workforce Commission (Employment), (903) 935-7814 or visit www.twc.texas.gov
Texas Offenders Reentry Initiative (T.O.R.I.) (Reentry Services), (214) 623-4286 or visit <http://medc-tori.org>
Unlocking DOORS (Diversion Programs) -- Dallas & Ft. Worth: call (214) 296-9258 or visit <http://www.unlockingdoors.org/partners-providers.html>
Family Pathfinders (Supportive Services for Families) -- Ft. Worth: call (817) 713-1173 or visit <http://www.pathfinderstc.org/>

Southern District of Texas

SERJobs (Employment), visit <http://serhouston.org> and apply at <http://serhouston.org/application/>
St. John's Path to Freedom (Supportive Services), call (713) 659-3237 ext. 4020 or visit <http://www.stjohnspathtofreedom.org/>
CrossWalk Center (Reentry Information), call (713) 237-0880 or visit <https://crosswalkcenter.org/>

Western District of Texas

Texas Workforce Commission (Employment), call (903) 935-7814 or visit www.twc.texas.gov
Gospel Rescue Mission (Shelter), call (915) 532-2575 or visit <https://rmelp.org/>
Jail To Jobs (16-21 year-olds) (Employment) -- Austin & Cedar Park: call (512) 619-8237 or visit <https://www.jailtojobs.com/>

District of Utah

Fresh Start Transition Community (Reentry Services) -- Provo: call (801) 874-5361 or visit <https://www.freshstartventures.org/>
Golden Spike Outreach (Reentry Services) -- Provo: visit <https://www.goldenspikeoutreach.com/>
Second Chance (Employment) -- visit <https://secondchancejobsforfelons.com/jobs-for-felons-near-me/in/utah>
JobsForFelonsHub.com (Employment) -- visit <https://www.jobsforfelonshub.com/locations/jobs-for-felons-in-salt-lake-city-utah/>
ACLU Utah (Civil Rights) -- call (801) 521-9862 or visit <https://www.acluutah.org/request-help>

District of Vermont

Brattleboro Community Justice Center (Reentry Services) -- Brattleboro: call (802) 380-4364 or visit <http://www.brattleborocjc.org/>
City of Burlington Offender Reentry Services -- Burlington: call (802) 865-7155 or visit <http://www.burlingtonvt.gov/CJC/Offender-Reentry-Services>
Vermont 2-1-1 (Resource Database) -- call 2-1-1 or call 1-866-652-4636 or visit www.vermont211.org
Vermont Dept of Corrections (Transitional Housing) -- visit <http://www.doc.state.vt.us/programs/dept-of-corrections-transitional-housing-programs-fy-2013>

District of the Virgin Islands

District Court of the Virgin Islands Reentry Program -- call (340) 755-8005 or visit <https://www.vid.uscourts.gov/reentry-program>
Legal Services of the Virgin Islands, Inc. -- call (340) 718-2626 or visit <https://lsvilaw.org>
Virgin Islands Source Employment -- call (340) 277-9563 or visit <https://stjohnsource.com/category/jobs>

Eastern District of Virginia

United Way of Greater Richmond & Petersburg (Reentry Services) -- call (804) 518-0638 or visit <https://www.yourunitedway.org/staff-insights/statewide-reentry-program/>
OAR of Richmond, Inc. (Reentry Services) -- call (804) 643-2746 or visit <https://www.oarric.org>
Southwest Virginia Legal Aid Society, Inc. (Legal) 00 call (276) 783-8300 or visit <http://www.svlas.org>

Western District of Virginia

Piedmont Community Services (Resource List) -- call (276) 632-7128 or visit <https://www.piedmontcsb.org/pc2018/resources.html>
STEP Rocky Mount Office (Employment) -- call (540) 483-5142 or visit <https://www.stepincva.com>
Legal Aid Justice Center (Legal) -- call (434) 977-0553 or visit <http://www.justice4all.org>

Eastern District of Washington

Blue Mountain Action Council (Legal) -- call (509) 529-4980 or visit <https://bmacww.org/services/legal-ombudsman/legal-assistance>
Adult Housing Locator (WA State Govt Housing) -- call (877) 501-2233 or visit <https://fortress.wa.gov/dshs/adsaapps/lookup/AFHAdvLookup.aspx>
Northwest Justice Project (Legal) -- call (206) 464-1519 or visit <http://www.nwjustice.org>

