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To the New York State Bar Association's Committee for Bar Leaders of New York State:

The New York County Lawyers Association (NYCLA) respectfully submits for the Committee's consideration NYCLA's Pro Bono Program on Certificates of Relief from Civil Disabilities/Certificates of Good Conduct and New York's New Sealing Authority. As described below, our program is much more than pro bono service. It is an example of NYCLA's dedication to its mission to (i) promote the administration of justice and reforms in the law in the public interest, (ii) apply our knowledge and experience in the field of law to the promotion of the public good, (iii) arrange for the provision by its members of free legal services for indigent, low income or other persons in need, (iv) promote high-quality legal education and other resources for lawyers and (v) ensure access to justice for all. It is also a testament to collaboration—both within the legal profession and with the general public.

Since the program's inception, we have counseled 126 individuals on Certificates of Relief from Civil Disabilities/Certificates of Good Conduct (CRD/CGC) and the program is now being expanded to include training and consultation for New York's new sealing law, which affects many of those we consult. We have also developed partnerships with numerous organizations committed to social justice, including the Fortune Society, JustLeadershipUSA, Services for the Underserved, Salvation & Deliverance Church, Community Board 10, Association of Black Social Workers, 100 Suits for 100 Men and Hour Working Women Re-entry Program.

Background

In March 2016, the County Clerk of New York County and the Commissioner of Jurors, Milton A. Tingling, reached out to the New York County Lawyers Association to collaborate on his initiative to diversify the jury pool with formerly incarcerated individuals.

Certificates of Relief from Civil Disabilities and Certificates of Good Conduct help formerly incarcerated individuals successfully reintegrate into society and contribute to their communities by removing bars and disabilities resulting from certain convictions, including employment barriers, loss of voting privileges and housing restrictions. The certificates are generally granted if deemed consistent with the rehabilitation of the offender and consistent with the public interest and safety. Unfortunately, if a CRD/CGC is not granted at sentencing (often a defendant does not know such an opportunity is available to them—in other words, they do not know their rights), it is increasingly difficult to obtain one due to access to courts, finding knowledgeable attorneys and a general lack of information about how to obtain a CRD/CGC.

In collaboration with County Clerk Milton A. Tingling, NYCLA worked to develop a program that contained educational opportunities for attorneys, who in turn could education and counsel those in need.

Program History

NYCLA's General Counsel developed a continuing legal education program taught by Association member, Emily Hoffman of the *Community Service Society*, who has expertise in the area of CRD/CGC. The program is directly linked to public service: attorneys obtain free training and receive CLE credits from NYCLA's CLE Institute upon completing one volunteer session. The course is also open to non-attorneys—this encourages collaboration on re-entry issues beyond the legal profession and acknowledges that attorneys are not the only ones who can contribute to this important conversation.

- The first CLE program was held at the Association on May 5, 2016 for 42 attendees.
- That weekend, on May 7, 2016, we held our first volunteer opportunity at the Harlem State Office with 10 of our trained volunteers. We counseled 2 individuals on CRD/CGC and registered 4 individuals to vote.
- Our second volunteer opportunity was held on June 15th at the Fortune Society's¹ residence in Harlem, with 13 of our trained volunteers. (See *Figure 1*). We counseled 6 individuals on CRD/CGC and registered 10 individuals to vote.



Figure 1: Counseling and Voter Registration at Fortune Society, Castle Gardens (June 15, 2016)

- In June 2016, we began conversations with *JustLeadershipUSA*² to teach our next CLE on CRD/CGC. We also began planning a collaborative voter registration drive for pretrial detainees at Rikers Island. Notably, approximately 85% of inmates at Rikers Island are awaiting trial (i.e. have not been convicted).³
- Our third volunteer opportunity was held on August 17, 2016 at the Fortune Society's Headquarters in Long Island City, with 6 of our trained volunteers. (See

¹ A nonprofit whose mission is to promote successful reentry from prison and promote alternatives to incarceration.

