

CLEAN SLATE COOPERATIVE

A collaboration between Harris County Precinct One Commissioner Rodney Ellis and the Earl Carl Institute's Juvenile Justice Project.

In partnership with My Brother's Keeper Houston, Beacon Law, Lone Star Legal Aid, Juvenile and Capital Advocacy Project at the University of Houston Law Center.



The vision of Harris County Precinct One includes providing quality and accessible services to its residents with activities designed to inform and empower communities.

The Earl Carl Institute's Juvenile Justice Project (JJJ) holistically addresses the issue of disproportionate minority contact (DMC)—when there is a disproportionate number of minority youth who come into contact with the juvenile system.



MY BROTHER'S KEEPER
MBK
HOUSTON

MBK Houston brings the resources of a wide spectrum of organizations, agencies and individuals together to take collaborative action to improve outcomes and opportunities for boys and young men of color who face barriers to success.

A Criminal Record Can Impact Your Future

CRIMINAL BACKGROUND CHECKS ARE COMMON THESE DAYS WHEN YOU APPLY FOR:

WORK

- You may have to disclose your record when applying for work whether your case was ultimately dismissed or not.
- You may also have to disclose your record when applying for a professional license.

HOUSING

- Potential landlords often do a criminal background search and may deny your application based on an arrest record or criminal conviction.
- Families can be kicked out of Section 8 housing if anyone does drugs or commits a crime.

IMMIGRATION

- Your immigration status could be hurt and you might face deportation for a criminal record.

YOU CAN REMOVE THESE ROADBLOCKS



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Expunction, Sealing, & Nondisclosure

WHAT IS RECORD SEALING FOR JUVENILES?

MANDATORY SEALING

for Children In Need of Supervision (CINS) and misdemeanor offenses if:

- Two years after discharge or last official action there has been no other adjudication
- No subsequent felony or misdemeanor crime of moral turpitude convictions;
- No subsequent CINS or delinquent conduct adjudications; and
- No pending adjudications or convictions.

The juvenile court may not seal the records of a person who has been adjudicated for a determinate sentence offense listed in Tex. Family Code § 53.045, habitual felony offenses listed in § 51.031, or for sexual offenses.

“AUTOMATIC SEALING” of Juvenile Records

AFTER September 1, 2015 an application or petition by the person became NO LONGER required in eligible juvenile cases. In older cases an application to seal records and a court order are still necessary. You should check the accessibility of your record to determine if you need a court order.

WHAT IS AN EXPUNCTION?

Expungement, also known as expunction, refers to the complete elimination of your criminal record. This means the file with all pertaining documentation are destroyed, and you will no longer have a record.

With an Expunction it is like your record never existed.

Qualifying offenses for expunction

- You were arrested but were not subsequently charged with a crime.
- Your case was dismissed for lack of probable cause, insufficient evidence or unavailable witnesses.
- The grand jury “no billed” an indictment against you.
- You were acquitted (found “not guilty”) by a judge or jury.
- You successfully completed deferred adjudication for a Class C misdemeanor.
- You plead guilty to a Class C misdemeanor alcohol crime such as public intoxication.
- Your criminal record is the result of identity theft.

WHAT IS A NONDISCLOSURE?

Nondisclosure is essentially sealing records for adults. It is the only means of shielding criminal record of individuals convicted in certain limited circumstances. Unlike expunctions, the nondisclosure process shields a record from public access but does not remove the criminal record history. Orders of nondisclosure direct police departments and other agencies not to disclose criminal records on background checks, and allow a person to not disclose offenses on applications for housing or employment.

A nondisclosure only limits public access to an arrest record.

If you or your child needs assistance please apply online at www.earlcarlinstitute.org.

OUR SERVICES ARE AVAILABLE FREE REGARDLESS OF INCOME.

** Limited funding is also available through a grant for the Corporate Counsel Section of the State Bar of Texas to cover some cost and fees.*

Legislative Update

Effective September 1, 2017, persons convicted of various offenses will be allowed to petition for orders of nondisclosure under certain circumstances and will alter some waiting periods for persons already eligible to petition.