




Reentry Resource Guide



FOR PEOPLE

WHO HAVE

HAD CONTACT

WITH THE

TEXAS CRIMINAL

JUSTICE SYSTEM



INTRODUCTION

This is a guide for people who have been in contact with the criminal justice system and are trying to get back on their feet as they reenter the community. This guide is intended to be a resource for someone coming out of prison on parole, someone on probation, or someone simply trying to readjust after being arrested. Hopefully, this guide will ease the transition back into our community with as much knowledge and information as possible about how to overcome many of the stumbling blocks that may be encountered during the transition process.

Please note that this guide is not intended to be legal advice and is not a substitute for legal representation by an attorney. You are encouraged to seek the advice of your own attorney to answer any specific legal questions you have.

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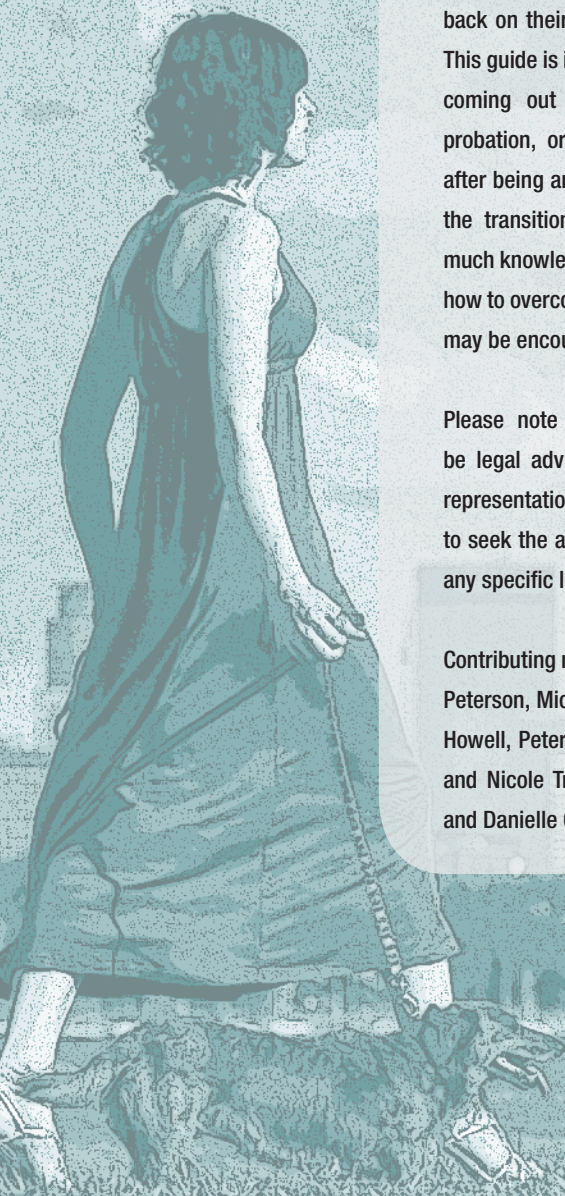




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CRIMINAL RECORDS

The National Employment Law Project reports that approximately one in five American adults have a criminal record that will show up in background checks. These checks are now routinely done by potential employers, occupational licensing agencies, landlords, and schools and can directly impact a person's prospects for work, housing, and education. Thirty-six states, including Texas, allow all employers and occupational licensing agencies to inquire about, consider, and make hiring decisions based on arrests that never led to convictions. In addition, federal law gives local housing agencies discretion as to whether to bar people with criminal records from public housing, including the discretion to deny eligibility for federally assisted housing based on an arrest that never led to a conviction. As a result, many Texans are being unfairly penalized for arrests that never led to convictions.

How do I get a criminal record?

An arrest or a citation triggers the creation of a criminal record. Once you are arrested or cited and an offense is alleged, the following events will determine your criminal record: the decision whether to prosecute and, if the case is prosecuted, what the prosecution charges, how the charge is resolved, and the final sentence or disposition.

Where is a criminal record stored and who has access to it?

State law requires that the Computerized Criminal History System (CCH) maintained by the Texas Department of Public Safety include information on arrests, prosecutions, and dispositions of cases for persons arrested for Class B misdemeanors or greater violations of Texas criminal statutes. Therefore, if you have been arrested for one of these offenses and have not had your criminal record expunged, your criminal record is a public record and is searchable by anyone who has access to a criminal-records search. In some cases, even non-expunged Class C misdemeanor citations are also searchable and likely to come up in a criminal-records search.

What is an expunction?

An order of expunction erases all records of the arrest, booking, and court proceedings from the local, state, and federal databases. After the entry of an expunction order, the release, dissemination, or use of the expunged records or files for any purpose is prohibited by law.

Am I eligible for an expunction?

An arrest or a citation can be permanently removed from your record in only the following, limited circumstances:

- the charges against you are dismissed (including successful completion of pretrial diversion and deferred prosecution);
- your arrest never results in prosecution;
- you receive a deferred disposition on a Class C misdemeanor;
- a jury finds that you are not guilty of the charged offense; or
- the Governor issues a pardon for the charged offense.

Why should I get an expunction?

The advantage of having an arrest expunged is that you can lawfully deny ever having been arrested for or charged with the criminal offense on job applications and for most other purposes. In addition, a criminal-records search should not reveal an expunged offense.

If I am eligible for an expunction, when can I apply?

If you are found not guilty, you will be eligible to apply for an automatic expunction within 30 days of the date of the acquittal (and must file within this 30-day period). If you are pardoned by the Governor, you are eligible for an immediate expunction. In all other cases, you must wait for the statute of limitations to expire before you can apply for an expunction. For most misdemeanors, the statute of limitations is two years from the date of the arrest. For most felonies, the statute of limitations is three years from the date of the offense; however, it is important to note that many felonies have different statutes of limitations and some have no statutes of limitations.

How do I get an expunction?

If you are eligible for an expunction, you may file a petition with the district court in the county in which you were arrested or in which the offense was alleged to have occurred. The petition must list all law-enforcement agencies that are reasonably likely to have records or files containing information that is subject to an expunction. After the

petition is filed, you will have to appear at a hearing before the district court and request an expunction order. If the expunction order is granted, all agencies listed in the petition will be ordered to delete, destroy, or return the records subject to the expunction order.

What is an order of nondisclosure?

A person who successfully completes deferred-adjudication probation is not eligible for an expunction but may be eligible to petition the court for an order of nondisclosure. An order of nondisclosure is an order by a judge directing certain law-enforcement agencies to refrain from disclosing to any third party a criminal record associated with an arrest, prosecution, and deferred-adjudication probation.

Am I eligible for an order of nondisclosure?

In general, if you have successfully completed deferred-adjudication probation for an offense, you are eligible for an order of nondisclosure of the record of that offense. However, not all offenses can be sealed, and there are varying timelines for eligibility.

Why should I get an order of nondisclosure?