² A nonprofit that is dedicated to cutting the US correctional population in half by 2030, while reducing crime.

³ See, *What is Happening at Rikers Island?* The New York Times Editorial Board (December 15, 2014)

Figure 2). We counseled 15 individuals on CRD/CGC and registered 25 individuals to vote.



Figure 2: Counseling and Voter Registration at Fortune Society Headquarters (August 17, 2016)

- On September 9, 2016 and October 11, 2016, in collaboration with volunteers from *JustLeadershipUSA*, we conducted a voter registration drive at the George Motchan Detention Center on Rikers Island (male pretrial detainees—ages 18-21) with County Clerk Tingling and a group of dedicated NYCLA volunteers. We also provided absentee ballot applications for individuals to vote in the upcoming November 8, 2016 election while detained. We registered 121 individuals to vote and helped 118 complete absentee ballot applications.
- On October 18, 2016, we held our second course on CRD/CGC taught by Glenn E. Martin, Founder and President of *JustLeadershipUSA*, Janos Marton, Director of Policy & Campaigns of *JustLeadershipUSA*, and County Clerk Milton A. Tingling. (See Figure 3)



Figure 3: CRD-CGC Continuing Legal Education and Open Forum (October 18, 2016)

- On February 28, 2017, we held a consultation event in collaboration with Services for the Underserved in the Bronx. We counseled 21 individuals on CRD/CGC and registered 2 individuals to vote.
- On March 11, 2017, we held a consultation event in collaboration with Salvation & Deliverance Church in Harlem. We counseled 25 individuals on CRD/CGC and registered 6 individuals to vote. (See *Figure 4*)



Figure 4: Consultation Event with Salvation & Deliverance Church in Harlem (March 11, 2017)

- On June 3, 2017 we held a consultation event in collaboration with Community Board 10 in Harlem. We counseled 27 individuals on CRD/CGC. (See *Figure 5*)



Figure 5: Consultation Event with Community Board 10. (June 3, 2017)

- On June 21, 2017, we held a consultation event with Hour Working Women Re-entry Program. We counseled 12 individuals on CRD/CGC. (See *Figure 6*)



Figure 6: Consultation Event with Hour Working Women (June 21, 2017)

- On August 22, 2017 we held a consultation event with 100 Suits for 100 Men⁴ at the Queens Educational Opportunity Center. We counseled 18 individuals on CRD/CGC and registered 5 individuals to vote. (See *Figure 7* as well as the *Instagram* feed @100Suits for live testimonials from consultees)



Figure 7: Counseling and Voter Registration with 100 Suits (August 22, 2017)

⁴ A community-centered organization that is making positive changes in the lives of formerly incarcerated individuals. Their core service is to provide free business attire to men and women who are in the job search process.

New York's New Sealing Law

In April 2017 2017, Governor Andrew Cuomo signed into law a new sealing authority, which went into effect in October 2017. Generally speaking, this new law is geared toward formerly incarcerated individuals who have no more than two convictions, only one of which can be a felony conviction (except for certain serious felonies, such as violent felonies or sex offenses). Many of the consultees attending our clinics fall within this category and have already begun asking questions on procedure. More importantly, many consultees who are not currently eligible for this sealing authority have expressed confusion over the new law's scope. Our goal is to successfully incorporate the details of this new law into our training, in order to provide consultees with an additional avenue to smoothly reintegrate into society, most importantly through gainful employment.

NYCLA's General Counsel and County Clerk Tingling continue to formulate and nurture strategic partnerships with legal and non-legal groups to perpetuate and increase the impact of this program. NYCLA prides itself in carrying out all aspects of its mission. In developing this novel program, we foster educational opportunities for both lawyers and the general public, promote the administration of justice and provide highly needed legal services to those in need.

Thank you for your consideration.

Sincerely,

Anthe Maria Bova
General Counsel, New York County Lawyers Association