Western District of Washington

Huy - Seattle Indian Center (Indigenous Reentry Services) -- call (206) 329-8700 or visit <http://www.huycares.org>
Pioneer Fellowship House (Reentry Services) -- call (206) 667-9674 or visit <https://pioneerhumanservices.org/>
Reentry Initiated Through Services and Education (Reentry Services) -- call (206) 464-1519 or visit <http://www.nwjustice.org>

Northern District of West Virginia

West Virginia Detailed Resource Guides (Resource List) -- call (304) 558-2036 or visit <https://dcr.wv.gov/resources/pages.resource-guide.aspx>
KISRA Cares Program (Mental Health) -- call (304) 699-6743 or visit <https://www.kisra.org/care-coordination>
West Virginia Council of Churches (Spiritual, Food) -- call (304) 344-3141 or visit <https://wvcc.org>

Southern District of West Virginia

West Virginia Detailed Resource Guides (Resource List) -- call (304) 558-2036 or visit <https://dcr.wv.gov/resources/pages.resource-guide.aspx>
Growing Jobs KISRA (Employment) -- call (304) 252-5657 or visit <https://www.kisra.org>

Eastern District of Wisconsin

United Way of Greater Milwaukee (Reentry Services) -- call (414) 267-8408 or visit <https://www.unitedwaygmw.org/our-impact>
Joshua Glover Residential Reentry Center (Reentry Services) -- call (414) 442-3700 or visit <https://www.wiscs.org/>
Legal Action Wisconsin Road to Opportunity (Legal) -- call (414) 278-7777 or visit <http://www.legalaction.org>

Western District of Wisconsin

Reentry Programs in the Western District of Wisconsin (Resource) -- visit <https://www.wiwp.uscourts.gov/reentry>
Rock Valley Community Programs, Inc. (Reentry Services) -- call (608) 741-4500 or visit <https://www.rvcp.org/programs>
Madison Area Urban Ministry Return Home (Reentry) -- call (608) 256-0906 or visit <https://emum.org>

District of Wyoming

National Alliance on Mental Illness (NAMI) -- call (307) 265-2573 or visit <http://www.namiwyoming.org/>
Community Education Center's Casper Reentry Center (Reentry) -- call (307) 268-4840 or visit <http://casperseniornetwork.com/casper-re-entry-center/>
Reentry and Community Resources - Wyoming Department of Corrections (Reentry) -- call (307) 777-3775 or visit <http://corrections.wyo.gov/home/reentry-and-offender-resources>

APPENDIX A

List of Goodwill Offices and Programs by City and State

Goodwill® Resources for Second Chance Individuals						
City, State	Goodwill Name	Street Address	Phone	Email	Website	Services provided
ABILENE, TX	Goodwill West Texas	2200 North First Street Abilene, TX 79603	325-676-7925	sgarfield@goodwillwesttexas.org	https://www.goodwillwesttexas.org/	Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice
AKRON, OH	The Goodwill Industries of Akron, Ohio, Inc.	570 E. Waterloo Road Akron, OH 44319	330-724-6995	mrogers@goodwillakron.org	https://www.goodwillakron.org/	Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance
ATLANTA, GA	Goodwill of North Georgia	2201 Lawrenceville Highway Suite 300 Decatur, GA 30033	404-420-9900	jbaucom@ging.org	https://goodwillng.org/	Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice
AUSTIN, TX	Goodwill Industries of Central Texas	1015 Norwood Park Blvd Austin, TX 78753	512-637-7400	paige.litterer@goodwillcentraltexas.org	https://www.goodwillcentraltexas.org/	Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance Legal services
BALTIMORE, MD	Goodwill Industries of The Chesapeake, Inc.	222 East Redwood Street Baltimore, MD 21202	410-837-1800 ext. 150	ndouglas@goodwillches.org	https://www.goodwillches.org/	Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Mental health services Legal services Transportation assistance
BRIDGEPORT, CT	Goodwill of Western and Northern Connecticut Inc.	165 Ocean Terrace Bridgeport, CT 06605	203-596-1216	cpeterson@gwct.org	https://www.gwct.org/	Job readiness services with elements like soft skills building, resume development, and interview practice
CANTON, OH	Goodwill Industries of Greater Cleveland and East Central Ohio, Inc.	408 Ninth Street SW Canton, Ohio 44707	330-445-1035	mtrew@goodwillgoodskills.org	https://www.goodwillgoodskills.org/	Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance
CHARLESTON, WV	Goodwill Industries of Kanawha Valley, Inc.	209 Virginia St W, Charleston, WV 25302	304-346-0811	Ejackson@goodwillwv.com	http://goodwillwv.com/	Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential

						Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Nutrition assistance like SNAP, food pantry or food bank
CHARLOTTE, NC	Goodwill Industries of the Southern Piedmont	5301 Wilkinson Boulevard Charlotte, NC 28208	704-374-0762 ext. 3701	kwalsh@centerforcommunitytransitions.org	https://goodwillsp.org/	Earn-and-learn training Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Nutrition assistance like SNAP, food pantry or food bank Childcare assistance
CHILLCOTHE, OH	Goodwill Industries of South Central Ohio, Inc.	10 South Paint Street Chillicothe, OH 45601	740-702-4000	cana.horner@gwisco.org	http://gwisco.org/	Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Transportation assistance
COLORADO SPRINGS, CO	Discover Goodwill of Southern & Western Colorado	1460 Garden of the Gods Road Colorado Springs, CO 80907	719-332-7397	dkrug@discovermygoodwill.org	https://www.discovermygoodwill.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance Nutrition assistance like SNAP, food pantry or food bank Mental health services Substance abuse treatment services Family reunification services Transportation assistance Childcare assistance
COLUMBUS, GA	Goodwill Industries of The Southern Rivers, Inc.	2601 Cross Country Dr, Columbus, GA 31906	330-445-1035	mtrew@goodwillgoodskills.org	http://goodwillsr.org/	Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance
COLUMBUS, OH	Goodwill Columbus	1331 Edgehill Road, Columbus, OH 43212	614-583-0139	scott.divens@gwcols.com	https://www.goodwillcolumbus.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Mental health services Legal services Transportation assistance
CORPUS CHRISTI, TX	Goodwill Industries of South Texas, Inc.	2961 S. Port Ave Corpus Christi, TX 78405	361-884-4068 ext. 124	lcrumrine@goodwillsouthtexas.com	https://www.goodwillsouthtexas.com/	Earn-and-learn training Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance

DALLAS, TX	Goodwill Industries of Dallas, Inc.	3020 N. Westmoreland Rd. Dallas, TX 75212	214-638-2800	smoten@goodwilldallas.org	https://www.goodwilldallas.org/	Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice Transportation assistance
DETROIT, MI	Goodwill Industries of Greater Detroit	3111 Grand River Ave, Detroit, MI 48208	313-247-3238	Keith.bennett@goodwilldetroit.org	https://goodwilldetroit.org/	Earn-and-learn training Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Mental health services Substance abuse treatment services Legal services Transportation assistance
EL PASO, TX	Goodwill Industries of El Paso, Inc.	9611 Acer Ave. El Paso, TX 79925	915-778-1858	lhernandez@goodwillep.org	https://www.goodwillep.org/	Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance
FORT MYERS, FL	Goodwill Industries of Southwest Florida, Inc.	5100 Tice Street Fort Myers FL 33905	239-995-2106 ext. 2224	fredrichards@goodwillswfl.org	https://www.goodwillswfl.org/	Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance Nutrition assistance like SNAP, food pantry or food bank Mental health services Physical health services Substance abuse treatment services Legal services Transportation assistance
FORT WORTH, TX	Goodwill Industries of Fort Worth, Inc.	4005 Campus Drive, Fort Worth TX 76119	817-332-7866	relaunch@goodwillfw.org	https://www.goodwillfortworth.org/	Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Nutrition assistance like SNAP, food pantry or food bank Mental health services Substance abuse treatment services Legal services Family reunification services Transportation assistance