After a judge orders an offense nondisclosed, you are not required to state that you have been the subject of a criminal proceeding relating to that offense on job applications and for most other purposes. In addition, any government agency or private entity will be prohibited from disclosing your criminal records to the general public. However, there are some non-criminal justice agencies to which a criminal justice agency may disclose criminal records, even if a judge has ordered these records nondisclosed.

How do I get an order of nondisclosure?

Upon successful completion of deferred-adjudication probation, you may file a petition in the court in which you were placed on probation for nondisclosure of the arrest. After the petition is filed, you will have to appear at a hearing before the court and request an order of nondisclosure. If the order of nondisclosure is granted, the record of the arrest is no longer public.

What is the difference between an expunction and an order of nondisclosure?

While an expunction results in the destruction of all references and records of the case from public records, an order of nondisclosure results in a sealing but not a destruction of the records. Thus, when an offense is the subject of an order of nondisclosure, agencies are generally prohibited from disclosing the offense—subject to exceptions—but the record of the offense can still be used for certain government purposes. For example, the record can be used against you in a subsequent prosecution.

Can juvenile records be expunged or sealed?

In Texas, a juvenile is someone who is between the ages of 10-16. Depending on the circumstances, a juvenile record may be eligible for sealing, automatic restriction of access, destruction, or expunction.

What is sealing?

Sealing is an option for only juvenile criminal records. When a person's juvenile record is sealed, the record is transported to the clerk of the juvenile court for safekeeping but is not physically destroyed.

Am I eligible to have my juvenile records sealed?

A person can have his or her juvenile records sealed in the following circumstances:

Misdemeanor adjudication: For a misdemeanor adjudication, a juvenile can have his or her record sealed two years after the date of the final discharge if there was no further adjudication or conviction on any charge and no action is pending.

Felony adjudication: For a felony adjudication, a court may seal a person's juvenile records once the person reaches 21 years of age if:

- the person was not transferred to adult court;
- the records were not used as punishment evidence in adult court; and
- the person has not been convicted of a felony after reaching 17 years of age.

- A court cannot seal a record for any determinate sentencing or sex-offender records while there is a continuing duty to register.

- A court may seal the record of any case that was not adjudicated at any time after the final discharge.
- Immediate sealing of records in a case is required if the person was found not guilty.

Why should I get my juvenile records sealed?

Once your juvenile records are sealed, the answer to an agency's inquiry regarding records should be that no records exist. In addition, you are no longer required to say that you have a juvenile record.

What is automatic restriction of access to records?

Automatic restriction of access to records is a provision in Texas law that automatically restricts access to juvenile records to criminal-justice agencies once a juvenile reaches 21 years of age. The restricted-access system was intended to operate automatically without the participation of the person whose records are being restricted.

Am I eligible to have my juvenile records placed on “automatic restricted access”?

You are eligible to have your records placed on “automatic restricted access” if your case did not involve violent or habitual felony conduct or was not a determinate sentence, and if you did not have any further convictions after reaching 17 years of age. The records are neither sealed nor destroyed but remain in place under restricted access and are available only to criminal justice agencies for criminal justice purposes. Once the records are placed on restricted access, in most instances, agencies with records should indicate that the records do not exist. If your records have been placed on restricted access, you may deny the existence of the records and the events that gave rise to the records, unless you are required to disclose the records in other, subsequent criminal proceedings.

Once sealed or placed on restricted access, can the juvenile records be reopened?

Yes, there are certain circumstances when juvenile records can be reopened. A prosecutor may apply to a juvenile court to reopen sealed records at any time if the juvenile is subsequently arrested and subject to enhancement with the prior juvenile record. In addition, the restricted access is rescinded if the person is convicted or receives deferred adjudication for a subsequent offense.

Can juvenile records ever be destroyed?

Under the following limited circumstances, juvenile records can be destroyed:

- Destruction is required if a juvenile is taken into custody but not referred to the juvenile court within 10 days.
- A court may order destruction for offenses other than felony offenses or offenses that are Class B misdemeanors or above when the juvenile offender reaches 21 years of age and has not been convicted of a felony. This includes offenses such as truancy, running away, expulsion referrals from schools, and Class C offenses.
- A court shall order destruction if there is a determination of no probable cause or the case is not referred to a prosecutor for review.

What about juveniles who receive Class C citations?

Class C citations do not fall under the juvenile-records sealing provisions; rather, such citations are addressed under the expunction statutes. The general rules for expunction apply, except for a person convicted of not more than one violation for a tobacco- or alcohol-related offense is eligible to have the conviction expunged when the person reaches 21 years of age, and in some scenarios, a person convicted of not more than one offense may have the conviction expunged when the person reaches 17 years of age.

PROBATION, DEFERRED ADJUDICATION, AND PAROLE

What is probation?

Probation is the suspension of a jail or prison sentence—the person who is “on probation” has been convicted of a crime or placed on deferred adjudication, but instead of serving jail or prison time, is placed on probation and allowed to remain in the community. The supervision term can be up to two years for a misdemeanor and up to 10 years for a felony.

A person on probation must abide by conditions set forth by the court under the supervision of a probation officer. General conditions may include maintaining employment, abiding by a curfew, living where directed, abstaining

from unlawful behavior, checking in with the probation officer, following all orders, and not absconding. Typically, the person has to meet with the probation officer on a monthly basis and submit to random drug tests. Community service is usually required, and counseling and classes are often conditions of probation.

What is deferred adjudication?

Deferred adjudication is a type of probation that allows you to avoid a conviction if you successfully complete probation. Technically, if you successfully complete deferred-adjudication probation, you can have your charges “dismissed.” Moreover, you may be eligible to file a petition for nondisclosure to seal the offense from public view. However, it should be noted that a successfully completed and even sealed deferred-adjudication probation may still impact your job search, ability to possess a firearm, and immigration status.

What is the difference between “straight” probation and deferred adjudication probation?

There are two main differences between “straight” probation and deferred-adjudication probation. First, if you receive a sentence of straight probation, it will be considered a conviction and can never be expunged or sealed. Second, if a judge finds that you have violated deferred-adjudication probation, you will be facing the statutory maximum punishment range whereas in a violation of straight probation, the maximum punishment range will be whatever the suspended portion of the original sentence was.

What can happen if I violate probation?

Any time after being placed on probation, the prosecutor may file a motion to revoke probation alleging that you violated certain conditions of probation. A probation revocation can only occur after a motion has been filed and served on you, and after you have had an opportunity to defend yourself against the allegations in the motion.

At a probation-revocation hearing, the government is required to prove to the sentencing judge that you violated the conditions of probation by a “preponderance” of the evidence (meaning that it is more than likely than not that the violation occurred). If the government meets its burden, the case is not necessarily finished; violation of probation does not automatically lead to imprisonment or jail time. The judge has many options, including extending the length of probation, imposing an additional fine, requiring counseling, and requiring you to submit to drug- or alcohol-treatment programs. However, upon a revocation, the judge may also sentence you to the original term of your suspended prison or jail sentence (or in the case of revocation of deferred-adjudication probation, up to the statutory maximum for the offense or conviction).

Can I get off probation early?

