



Cuyahoga County Reentry Review

Shaker Heights Municipal Court Hosts Pilot Expungement Clinic

The Office of Reentry sponsored its first ever Expungement Clinic in December. More than 100 individuals with a history of involvement in the criminal justice system were served. The clinic was a cooperative effort that included the Legal Aid Society of Cleveland, the Shaker Heights Municipal Court, and the Cuyahoga County Public Defender's Office.

Free legal advice and assistance in filing a motion with the court to seal a criminal record was provided by a team of volunteer attorneys. All participants had the opportunity to meet one-on-one with an attorney to determine whether or not the individual was a candidate to apply to have his or her record sealed. In the event that it was determined that a person was not eligible, (s)he was still given advice about other options to minimize the negative impact that a criminal history will have.

A criminal record can haunt a person for the rest of his or her life. It can be an automatic barrier to securing a good job or stable housing. As a result of a new law in Ohio, many people will be able to have their criminal records sealed, effectively removing that barrier. Previously, only one conviction could be sealed. The reform bill, that took effect at the end of September, permits a person to have two misdemeanor convictions or one misdemeanor and one (lower level) felony conviction sealed. There is no limit to the number of dismissals, acquittals, no bills, or minor misdemeanors that can be sealed.



Judge K. J. Montgomery

Judge K.J. Montgomery of the Shaker Heights Municipal Court was very excited to be part of this pilot project. "There are so many people, especially young adults, who have appeared in my court as the result of poor judgment that led them to break the law. They must be, and are, held accountable for their mistakes. However, once a person has completed all the terms of his punishment, and has remained "clean" for a reasonable time, that mistake should not prevent him from getting a job and being a productive member of society."

Certain convictions can never be sealed, including: any first or second degree felony, any offense with a mandatory prison term, most violent offenses, any sexual offense, DUI, or any felony or first degree misdemeanor where the victim was under 18. Traffic offenses cannot be sealed, but they are not counted as criminal convictions.

If a case is sealed, it should not show in any criminal background check. In addition, a person whose record is sealed can honestly answer "no," if asked on an employment or housing application about being convicted of a crime.

This pilot clinic originally was designed to serve only those with cases in the Shaker Hts. Court. Attorneys would prepare the motions to seal the record and those motions would be filed that day. If the concept proved successful, efforts would be made to hold such a clinic in each of the courts in Cuyahoga County. Inquiries and advanced registration for the clinic led the organizers to change the focus from court oriented—cases in the Shaker Hts. court—to geographic oriented—people located in the Shaker Hts. area, no matter where in the county their case was heard. The Office of Reentry is still hoping to hold clinics in the other courts to provide localized assistance in all communities.

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The Importance of a Second Chance (by someone who got one)

By Lorenzo Shepherd*

My place of employment is literally on the street--often in the middle of busy traffic. Daily, I have contact with people seeking directions to a parking garage, a place of business, a governmental agency or guidance about where to catch a certain bus or trolley. As a public safety servant in uniform, I am that trusted face on the street people feel comfortable approaching to ask for information, help or guidance. I am also the face that many men do a double take and say to themselves, "he looks familiar?"

In reading their expressions, I see that they are thinking I must have once arrested them, or somehow been around when they had a run-in with the law. How else would such a familiar face be in a police-looking uniform? So, they tend to shy away from me. I usually use one of my very official sounding tones and I stop them with an authoritative type "Hey, come here!" They always comply, and when they are right in front of me I say to them in a friendly tone, "Don't be walking past me like you don't know me. You still owe me for that two-for-one!" (A two-for-one is an exchange where you borrow one item and have to pay back two items). That always makes them take a second, closer look at me and they usually say something like, "All hell naw! Man I saw you on TV. How did you get this job?" Suspicion gives way to recognition.

I was the guy in the cell next to them. They always have very huge grins on their faces and they say things to me like "I am so proud of you. Keep doing what you're doing;" or "Keep representing!"

Keep representing means that my success in this position will somehow be representative of how they can perform if given an opportunity to transform their lives. That's encouraging to them and it gives hope to the possibilities of how things can turn around for the better. Seeing someone who has been where they have been also says to them that they do not have to be permanent outsiders in society, or against or anti a legitimate way of life. On a larger scale, it says to them that society is willing to give a second chance because they can see someone they know who has been given a second chance.