GRAND RAPIDS, MI	Goodwill Industries of Greater Grand Rapids, Inc.	3035 Prairie Street SW Grandville, Michigan 49418	616-532-4200 ext. 21153	smckendry@goodwillgr.org	https://www.goodwillgr.org/	Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance Mental health services Legal services Transportation assistance Childcare assistance
GREENSBORO, NC	Goodwill Industries of Central North Carolina, Inc.	2701 University Parkway Winston-Salem, NC 27115	336-275-9801	gliggs@triadgoodwill.org	https://www.goodwillnc.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance
GREENVILLE, SC	Goodwill Industries of the Upstate/Midlands South Carolina, Inc.	115 Haywood Road Greenville, SC 29607	803-318-3848	rebert@goodwillsc.org	https://www.goodwillsc.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance Nutrition assistance like SNAP, food pantry or food bank Mental health services Physical health services Substance abuse treatment services Legal services Transportation assistance
GULFPORT, MS	Goodwill Industries of South Mississippi, Inc.	2407 31st Street Gulfport, MS 39501	228-863-2323 ext. 11	dhanson@goodwillms.org	https://www.goodwillms.org/	Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice
HAGERSTOWN, MD	Horizon Goodwill Industries	14515 Pennsylvania Avenue, Hagerstown, MD 21742	301-988-0185	bgrossman@goodwill-hgi.org	https://horizongoodwill.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance Nutrition assistance like SNAP, food pantry or food bank Mental health services Family reunification services Transportation assistance
HONOLULU, HI	Goodwill Industries of Hawaii, Inc.	2610 Kilihau Street Honolulu, HI 96819-2020	808-836-0313	elau@higoodwill.org	https://www.higoodwill.org/	Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice Nutrition assistance like SNAP, food pantry or food bank

HOUSTON, TX	Goodwill Industries of Houston	1140 West Loop North Houston, TX 77055	713-699-6355	rclements-martin@goodwillhouston.org	https://www.goodwillhouston.org/	Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Nutrition assistance like SNAP, food pantry or food bank
IOWA CITY, IA	Goodwill Industries of the Heartland	1410 S. First Ave. Iowa City, IA 52240	319-248-4668	dcomstock@goodwillheartland.org	https://www.goodwillheartland.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance
KANSAS CITY, MO	Goodwill of Western Missouri and Eastern Kansas	1817 Campbell Street Kansas City, MO 64108	816-830-1508	kaltenhofen@mokangoodwill.org	https://www.mokangoodwill.org/	Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance Nutrition assistance like SNAP, food pantry or food bank Mental health services Substance abuse treatment services Transportation assistance Childcare assistance
KENNEWICK, WA	Goodwill Industries of The Columbia, Inc.	3521 W. Court Street Pasco, Washington 99301	509-735-0400 ext. 232	hpeterson@goodwillotc.org	https://goodwillotc.org/	Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance
KINGSPORT, TN	Goodwill Industries of Tennessee Area, Inc.	2017 Brookside Lane Kingsport, TN 37660	423-817 8575	Kayla@goodwilltnva.org	https://www.goodwilltnva.org/	Job readiness services with elements like soft skills building, resume development, and interview practice
LAFAYETTE, LA	Goodwill Industries Acadiana, Inc.	2435 W. Congress St. Lafayette, Louisiana 70506	337-654-4448	eboustany@LAGoodwill.com	http://www.lagoodwill.com/	Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance
LAS VEGAS, NV	Goodwill Industries of Southern Nevada, Inc.	1280 W Cheyenne Ave. North Las Vegas, NV 89030	702-250-3703	Shawns@sngoodwill.org	https://www.goodwillvegas/	Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Transportation assistance
LAWTON, OK	Goodwill Industries of Southwest Oklahoma & North Texas, Inc.	1210 SW SUMMIT AVE LAWTON, OK. 73501	580-284-8119	mculbert@goodwillsont.org	https://www.goodwillsont.org/	Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Mental health services Substance abuse treatment services
LINCOLN, NE	Goodwill Industries Serving Southeast Nebraska, Inc.	2100 Judson Street Lincoln, NE 68521	402-742-8444	aubry@lincolngoodwill.org	https://lincolngoodwill.org/	Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance

LITTLE ROCK, AR	Goodwill Industries of Arkansas, Inc.	7400 Scott Hamilton Drive Little Rock, Arkansas	501-372-5100	jfrancomano@GoodwillAR.org	https://goodwillar.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice Nutrition assistance like SNAP, food pantry or food bank Substance abuse treatment services
LORAIN, OH	Goodwill Industries of Lorain County, Inc.	145 Keep Ct, Elyria, OH 44035	440-244-3174	avance@gwlc.org	https://gwlc.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance
LOUISVILLE, KY	Goodwill Industries of Kentucky, Inc.	1325 S. Fourth St. Louisville, KY 40208	502-585-5221	dennis.ritchie@goodwillky.org	https://www.goodwillky.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance Nutrition assistance like SNAP, food pantry or food bank Mental health services Physical health services Substance abuse treatment services Legal services Family reunification services Transportation assistance Childcare assistance
LUBBOCK, TX	Goodwill Industries of Northwest Texas	715 28th St. Lubbock, TX 79404	806-744-8419	vrodriguez@goodwillnwtexas.org	http://www.goodwillnwtexas.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice
MACON, GA	Goodwill Industries of Middle Georgia and The CSRA	5171 Eisenhower Parkway Macon, GA 31206	330-759-7921	cedwards@goodwillworks.org	http://www.goodwillworks.org/	Clothing assistance Nutrition assistance like SNAP, food pantry or food bank
MARION, OH	Marion Goodwill Industries, Inc.	340 W. Fairground St. Marion, Ohio 43302	740-751-4282	bmathias@mariongoodwill.org	https://mariongoodwill.org/	Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance
MENASHA, WI	Goodwill Industries of North Central Wisconsin, Inc.	1800 Appleton Road Menasha, WI 54952	504-456-2622	JMoore@Goodwillncw.org	https://www.goodwillncw.org/	Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice

NASHVILLE, TN	Goodwill Industries of Middle Tennessee, Inc.	1015 Herman Street Nashville, TN 37208	615-715-5636	matt.gloster@givegw.org	https://giveit2goodwill.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistanc
NEW ORLEANS, LA	Goodwill Industries of Southeastern Louisiana, Inc.	3400 Tulane Ave #1000, New Orleans, LA 70119	504-456-3914	krugon@goodwillno.org	https://goodwillno.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance Nutrition assistance like SNAP, food pantry or food bank Mental health services Physical health services Substance abuse treatment services Legal services Family reunification services Transportation assistance Childcare assistance
OKLAHOMA CITY, OK	Goodwill Industries of Central Oklahoma, Inc.	316 S. Blackwelder Ave. Oklahoma City, OK 73108	405-278-7145	jmorey@okgoodwill.org	https://www.okgoodwill.org/	Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice
OXNARD, CA	Goodwill Industries of Ventura and Santa Barbara Counties Inc.	130 Lombard St, Oxnard, CA 93030	805-981-0130	lkistner@goodwillvsb.org	http://gwvsb.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Nutrition assistance like SNAP, food pantry or food bank Transportation assistance Childcare assistance
PITTSBURGH, PA	Goodwill of Southwestern Pennsylvania	118 52nd Street Pittsburgh, PA 15201	412-481-9005	Mila.egggers@goodwillswpa.org	https://www.goodwillswpa.org/	Earn-and-learn training Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance Nutrition assistance like SNAP, food pantry or food bank Legal services Family reunification services Transportation assistance
PITTSFIELD, MA	Goodwill Industries of The Berkshires, Inc.	158 Tyler Street, Pittsfield MA 01201	413-442-0061	kanker@goodwill-berkshire.org	http://www.goodwill-berkshires.com/	Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance
PORT HURON, MI	Goodwill Industries of St. Clair County, Inc.	1013 26th St. Port Huron, MI 48060	810-987-9333	jallen@goodwillsc.org	https://www.goodwillsc.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance

PORTLAND, ME	Goodwill Industries of Northern New England	34 Hutcherson Drive, Gorham, ME 04038	207-774-6323	richard.cantz@goodwillnne.org	https://goodwillnne.org/	Mental health services Physical health services Transportation assistance
PORTLAND, OR	Goodwill Industries of The Columbia Willamette	1943 SE 6th Ave, Portland, OR 97214	503-238-6154	dmiller45@gicw.org	https://metgoodwill.org/	Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Transportation assistance
RICHMOND, VA	Goodwill of Central & Coastal Virginia, Inc.	6301 Midlothian Turnpike Richmond, VA 23225	804-745-6300	sonja.holt@goodwillvirginia.org	https://goodwillvirginia.org/	Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice
ROCHESTER, NY	Goodwill of the Finger Lakes	422 S. Clinton Ave. Rochester NY 14620	585-697-5753	jbrath@goodwillfingerlakes.org	https://www.goodwillfingerlakes.org/	Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance
ROCKFORD, IL	Goodwill Industries of Northern Illinois and Wisconsin Stateline Area, Inc.	4618 East State Street, Rockford, IL 61108	815-965-3795	khaneidrah@goodwillni.org	http://www.goodwillni.org/	Earn-and-learn training Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance
SAINT PAUL, MN	Goodwill-Easter Seals Minnesota	553 Fairview Ave. N, St. Paul, MN 55104	651-255-4920	bmross@gesmn.org	https://www.goodwilleasterseals.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance Nutrition assistance like SNAP, food pantry or food bank Mental health services Physical health services Substance abuse treatment services Legal services Family reunification services Transportation assistance
SAN FRANCISCO, CA	Goodwill Industries of San Francisco, San Mateo and Marin Counties, Inc.	295 Bay Street San Francisco, CA 94133	415-489-7317	thenry@sfgoodwill.org	https://sfgoodwill.org/	Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance
SAN JOSE, CA	Goodwill Industries of Silicon Valley	1080 North 7th St. San Jose, CA 95112	408-595-9774	pablog@goodwillsv.org	https://goodwillsv.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Nutrition assistance like SNAP, food pantry or food bank Mental health services

						Substance abuse treatment services Transportation assistance
SANTA ANA, CA	Goodwill Industries of Orange County, California	410 N. Fairview St., Santa Ana, CA 92703	714-547-6308	juana@ocgoodwill.org	https://www.ocgoodwill.org/	Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance Nutrition assistance like SNAP, food pantry or food bank Transportation assistance
SARASOTA, FL	Goodwill Industries-Manasota, Inc.	2705 51st Ave E Bradenton, FL 34203	941-355-2721 ext. 512	antonia.quiros@gimi.org	https://experiencegoodwill.org/	Earn-and-learn training Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Nutrition assistance like SNAP, food pantry or food bank Legal services
SAVANNAH, GA	Goodwill of Southeast Georgia	7220 Sallie Mood Drive Savannah, GA 31406	912-354-6611	mchampagne@goodwillsega.org	https://goodwillsega.org/	Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance
SHREVEPORT, LA	Goodwill Industries of North Louisiana, Inc.	800 West 70th Street Shreveport, LA 71106	318-629-5954	julieb@goodwillnla.org	http://goodwillnla.org/	Rapid employment at Goodwill or another community business Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance Nutrition assistance like SNAP, food pantry or food bank Substance abuse treatment services Legal services Transportation assistance
SIOUX CITY, IA	Goodwill of the Great Plains	3100 W. 4th St. Sioux City, IA 51103	712-258-4511	ficks@goodwillgreatplains.org	https://www.goodwillgreatplains.org/	Rapid employment at Goodwill or another community business Physical health services
SOUTH BEND, IN	Goodwill Industries of Michiana, Inc.	1805 W. Western Ave. South Bend, IN 46619	574-472-7357	rhardy@goodwill-ni.org	https://goodwill-ni.org/	Job readiness services with elements like soft skills building, resume development, and interview practice
SPOKANE, WA	Goodwill Industries of The Inland Northwest	130 East Third Avenue Spokane, Washington 99202	509-232-1122	robertg@giin.org	http://discovergoodwill.org/	Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance
Tacoma, WA	Goodwill of the Olympics and Rainier Region	714 S. 27th Street, Tacoma, WA 98409	253-573-6866	JaymeK@goodwillwa.org	https://www.goodwillwa.org/	Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Transportation assistance
TERRE HAUTE, IN	Wabash Valley Goodwill Industries, Inc.	2702 S. 3rd Street Terre Haute, Indiana 47802	812-235-1827	rsutopo@wvgoodwill.org	https://www.wvgoodwill.org/	Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance

TOLEDO, OH	Goodwill Industries of Northwest Ohio, Inc.	1120 Madison Ave. Toledo, OH 43604	419-255-0070 ext. 3508	kmccconnell@goodwillnwohio.org	https://www.goodwillnwohio.com/	Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance Mental health services Substance abuse treatment services Legal services Family reunification services Transportation assistance
TYLER, TX	Goodwill Industries of East Texas, Inc.	409 West Locust Tyler, Texas 75702	903-581-5422	sherry.boyd@goodwilletx.com	http://www.goodwilleasttexas.com/	Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Nutrition assistance like SNAP, food pantry or food bank Mental health services
WACO, TX	Heart of Texas Goodwill Industries, Inc.	1700 S New Rd, Waco, TX 76711	254-753-7337	dwhitsel@hotgoodwill.org	https://hotgoodwill.org/	Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice
WASHINGTON, DC	Goodwill of Greater Washington	2200 South Dakota, Avenue, NE Washington, DC 20018	202-423-3227	colleen.paletta@dgoodwill.org	https://www.dgoodwill.org/	Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential
WEST PALM BEACH, FL	Gulfstream Goodwill Industries	1715 Tiffany Drive East West Palm Beach, FL 33407	561-848-7200 ext. 2284	lwaterman@gulfstreamgoodwill.org	https://www.gulfstreamgoodwill.org/	Earn-and-learn training Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance Family reunification services Transportation assistance
WILMINGTON, DE	Goodwill of Delaware & Delaware County, Inc.	300 East Lea Boulevard Wilmington, DE 19802	302-252-3199	ccasino@goodwillde.org	https://www.goodwillde.org/	Job readiness services with elements like soft skills building, resume development, and interview practice Housing assistance Nutrition assistance like SNAP, food pantry or food bank Transportation assistance
WINSTON SALEM, NC	Goodwill Industries of Northwest North Carolina, Inc.	2701 University Parkway Winston-Salem, NC 27115	336-724-3621	rsauter@ptrc.org	https://www.goodwillnnc.org/	Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance Housing assistance Nutrition assistance like SNAP, food pantry or food bank Substance abuse treatment services Family reunification services Transportation assistance

WOOSTER, OH	Goodwill Industries of Wayne and Holmes Counties, Inc.	1034 Nold Ave, Wooster, OH 44691	330-287-5073	sgorman@goodwillconnect.org	https://www.goodwillconnect.org/	Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice
YOUNGSTOWN, OH	Youngstown Area Goodwill Industries, Inc.	2747 BELMONT AVE. YOUNGSTOWN , OHIO 44505	330-759-7921	e.mchenry@goodwillyoungstown.org	https://goodwillyoungstown.org/	Rapid employment at Goodwill or another community business Occupational skills training that leads to an industry credential Job readiness services with elements like soft skills building, resume development, and interview practice Clothing assistance

Can't find a Goodwill site in your area?
Virtual services are available from any digital device!
For digital job readiness or job-readiness training visit GCF Global®:
<https://edu.gcfglobal.org/en/>
Services are available in English, Spanish or Portuguese.

APPENDIX B

List of U.S. Probation Office Contacts by Federal Judicial District

District	Name	Number	Email
Northern Alabama	Yador Harrell	205-716-2900	yador_Harrell@alnd.uscourts.gov
Middle Alabama	L Scott Wright	334-954-3226	L_Scott_Wright@Almd.uscourts.gov
Southern Alabama	Jennifer M. Childress	251-441-6800	Jennifer_Childress@alsp.uscourts.gov
Alaska	Rhonda Langford	907 306-3404	rhonda_langford@akp.uscourts.gov
Eastern Arkansas	G. Edward Towe	501-604-5240	G_edward_towe@ared.uscourts.gov
Western Arkansas	Kim Bramlett		Kim_Bramlett@arwp.uscourts.gov
Central California	Info Not Available		
Eastern California	Info Not Available		
Northern California	Info Not Available		
Southern California	Info Not Available		
Colorado	Lavetra A. Morgan	303-844-5424	lavetra_a_morgan@cop.uscourts.gov
Connecticut	Warren Maxwell		Warren_Maxwell@ctp.uscourts.gov
Delaware	Walter Matthews	302-252-2950	Walter_Matthews@
D.C.	Brian D. Shaffer	202-565-1338	Brian_D_Shaffer@dcsc.uscourts.gov
Northern Florida	Stephen Pridgen	850-470-3065	Stephen_Pridgen@flnp.uscourts.gov
Middle Florida	Joseph C. Collins	830-301-5600	Joseph_C_Collins@flmp.uscourts.gov
Southern Florida	Katherine T. Toonce	305-523-5300	Katherine_T_Tonce@flsp.uscourts.gov
Northern Georgia	T. Scott Hudson	404-215-1950	T_Scott_Hudson@gand.uscourts.gov
Middle Georgia	Robert R. Long	478-752-8106	R_Robert_Long@gamd.uscourts.gov
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