A person sentenced to straight probation for most offenses (except for driving while intoxicated and other related offenses) is eligible to petition the court for early termination of probation after satisfactorily completing one-third of the probation period or two years, whichever is less.

In theory, if you were sentenced to deferred-adjudication probation, you can file a petition for early termination any time after probation is imposed. However, a court typically will want you to serve at least the first year of misdemeanor probation and at least the first 18 months of felony probation before considering early termination.

How does a court decide whether to grant early termination of probation?

The court will weigh and consider all circumstances of the case, including:

- How serious was the conduct leading to the conviction?
- Has the person completed all of the terms and conditions of probation?
- What is the extent of the person's additional criminal record?
- Is the probation preventing the person from gaining employment or other benefits?
- What is the prosecutor's position on the matter?

What is parole?

Parole is the discretionary and conditional release of an eligible inmate sentenced to the Texas Department of Corrections so that the inmate may serve the remainder of his or her sentence under the supervision of the Pardons and Parole Division. Parole is only available for people serving state sentences in the Texas Department of Corrections, as parole was abolished in the federal system. Moreover, a person sentenced to a state jail on a state-jail felony is not eligible for parole and must serve the full sentence.

When is someone eligible for parole?

The percentage of a sentence that must be served for parole eligibility varies according to the nature of the offense. In addition, parole laws are complex and constantly changing, and a person's eligibility for release on parole is governed by the law in effect on the date that the offense was committed. Moreover, the parole-panel decision as to whether to grant parole is discretionary. As of the time of this publication, except for offenders sentenced to the death penalty and certain violent and drug offenders, an inmate is eligible for release on parole when the inmate's calendar time served plus good-conduct time equals one-fourth of the sentence imposed or 15 years, whichever is less.

What can happen if I violate parole?

Any time after being released on parole, if you violate any of the terms of parole, the Pardons and Parole Division may file a warrant for your arrest. You are entitled to a parole-revocation hearing, and the parole officer must prove by a preponderance of the evidence that you violated one of the conditions of your parole. If the Parole Board finds that you violated a condition and decides to revoke the parole, you will be returned to prison and will be credited only for the actual time you have served on your sentence. Unlike probation, there is no early termination of parole.

EMPLOYMENT, LICENSING AND MILITARY

How can a criminal conviction impact my job search?

Generally, whether a private employer chooses to disqualify a job applicant because of the applicant's criminal record is up to the employer. Unless your job requires a license (see below) or certification that you cannot get with a criminal record, most private employers can choose to hire (or not to hire) people with criminal convictions. While most employers have rules about whether they will offer certain jobs to people with certain types of convictions, very few employers have blanket rules that disqualify all persons convicted of a crime from all jobs.

In fact, while it is almost always legal for an employer to refuse to hire someone because of a criminal conviction that causes the employer concern about the applicant's ability to do the job or the potential effect on customers or other employees, it can be unlawful for an employer to have a rule excluding everyone with a criminal conviction from all positions at the company unless there is business justification for such a rule. Private employers commonly exclude people with a criminal record from positions relating to security, safety, handling money, working unsupervised, or interacting with certain customers (or all customers).

Private employers are also likely to exclude you from a job if your conviction is related to the work the employer does. For example, a retail store is unlikely to hire someone convicted of theft, and a bank is unlikely to hire someone convicted of money laundering. Ultimately, some employers may be more understanding than others.

What types of criminal convictions can be considered if I am trying to obtain a professional license?

There are many jobs in Texas that require you to obtain a state license. According to the Texas Department of Licensing and Regulation (TDLR), convictions for the following types of crimes must be considered before issuing a license for the following types of jobs. Not every conviction will prevent you from getting a license; however, the TDLR also reserves the right to consider crimes not listed below in making licensing decisions.

Air conditioning and refrigeration contractors: crimes involving fraud or deceptive trade practices; crimes involving prohibited sexual conduct or involving children as victims; crimes against property such as theft or burglary; and crimes against the person such as homicide, kidnapping, and assault.

Architectural barriers and registered accessibility specialists: crimes involving bribery, fraud, or deceptive business practices; crimes involving prohibited sexual conduct or involving children as victims; crimes against property such as theft or burglary; and crimes against the person such as homicide, kidnapping, and assault.

Auctioneers: crimes involving misdemeanor fraud, breach of fiduciary duty, or a deceptive business practice; crimes against property such as theft or burglary; crimes involving the receipt, sale, or other distribution of illegal goods or substances, including stolen property, illegal weapons, drugs, drug paraphernalia, and the like; crimes involving prohibited sexual conduct or involving children as victims; and crimes against the person such as homicide, kidnapping, and assault.

Barbers: crimes involving prohibited sexual conduct or involving children as victims; crimes against the person such as homicide, kidnapping, and assault; and crimes involving the illegal manufacture or delivery of a controlled substance.

Boiler inspectors: crimes involving misrepresentation, fraud, extortion, bribery, theft, or a deceptive business practice.

Combative sports: crimes involving misconduct in the participation in or promotion of combative sports events; crimes involving fraud or breach of a fiduciary duty disqualify a promoter, manager, referee, judge, timekeeper, and matchmaker; and crimes involving the illegal use or possession of controlled substances are grounds for the denial of a license to be a second (commonly called a “cutman”).

Cosmetologists: crimes involving prohibited sexual conduct or involving children as victims; crimes against the person such as homicide, kidnapping, and assault; crimes involving a deceptive business practice; and crimes involving bribery or perjury.

Discount health care card programs: crimes involving fraud, breach of a fiduciary duty, or a deceptive business practice; crimes involving health insurance fraud or Medicaid fraud; crimes involving the business of insurance or the selling of insurance; crimes against property such as theft or burglary; and crimes involving racketeering, organized crime, or criminal influence.

Electricians: crimes involving fraud or a deceptive trade practice; crimes involving prohibited sexual conduct or involving children as victims; crimes against property such as theft or burglary; and crimes against the person such as homicide, kidnapping, and assault.

Elevator inspectors: crimes involving a deceptive business practice; crimes against property such as theft or burglary; crimes involving prohibited sexual conduct or involving children as victims; and crimes against the person such as homicide, kidnapping, and assault.

Industrialized housing and buildings: crimes involving a deceptive business practice; crimes against the person such as homicide, kidnapping, and assault; and crimes involving prohibited sexual conduct or involving children as victims.

Personnel employment services: crimes involving fraud or a deceptive business practice; crimes involving prohibited sexual conduct or involving children as victims; crimes involving the promotion of prostitution; and crimes against the person such as homicide, kidnapping, and assault.

Prepaid legal services: crimes involving fraud or a deceptive trade practice; crimes involving prohibited sexual conduct or involving children as victims; crimes against property such as theft or burglary; and crimes against the person such as homicide, kidnapping, and assault.

Property tax consultants: crimes involving fraud in a business setting; crimes involving stealing from an employer, tax fraud, bribery, or perjury; and crimes against property such as theft or burglary.

Service contract providers: crimes involving a deceptive business practice; and crimes involving insurance fraud.