At first, this was not the reaction I expected. I expected put-downs from my formerly incarcerated buddies, because my uniform makes me look very much like the person that took them to jail--the police. I learned that what makes them proud is that someone they knew so well, a guy they saw on the yard everyday and who has gone through many of the hardships they know all too well, is a guy that today appears to be making a respectable living. They see that someone who was once considered a public enemy is now a public servant.



Lorenzo Shepherd, traffic control officer.

I explain to them that it was while I was incarcerated that someone came into the institution and showed genuine concern for me as a man. He appealed to my heart and said to me that getting my life together I would be a needed help to the community instead of a burden on society. His words were, "[t]he community actually needs you." And that is the message that I try to impart to the formerly incarcerated, that they are needed and that there are no options to success. Living life calls for right living. The Second Chance Program presented me with a rare opportunity that I plan to share and hopefully spread to others through advocacy and effort. Society still has a long way to go, because second chance opportunities are still too rare and too few. It should not be that way, and I am convinced that the overwhelming majority of the formerly incarcerated would take advantage of a decent job opportunity that paid a livable wage.

The men I see on the corner all ask me the same thing--where can I find a job? It was really heartbreaking to hear one man, who I've known for a long time, tell me how he had for the first time in his life really looked for a job. There may be some exaggeration on his part, but he said he had been looking for a job for 18 months, everyday, and no one would give him a chance. He said that a man still has to eat, and that he was seriously thinking about getting back in the streets, doing what he knew how to do, what he had to do to survive. You hate to hear talk like that because even he knows that crime eventually ends in a real bad place. Here is an example of a person who truly wants to live a better life, and has put forth effort to find work, but is now ready to give-up and return to what he knows will bring him nothing but misery. I encounter many people that would rather do the right things, but the impediments of society will not allow them to turn things around. The felony question on

Office of Reentry Director Reflects on 2012

By Luis Vazquez

As we begin the new year, it is worthwhile to reflect back on the significant legislative efforts that continue to support the Reentry population in our State of Ohio. The Collateral Sanctions Bill (SB337) was signed into law by Governor John R. Kasich. This historic piece of legislation provides new opportunity for the reentry population to seek gainful-livable wage--employment, to obtain a driver's license, to have records sealed, and to pursue a decent education.

There were many other highlights last year. The Cleveland Foundation, in partnership with The Cuyahoga County Office of Reentry, sponsored and funded three new Social Enterprises (see story in the March, 2012 Reentry Review). These innovative and unique business concepts focus on the following areas: Making Food Service a Long-Term Career, Helping Others Look Good as a Career Opportunity in the Beauty Salon Industry, and Building Career Skills While Rebuilding Our Neighborhoods.

Cuyahoga County, through the Office of Reentry, was awarded a federal grant under the Second Chance Act for the second consecutive year (see story in the November, 2012 Reentry Review). The grant not only facilitates the continuation of our comprehensive reentry program, but serves as a tribute and acknowledgment of the federal government's satisfaction with and confidence in the county's reentry efforts. Cuyahoga County has gained national recognition for being the first county in the country to be awarded a federal grant that included a "Pay for Success" component—the federal government's new initiative for performance-based funding.

Additionally, on June 25th The Office of Reentry in partnership with The U.S. Attorney's Office hosted its first Reentry Summit (see story in the July, 2012 Reentry Review). More than 400 people attended this summit, during which The Office of Reentry presented its new 18 month Reentry Strategic Action Plan.

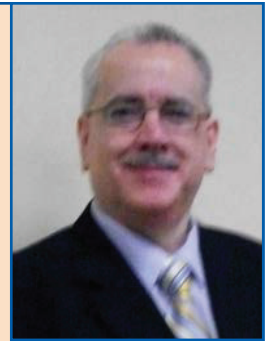
The Strategic Action Plan is the result of input from a variety of community stakeholders that attended three communitywide sessions. Approximately 130 people representing various segments that serve the Reentry population attended the first two scheduled sessions. The plan will shape the work of The Office of Reentry in the next 18-24 months. A total of 11 committees that will support the specific strategic priority areas identified in those communitywide sessions have been established.

As part of our ongoing effort to remove barriers impeding the reentry process, The Office of Reentry, in partnership with The Legal Aid Society, Cuyahoga County Public Defender's Office, and The Shaker Heights Municipal Court sponsored its first free clinic to assist those with histories in the criminal justice system get their records sealed (see related story on p. 1). Efforts such as this should result in new opportunities for stable housing and meaningful employment.