Staff leasing services: crimes involving bribery or fraud, in a business or governmental setting; crimes involving insurance or tax fraud; and crimes against property such as theft or burglary.

Talent agencies: crimes involving fraud or a deceptive business practice; crimes involving prohibited sexual conduct or involving children as victims; crimes against property such as theft or burglary; crimes involving the promotion of prostitution; and crimes against the person such as homicide, kidnapping, and assault.

Temporary common worker employer: crimes involving labor or employment, including harmful employment and theft of service; crimes involving a deceptive business practice; crimes involving violations against public administration such as bribery, perjury, or abuse of office; crimes involving prohibited sexual conduct or involving children as victims; and crimes involving the promotion of prostitution.

Tow truck operators and permit holders: crimes involving fraud or a deceptive business practice; crimes involving prohibited sexual conduct or involving children as victims; crimes against the person such as homicide, kidnapping, and assault; crimes involving the receipt, sale, or other distribution of illegal goods or substances, including stolen property, illegal weapons, drugs, drug paraphernalia, and the like; crimes against property such as theft or burglary; crimes involving racketeering, organized crime, or criminal influence; and crimes involving intoxication and operating a motor vehicle, including driving while intoxicated, intoxication assault, and intoxication manslaughter.

Vehicle protection product warrantors: crimes involving a deceptive business practice.

Vehicle storage facility owners and employees: crimes involving fraud or a deceptive trade practice; crimes involving prohibited sexual conduct or involving children as victims; crimes against property such as theft or burglary; crimes against the person such as homicide, kidnapping, and assault; crimes involving the receipt,

sale, or other distribution of illegal goods or substances, including stolen property, illegal weapons, drugs, drug paraphernalia, and the like; and crimes involving racketeering, organized crime, or criminal influence.

Water well drillers: crimes involving a deceptive business practice; crimes involving environmental law violations; crimes involving prohibited sexual conduct or involving children as victims; crimes involving the illegal use or possession of controlled substances; and crimes against property such as theft or burglary.

Water well pump installers: crimes involving a deceptive business practice; crimes involving environmental law violations; crimes involving prohibited sexual conduct or involving children as victims; crimes involving the illegal use or possession of controlled substances; crimes involving crimes against property such as theft or burglary; and crimes against the person such as homicide, kidnapping, and assault.

Weather modification: crimes involving a deceptive business practice and fraudulent financial management practices; crimes involving the illegal use or possession of controlled substances; and crimes involving environmental law violations.

Can I obtain a license with a qualifying criminal conviction if I have successfully completed deferred adjudication?

A licensing authority is prohibited from considering a person to have been convicted of an offense if the person successfully completed deferred adjudication. However, this provision does not apply if the person is an applicant for or the holder of a license that authorizes the person to provide law enforcement or public health, education, or safety services. In addition, this provision does not apply if the licensing authority determines that the person may pose a continued threat to public safety, or if employment of the person in the licensed occupation would create a situation in which the person has the opportunity to repeat the prohibited conduct.

What are my rights and responsibilities regarding background checks when I am seeking employment?

Many employers in Texas conduct some form of criminal background check either on new hires or on applicants for some (or all) positions at the company. Employers conduct criminal background checks for several reasons: some are required to do so by law, some are required to do so by their customers, some do it out of concerns for legal liability, and some do it out of concern for the protection of their employees, customers, or property. Whatever their reason for conducting criminal background checks, both employers and job applicants are covered by both state and federal requirements.

Fair Credit Reporting Act (FCRA): The federal FCRA requires an employer to get a signed consent form from a job applicant before using a third-party service to conduct a criminal background check. The consent form must be conspicuous, and there are several steps an employer must follow that are designed to ensure the applicant has a chance to address or correct any mistakes in the criminal-history report (typically by contacting the reporting agency directly). However, the employer can require that all applicants sign the consent form and can disqualify applicants who refuse to sign.

Texas Department of Public Safety (DPS): In Texas, employers can also order criminal-history reports from the DPS. Employers are not required to get consent from employees before seeking a report from DPS. In practice, however, many employers ask for consent.

What criminal records do employers have access to?

Between the options available through private services or DPS, employers have the ability to discover most kinds of criminal records, including not only convictions but also arrests — even those that do not ultimately result in convictions — if they have not been expunged, nondisclosed, or sealed.

How should I deal with my criminal record in the application process?

Because employers generally have the right to refuse to hire applicants with criminal records, you should start your job-search process understanding that you may encounter some employers who are less understanding than others. Below are some tips for dealing with your criminal record during a job search.

Be Honest — First of all, it is extremely important that you are honest. While very few employers refuse to hire every person with a criminal record, most employers refuse to hire any person who is dishonest in the application process. If you are asked (in an interview or on a job application, for example) if you have a criminal record and you lie, your employer will almost certainly find out either during the application process or some time afterwards. Employers have multiple methods to check an applicant's criminal history, including private background check

companies, DPS, and even public data available on the Internet. (Remember, the employer does not need your consent to run a background check with DPS or to use Google to search public records.) If you have misrepresented your criminal background, you will not only likely be fired, you will also be faced with explaining in your next job interview how you were fired from your last job because you lied about your criminal record. Be prepared to explain your criminal history, what you have learned from your experience with the criminal justice system, and how you will work to be a good employee and an asset to the company. Answer questions honestly, be upfront with your employer, and show your employer that you are someone worth hiring.

Be Positive — Anyone who has applied for a job (with or without a criminal record) will tell you that you will not get every job you apply for. Do not complete a job application or participate in an interview with the assumption that you will not be hired because of your background: negativity will affect your ability to do well in your interview.

Documents and I-9 Compliance — Employers are required by federal law to verify both your identity and your legal authorization to work in the United States. Employers comply with this obligation by completing a form called Form I-9. Form I-9 must be completed on or before your date of hire, and you must provide documents required by Form I-9 within three business days of your hire. Employers may not hire applicants who do not have proper documentation and are required to fire employees who cannot present the documentation within three business days of hire. As a result, you should be prepared to present your documents by the time of your interview. Form I-9 can be completed using several different combinations of documents, but if you are a U.S. citizen, the most common two ways to satisfy the requirements are as follows:

- valid (unexpired) driver's license plus a social security card; or
- valid (unexpired) U.S. passport.

If you do not have a valid U.S. passport or a valid driver's license plus a social security card, you should apply for the required documentation right away.

How can a criminal conviction impact my ability to enlist or remain in the U.S. Military?

Generally, the U.S. Military requires that people who enlist have a clean criminal record. Each branch has its own procedure for waivers (see below) but, generally, the U.S. Military is unlikely to allow you to join if you have a felony conviction.

How should I deal with my criminal record if I am trying to get into the U.S. Military?

The most important rule for applying to private employers — that you be honest — is even more important if you want to enlist in the U.S. Military. Lying to a private employer will almost certainly get you fired and will make getting a job in the future even that much harder. Lying to the U.S. Military during your application process is a crime and could result in you being charged under federal law or the Uniform Code of Military Justice for False Statement or Fraudulent Enlistment. It is important to understand that, as far as the U.S. Military is concerned, there is no such thing as an expunged or sealed record. The U.S. Military has extensive access to state-law enforcement records, as well as investigative records from the Federal Bureau of Investigation (FBI). The U.S. Military also routinely conducts security-clearance checks that involve interviewing friends and family members. The U.S. Military will consider all criminal charges, regardless of whether they resulted in a conviction and whether they were expunged or sealed. Deferred prosecutions and deferred adjudications that involve a guilty plea are typically considered the same as convictions for military purposes.

If I have a criminal record, am I required to obtain a waiver before I can enlist in the U.S. Military?

Military applicants with certain criminal records must obtain a waiver from the specific military branch before enlisting. Each branch has its own standards, as follows:

Army — The Army divides criminal offenses into one of four categories. Applicants must obtain a waiver if their record contains six or more minor traffic offenses (where the fine was \$100 or more per offense), three or more minor non-traffic offenses, two or more misdemeanors, or one or more felonies.

Air Force — The Air Force divides criminal offenses into five categories. Category 1 offenses are considered the most serious (felonies), and category 5 offenses are considered the most minor. Applicants with records containing one or more convictions from category 1, 2, or 3 offenses must obtain a waiver. Applicants are also required to obtain a waiver if their records contain two or more convictions in the past three years, or three or more convictions in a lifetime for a category 4 offense. Finally, applicants must obtain a waiver if their records contain six or more convictions or adverse adjudications in any 365-day period within the past three years from a category 5 offense.

Marine Corps — The Marines divide criminal offenses into one of six categories. In general, a waiver is required for records that contain: five to nine minor traffic offenses; two to five more serious traffic offenses; two or more Class 1 minor non-traffic offenses; two to nine Class 2 minor non-traffic offenses; two to five serious offenses; or one felony. Individuals are not eligible for a waiver if their records contain 10 or more minor traffic offenses, six or more serious traffic offenses, 10 or more Class 2 minor non-traffic offenses, six or more serious non-traffic offenses, or more than one felony.

Navy — The Navy divides criminal offenses into four separate categories. Applicants must obtain a waiver if their records contain six or more minor traffic violations, three or more minor non-traffic violations or minor misdemeanors, one or more non-minor misdemeanors, or one or more felonies.

Will a felony conviction or domestic-violence conviction keep me from getting into the U.S. Military?

Even though felonies can be waived, the services almost never waive felonies, especially if the crime involved the sale of narcotics, sex, or violence. Additionally, federal law prohibits people with certain domestic-violence convictions from owning or possessing firearms, which will prevent them from holding almost any military job.

FEDERAL STUDENT AID AND HIGHER EDUCATION

Studies have shown that one of the most effective ways to prevent going back to prison or jail after release is to pursue higher education. In fact, one study estimates that post-secondary educational programs reduce the rate of repeat incarceration by 40 percent. Securing education beyond your high-school diploma or General Education Development (GED) certificate will also be an enormous benefit as you begin to seek employment. Generally speaking, schools will not bar applicants who have a prior criminal conviction. Depending on your offense, however, a conviction may prevent you from applying to certain programs within the school. It may also affect your ability to receive certain federal student aid. But these restrictions are fairly limited and should not discourage you from seeking higher education upon your release.

Federal student aid is financial assistance available through the U.S. Department of Education. Federal student aid covers school expenses such as tuition, room and board, books, and transportation. This aid can also help pay for a computer and dependent childcare expenses.

What types of federal student aid are available?

There are three types of federal student aid:

Federal Grants — financial aid that does not have to be repaid (unless, for example, the person withdraws from school). All federal grants are awarded to students with financial need.

Federal Work-Study (FWS) Program — allows a student to earn money for his or her education.

Federal Loans — allow a student to borrow money for school. Loans must be repaid, with interest.

Not all schools participate in all federal student-aid programs. You must check with each school's financial-aid office to find out which programs are available at each school.

What types of federal grants are available?

There are four types of federal grants:

- Federal Pell Grant;
- Federal Supplemental Educational Opportunity Grant (FSEOG);
- Academic Competitiveness Grant (ACG); and
- National Science and Mathematics Access to Retain Talent Grant (National SMART Grant).

What are the requirements to receive federal student aid?

To receive federal student aid, you must meet certain requirements. You must be a U.S. citizen or eligible noncitizen; have a valid social security number; be registered with Selective Service (if male and 18 to 25 years of age); have a high-school diploma or a GED certificate or pass an exam approved by the U.S. Department of Education; be enrolled in, or accepted for enrollment as, a regular student working toward a degree or certificate in an eligible program at

a school that participates in the federal student-aid programs; and finally, not have a drug conviction for an offense that occurred while receiving federal student aid (such as grants, loans, or work-study). Also, you must not owe a refund on a federal grant or be in default on a federal student loan, and you must demonstrate financial need.

Are incarcerated individuals eligible for federal student aid?

Incarcerated individuals have limited eligibility for federal student aid. Individuals incarcerated in federal or state institutions are eligible for only an FSEOG and FWS Programs. Individuals incarcerated in local institutions are eligible for Pell Grants, an FSEOG, and FWS Programs. For more information, an incarcerated individual must contact the institution's education coordinator or the financial-aid administrator at the school where he or she plans to enroll. Once released, a person is generally eligible to receive all types of federal student aid. However, eligibility may be limited if the person has been convicted of a drug-related offense and has not completed the necessary steps to regain eligibility.

Does my conviction disqualify me from federal student aid programs?

Drug convictions may disqualify you from receiving federal student aid. You may be ineligible for a period of time based on the type and number of convictions on your criminal record.

Question 23 on the Free Application for Federal Student Aid (FAFSA) specifically asks if you have ever been convicted for an offense involving the possession or sale of illegal drugs that occurred while you were receiving federal student aid. The FAFSA explains that for purposes of this question, you do not need to count convictions that have been removed from your record or that occurred before you reached 18 years of age, unless you were tried as an adult.

To determine if a conviction affects your eligibility for federal student aid, you may complete the Drug Conviction Worksheet available at www.fafsa.ed.gov/FOTWebApp. If a conviction affects your eligibility, you should still submit your application because you may qualify for state or college aid.

Keep in mind that if you have completed an acceptable drug-rehabilitation program since your last conviction, your eligibility for federal student aid may not be affected. The drug-rehabilitation program must include two random drug tests. The program must also be qualified to receive funds from federal, state, or local governments, or a federal- or state-licensed insurance company. In addition, the program must be administered or recognized by a federal, state, or local government agency or court, or by a federal- or state-licensed hospital, health clinic, or medical doctor.

If you become eligible for federal student aid (for example, if the eligibility date arrives or if you complete an acceptable drug-rehabilitation program), you should notify the financial-aid administrator at your school.

If you are convicted of possessing or selling illegal drugs after you submit your FAFSA, you must notify your financial-aid administrator immediately. You will lose your eligibility for federal student aid and will be required to pay back all aid received after the conviction.