In its commitment to leading by example, Cuyahoga became the eighth county in the United States to remove questions regarding criminal histories from its initial employment application forms (see story in the November, 2012 Reentry Review). We will encourage private employers to do the same.

We would like to thank The Cuyahoga County Reentry Leadership Coalition, chaired by William M. Denihan and Vincent Holland, as well as all of the volunteer committee Co-Chairs for their commitment and guidance as we move forward with the reentry efforts in Cuyahoga County.

On behalf of The Office of Reentry I wish you a happy, healthy, and productive New Year.



Luis Vazquez

job applications prevents them from showing an employer that they will show-up for work everyday on time and give eight solid hours of service.

How do we, as a society, move forward if we cling to the past so tightly? I am not suggesting a free pass for the formerly incarcerated. It is only fair to ask them about their past and their offenses, but this should be done after the potential employer has had a chance to see the person, assess his or her skill set, and evaluate how the person would fit in with other employees.

Society as a whole will benefit if we all take on this attitude of

giving second chances. It costs us, as a society, to permanently outcast a segment of our citizenry, because they will become either dependent on, or predators of, society. Either costs society as a whole. All potential employers are implored to seriously consider giving a formerly incarcerated person an interview, and take the opportunity to look at the person and their skill set first, then the employer can and should ask about their past involvement with the criminal justice system.

* Lorenzo Shepherd is a traffic control officer for the City of Cleveland. He also is completing an internship in the Cuyahoga County Office of Reentry while pursuing his degree in Social Work at Cleveland State University.

Shaker Hts Municipal Court Hosts Pilot Expungement Clinic

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Even if a person is eligible to have a record sealed, there is no requirement that a court agrees to do so. By law, an official hearing on such a motion must be held and, as with any motion, the judge makes the final decision. Specific procedures, however, vary among the courts. Judge Montgomery wants to make the process as simple as possible. If you meet the eligibility requirements, you won't be required to appear in court for the final hearing. If the prosecutor files no objection, Montgomery will order the record sealed.

The increase in the number of people eligible to have their records sealed, and the demand for clinics such as the one at the Shaker Hts. court, is apparent from the response to the Shaker Hts. clinic. Although everyone who registered for the clinic in advance was served, the number who came without an appointment was so great that at least 40 people had to be turned away at the door. Clinics will be scheduled throughout the year to accommodate those who could not be served at the Shaker Hts. clinic.

Although it is always useful to have the assistance of an attorney when preparing the documents required to apply for sealing a record, it is not required. Most courts have the necessary forms available on their websites. Until other neighborhood expungement clinics are scheduled, low income individuals can receive free assistance by contacting the Legal Aid Society of Cleveland (for cases in any of the municipal courts in Cuyahoga County) or the Cuyahoga County Public Defender's Office (for cases in the county Court of Common Pleas).

We want to hear from you...
Your comments are important to us.

Write to us at
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The Citizen Circles Concept



Citizen participation and guidance is essential for correctional practices inside and outside institutions. The Ohio Department of Rehabilitation and Correction has embraced the needs related to offenders returning home from correctional settings and as such one strategy is the implementation of Citizen Circles. Circle members address risks that contribute to criminal activity by taking ownership of the solution. It is an opportunity for citizens to communicate expectations for successful reentry and help offenders recognize the harm their behavior has caused others. Offenders are able to make amends and demonstrate their value and potential to the community.

Citizen Circles Locations

Downtown Citizen Circle
216-268-1600 x506

First Love Outreach Ministries
216-391-9247

Glenville Citizen Circle
216-224-7902

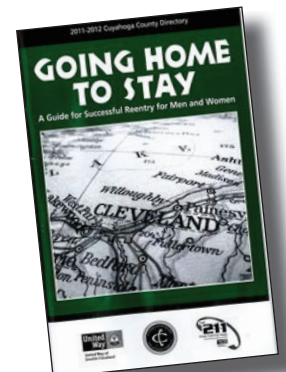
The Euclid Avenue Citizen Circle
216-421-0482 x282

Surehouse Citizen Circle
216-441-4211

Cleveland Rise Citizen Circle
216-341-5004

COMMENTS OR SUGGESTIONS:

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To receive a copy of **Going Home to Stay**

contact First Call for Help at 216.436.2000 or go online and download a copy at: www.211cleveland.org/pdfs/communityreentry.pdf