Does my conviction disqualify me from state financial-aid programs?

Even if you are not eligible for federal student aid, you may be eligible for state financial aid or aid from your school's financial-aid office. You might also be able to obtain financial aid from a private scholarship. Scholarships come from a variety of sources: schools, employers, individuals, private companies, nonprofits, religious groups, and professional organizations. These sources offer scholarships for a variety of reasons. Some scholarships are offered to students who have financial need. Some scholarships have academic requirements like a certain Grade Point Average (GPA) or enrollment in a particular major. There are also athletic, music, and art scholarships, as well as scholarships for minorities, first-generation students, and students with certain community or religious affiliations. Because scholarships are offered for different reasons and by many sources, it is important to understand that each scholarship has its own requirements and deadlines. Whether a certain conviction disqualifies you from receiving a scholarship depends on the particular scholarship criteria and rules for applying.

What higher educational programs are available in Texas?

Texas has a total of 145 public and independent institutions of higher education. The state has 101 public, higher-education institutions: 35 four-year universities and associated academic centers, three state colleges, 50 community college districts with multiple campuses, four technical colleges, and nine health-related institutions. The state also has 39 independent universities; two junior colleges; one health-related, independent institution; and two chiropractic institutions.

What types of state financial aid are available and what are the requirements?

The Texas Educational Opportunity Grant Program (TEOG) was established to provide grant aid to financially needy students enrolled in public, two-year colleges in Texas. According to Section 56.304 of the Texas Education Code, to be eligible initially for a Texas grant, a person must:

- be a resident of this state as determined by coordinating board rules;
- meet either of the following academic requirements:
- be a graduate of a public or accredited private high school in this state who graduated not earlier than the 1998-1999 school year and who completed the recommended or advanced high school curriculum established under Section 28.002 or 28.025 or its equivalent; or
- have received an associate degree from a public or private institution of higher education not earlier than May 1, 2001;
- meet financial need requirements as defined by the coordinating board;
- be enrolled in an undergraduate degree or certificate program at an eligible institution;

be enrolled as:

- an entering undergraduate student for at least three-fourths of a full course load for an entering undergraduate student, as determined by the coordinating board, not later than the 16th month after the date of the person's graduation from high school; or
- an entering student for at least three-fourths of a full course load for an undergraduate student as determined by the coordinating board, not later than the 12th month after the month the person receives an associate degree from a public or private institution of higher education;
- have applied for any available financial aid or assistance; and
- comply with any additional nonacademic requirement adopted by the coordinating board under this subchapter.

Does my conviction disqualify me from state financial-aid programs?

Generally, you are not eligible to receive a Texas grant if you have been convicted of a felony or an offense under the Texas Controlled Substances Act or under the law of another jurisdiction involving a controlled substance as defined by Chapter 481 of the Texas Health and Safety Code. However, you may be eligible despite a conviction if you have received a certificate of discharge from the Texas Department of Criminal Justice or a correctional facility or if you have completed a period of probation ordered by a court, if at least two years have elapsed since you received the certificate or completed the probation. You may also be eligible if the Governor has pardoned you, the record of the offense has been expunged from your record, or you have been otherwise released from the ineligibility to receive a grant under Texas law.

In sum, an individual convicted of a crime involving a controlled substance can generally compete for state financial aid two years after the person has fulfilled his or her obligation to society. It is important to note, however, that this option is limited to students in public community colleges, public technical colleges, and public state colleges in Texas.

Are there special services for juvenile offenders?

Juvenile offenders who obtain a high-school diploma or GED certificate prior to release from the Texas Youth Commission (TYC) are provided assistance in securing college courses, post-secondary training, and workforce-development opportunities. They are also provided assistance in identifying financial resources.

Can a criminal conviction keep me from getting a higher education?

A criminal conviction is not an absolute bar to admission at any school. Most colleges and universities use a similar application form that contains questions about your criminal history. Most colleges and universities will also perform a criminal background check to confirm that the information you list on your application is accurate. But it is most schools' policy to consider your criminal history as only one factor among many that are weighed when making a decision regarding admission. In weighing the effect of your conviction, colleges and universities will most likely consider the following factors: date of the crime (how recent was it and were you a juvenile or adult at the time); the nature of the crime (was it against a person or against property, was it violent or passive); the severity of the harm caused; whether you have accepted responsibility for the crime; the punishment for the crime; and whether the punishment has been completed.

Should I report a criminal conviction in the application process?

The bottom line is this: be open and honest in your application. Subject to the laws regarding expunction and record

sealing, it is best to err on the side of full disclosure. If a school discovers a conviction that you did not disclose after conducting a criminal background check, you will have a much more difficult time gaining admission.

Can a criminal conviction prevent me from being licensed in certain educational fields?

While a criminal conviction may not be an absolute bar to admission, it may prevent you from enrolling in certain departments if it would prevent you from being licensed in the particular field of the department at issue. Here are some examples to consider:

Education: Most school districts will not hire someone with any of the following: prior felony convictions; prior misdemeanor convictions within the last five years involving an offense of moral turpitude (that is, crimes that involve dishonesty, fraud, deceit, misrepresentation, or deliberate violence) or offenses involving drugs or alcohol; felony or misdemeanor charges that are pending involving crimes of moral turpitude or offenses involving drugs or alcohol; or acts considered abuse under the Texas Family Code.

Nursing: The following convictions will disqualify an applicant to nursing school: misdemeanor or felony convictions or deferred adjudications involving crimes against persons; misdemeanor convictions or deferred adjudications involving moral turpitude; or misdemeanor or felony convictions or deferred adjudications for the sale, possession, distribution, or transfer of narcotics or controlled substances. Registered sex offenders are also disqualified.

Medical, Pharmacy, and Dental School: The licensing boards for each of these professions state that felony convictions and misdemeanors involving crimes of moral turpitude can be a basis for the denial of a license, but applicants are considered on a case-by-case basis.

Law: Prior convictions will not necessarily prevent admission, but felony convictions and misdemeanor convictions involving crimes of moral turpitude may make it difficult to be admitted to the bar upon graduation.

You probably noticed that the most common disqualifiers are felony convictions (or even deferred adjudications) and misdemeanor convictions of crimes involving moral turpitude. As discussed above, crimes involving dishonesty, fraud, deceit, misrepresentation, or deliberate violence are considered crimes of moral turpitude. These include crimes against property, such as fraud, burglary, forgery, robbery, and theft, as well as crimes against persons, such as assault with intent to kill, commit rape, or commit serious bodily harm; voluntary manslaughter; involuntary manslaughter involving recklessness; murder; rape; and prostitution.

If you have questions about your particular conviction, your best bet is to call the admissions office of the school to which you are applying. Admissions offices regularly handle these kinds of questions and can be very helpful in assisting you with your application. Again, err on the side of full disclosure. If you are unsure, call the admissions office. It is better to disclose a conviction upfront than to have an admissions office discover it after performing a criminal background check, which most schools do.

HOUSING

A criminal history can affect your ability to obtain and maintain both public and private housing. In fact, an arrest alone can potentially trigger an eviction from either public or private housing.

How can a criminal conviction affect my ability to obtain and maintain public housing?

Federal law prohibits individuals with certain types of criminal convictions from obtaining federally funded housing assistance, either through conventional public housing as provided by the local housing authority or through the Housing Choice Voucher ("Section 8") program. Federal law also gives local housing authorities broad discretion to reject applicants based on certain criminal convictions involving drug activity, violence, or any other activity that could reasonably be determined to threaten the rights and safety of other tenants or neighbors.

Importantly, federal law applies to any "tenant" or "household" member in public housing. This means that you may be prohibited based on your criminal record from moving in with someone already living in public housing, including parents or family members, even if they have no criminal record. It also means that you could be prevented from living in public housing if someone else in your household has a prior criminal conviction as described below.

Is there anything I can do to overcome a rejection for public housing based on my criminal conviction?

You may be able to overcome such a rejection by providing evidence to the local housing authority demonstrating that you have not engaged in criminal activity for a “reasonable” period of time, as determined by the local housing authority.

If you would like more information on public-housing programs, the federal government provides a toll-free service number (1-800-955-2232) you can call to obtain information about all aspects of public-housing assistance, including eligibility requirements and contact information for your local housing authority. The line is open Monday through Friday from 8:00 a.m. to 4:00 p.m. Central Standard Time, except on federal holidays.

Are there any mandatory disqualifications for public housing based on criminal convictions?

Federal law imposes lifetime bans from public housing for certain types of criminal convictions. For example, federal law prohibits anyone who is subject to a lifetime registration requirement under a state sex-offender registration program from being admitted to live in public housing. Federal law also prohibits any tenant or household member who has ever been convicted of drug-related criminal activity for the manufacture or production of methamphetamine on the premises of public housing from being admitted to live in public housing.

Federal law also imposes a three-year ban on any tenant or household member who was previously evicted from public housing as a result of drug-related criminal activity. The phrase “drug-related criminal activity” is defined broadly and encompasses virtually any illegal drug-related activity that resulted in your eviction. A person who was previously evicted for such activity shall be ineligible for public housing during the three-year period beginning on the date of such eviction, unless the evicted tenant completes a drug-rehabilitation program approved by the public-housing agency.

In addition, local housing authorities are required to bar admission to anyone whom they determine: (i) is currently engaging in illegal drug use; or (ii) may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents based on the individual’s illegal drug use or a pattern of such use. Alcohol abusers who are found to pose a similar threat to other residents must also be barred. Thus, if you want to live in public housing, it is critically important to seek appropriate treatment for any drug or alcohol dependency you may have.

Are there discretionary disqualifications by local housing authorities based on criminal convictions?

Federal law gives local housing authorities broad discretion to deny admission to public housing based on numerous other types of criminal conduct committed during a “reasonable time period” before the desired admission, including drug-related criminal activity, violent criminal activity, or other criminal activity that may threaten the health, safety, or right to peaceful enjoyment of the premises by other residents or neighbors, or that may threaten the health or safety of property owners, management staff, contractors, or housing authority personnel. Such conduct by any person in a household may also serve as grounds for terminating federal assistance already being received by the household. Each local housing authority may decide for itself what constitutes a “reasonable time period” for purposes of deciding whether a prior conviction should disqualify an applicant from being accepted for public housing.

What rights do I have if a local housing authority is denying me admission or attempting to terminate my benefits?

If a local housing authority proposes to deny admission or terminate benefits based on criminal conduct as shown by your criminal record, the housing authority must provide you a copy of the criminal record and give you (and the household) an opportunity to dispute the accuracy and relevance of that record before the housing authority may deny an application or proceed with an eviction on this basis. The local housing authority, however, need not obtain formal evidence of an arrest or conviction to deny your application or evict you based on prior criminal activity if the housing authority has sufficient evidence that you engaged in such activity. Thus, the housing authority may be able to bar you from living in public housing even if you were not formally convicted of a crime or had your records expunged, so long as it has sufficient evidence that you engaged in the underlying activity. The housing authority may not force you or any other applicant or household member to pay the costs of a criminal-records check.

What can I do if my application for public housing is denied by the local housing authority?

If your application is denied due to a prior criminal conviction or prior criminal conduct, you may be able to seek reconsideration by the local housing authority by submitting evidence that you are not currently engaged in criminal activity and have not been engaged in criminal activity for a reasonable time period before the admission decision. It is within the local housing authority's discretion to decide whether you should be permitted to live in public housing despite a prior criminal conviction or prior criminal conduct.

Can I be denied private housing based on my criminal history?

Texas landlords have broad discretion to deny housing based on criminal history (regardless of what type of crime was committed) or other personal background information, including previous rental history, current income, credit history, or failure to provide accurate or complete information on a rental application. By law, the landlord "shall make available" to a rental applicant "printed notice of the landlord's tenant selection criteria and the grounds for which the rental application may be denied," including whether the landlord considers criminal history in determining whether to accept an application. If a landlord rejects you for your prior conviction without providing this notice, you may be entitled to a return of any application fee or deposit that you paid in connection with the application, although you cannot force the landlord to accept you as a tenant.

If the rental application asks you for information regarding your prior criminal convictions (or requests that you provide any other specific background information) and you provide inaccurate or incomplete information, this may provide grounds for the landlord to deny your application or evict you from the premises if the landlord later discovers that you made misrepresentations on the application or failed to provide such information.

PUBLIC ASSISTANCE AND FOOD STAMPS

Can a criminal conviction prevent me from receiving federal benefits?

A criminal conviction may impact your ability to receive the following federal benefits:

Temporary Assistance for Needy Families (TANF): TANF is the United States' federal-assistance program. Many people call it "welfare." It provides temporary financial assistance and aims to have most people find employment while on the program.

In Texas, a person is not eligible to receive TANF benefits if the Texas Department of State Health Services determines that the person:

is a fugitive, meaning the person is fleeing to avoid prosecution or confinement for a felony criminal conviction, or has been found by a court to be violating federal or state probation or parole; or is convicted of a felony drug offense committed on or after April 1, 2002.

Supplemental Nutrition Assistance Program (SNAP): In Texas, SNAP, formerly called "food stamps," helps people with low incomes and resources buy the food they need for good health. SNAP benefits are provided through the Lone Star Card, which is similar to a plastic credit card.

The federal government disqualifies a person from receiving SNAP benefits if that person is:

1. fleeing to avoid prosecution, custody, or confinement after conviction, under the law of the place from which the individual is fleeing, for a crime or attempt to commit a crime that is a felony under the law of the place from which the individual is fleeing; or
2. violating a condition of probation or parole imposed under federal or state law.

PARENTAL RIGHTS AND CHILD SUPPORT

Can I lose my parental rights if I am convicted of a crime?

If you are convicted of the following crimes that caused the death or serious injury of a child, your parental rights can be terminated: murder or manslaughter; assault, sexual assault, aggravated assault, or aggravated sexual assault; injury to a child or abandoning or endangering a child; indecency with a child or

prohibited sexual conduct; sexual performance by a child or possession or promotion of child pornography; or continuous sexual abuse of a young child.

Can I lose my parental rights if I am incarcerated?

A felony conviction does not necessarily mean that your parental rights will be terminated. However, a court may consider whether it is in the child's best interests to terminate the parental rights of a parent who cannot care for the child due to a felony conviction resulting in at least two years of incarceration.

Can I lose my parental rights if I am suffering from a mental illness or substance-abuse problem?

Suffering from a mental illness or a substance-abuse problem does not mean that your parental rights will be terminated. However, a court may consider whether it is in the child's best interests to terminate the parental rights of a parent who cannot care for the child due to a mental illness or a substance-abuse problem. In addition, a court may terminate the parental rights of a parent who used a controlled substance in a manner that endangered the health or safety of the child and failed to complete a court-ordered substance-abuse treatment program or, after completion of such a program, continued to abuse a controlled substance.

What can I do if the state is attempting to terminate my parental rights?

If the state is attempting to terminate your parental rights, you must be afforded due process and are entitled to an attorney to help you. If you cannot afford an attorney, the state is required to appoint an attorney to assist you if you request an attorney.

If I owe child support and am incarcerated, will my child-support payments continue to accrue while I am incarcerated?

If you are incarcerated, the obligation to pay child support does not go away. The amount that is owed will continue to add up, and you will be charged interest on any unpaid financial support.

Is there anything I can do to stop or lower my child-support payments while I am incarcerated or when I get out?

You can request a modification of your child-support payments. It is important to note, however, that the amount of child support you are obligated to pay will not change unless the existing child-support order is modified or you obtain a new court order. Informal agreements between parents do not change the court-ordered amount of child support.

Grounds for a modification include a material and substantial change in the circumstances that impact your ability to pay child support, or the passage of three years since the last child-support order and a difference in monthly payment by either 20 percent or \$100 from the child-support guidelines.

If I was incarcerated, what can I do about my child-support case once I am released from prison?

According to the Office of the Attorney General (OAG) Child Support Division, if you have a child-support case, the following actions are recommended upon your release:

- contact the child-support office handling your case and give the office an update on your status;
- pay child support regularly while you are looking for work;
- request time to find employment before an enforcement action is taken, as you will need to provide your address and report on your job-search efforts;
- notify the child-support office as soon as you are employed so that an order or writ for withholding can be sent to your employer; and
- request referrals to parenting programs, job-help resources, or other community assistance.

The OAG's Child Support Division can refer you to skills-training and job-placement services through the Texas Workforce Commission. In addition, it can provide you information on education and literacy classes as well as counseling services for substance abuse and for parenting skills.

Can I go to jail for failing to pay child support?

Yes. If you have an active child-support case and fail to pay child support, you may be placed in jail for up to six months for "contempt of court" for not following a court order. You may also be fined up to \$500 for each violation and have to pay attorney's fees and court costs. In addition, it is a state jail felony for an individual to intentionally

or knowingly fail to provide support for a child who is younger than 18 years of age or who is the subject of a court order for child support. However, it is an affirmative defense if the individual could not provide support for the child.

How do I request a modification of my child support?

If you have a child-support case, you may ask the child-support office for a review and adjustment packet to see if your child support can be lowered. You can request a review by filling out a Request for Review form and mailing it to the office that is handling the case. You can download the Request for Review form at the following link: www.oag.state.tx.us/cs/forms/31015a.pdf. Make sure the office that is handling your case has your updated address. And remember: you are obligated to pay the original amount of child support that a court ordered you to pay unless and until the court modifies your child-support order.

Am I entitled to a court-appointed lawyer to represent me at a child-support hearing?

You are entitled to a court-appointed lawyer to represent you at a child-support hearing only if you are found to be indigent, you appear in person at the hearing, and you face incarceration as a result of the hearing. You must submit a request for a lawyer directly to the court in which your case is pending.

How do I contact the Austin child support office?

The OAG Child Support Division in Austin can be contacted in the following ways:

- By U.S. mail
- Office of the Attorney General
- Child Support Division
P. O. Box 12017
Austin, TX 78711-2017
- On the Internet
- Website: www.texasattorneygeneral.gov
- E-mail: child.support@oag.state.tx.us
- By telephone
Austin/Travis County (512) 514-7000

The OAG has published a list of Frequently Asked Questions that can be downloaded at the following link: www.oag.state.tx.us/AG_Publications/pdfs/incarcerated.pdf.

CIVIC PARTICIPATION AND CIVIL RIGHTS

Can my involvement in the Texas criminal justice system preclude my right to vote?

You are not eligible as a registered voter in the state of Texas if you have been finally convicted of a felony and have not been pardoned or have not fully discharged your sentence (including any term of incarceration, parole, or supervision) or completed a period of probation ordered by any court, assuming you have not been otherwise released from the disability to vote.

What does “finally convicted of a felony” mean?

At the outset, it is important to note that a misdemeanor conviction will not affect your right to vote in Texas. Examples of cases that typically will not affect your right to vote include simple assault and first- or second-time DWI cases.

Simply being charged with a felony also will not affect your right to vote in Texas. You must be finally convicted of a felony before you can lose your right to vote.

A final felony conviction happens when you are either found guilty by a judge or jury or you plead guilty to a felony for which a sentence has been imposed. Prosecution proceedings, indictments, or other criminal procedures which may lead to, but have not yet resulted in, the imposition of a sentence are not final convictions. Additionally, neither a conviction that is currently pending appeal nor deferred-adjudication probation is considered a final conviction.

Can my voting rights be restored?

Yes, unlike many states Texas allows for the full restoration of voting rights for people who have been finally convicted of a felony. In order to have voting rights restored, you must fully discharge your probation, parole,

or prison sentence; receive a pardon; or have a judge release you from the disability to vote. Full discharge of a sentence includes serving any jail time or term of incarceration imposed, completing any parole or period of supervision, or completing any court-ordered period of probation. Once you have fully discharged a sentence resulting from a felony conviction, your voting rights are fully and automatically restored. Nothing more is required in order to have full access to and protection of the right to vote in Texas.

If I have been convicted of a crime, can I still serve on a jury?

As a general rule, to be eligible for jury service you must not have been convicted of, or be under indictment or other legal accusation for, misdemeanor theft or a felony. If you have a conviction for misdemeanor theft, you cannot serve on a jury unless you have had your rights restored upon discharge from community supervision. Subject to some exceptions, if you are on any type of felony probation (including deferred adjudication), you may serve on a jury only if you are discharged and the court sets aside the accusation and dismisses the charges against you.

If I have successfully completed deferred adjudication, will I be able to serve on a jury?

Yes, the completion of deferred adjudication is not a disqualifying "conviction." Once you have successfully completed deferred adjudication, you can serve on a jury.

If I have a criminal record, can I run for public office?

To be eligible to run for public office, you must not have been finally convicted of a felony for which you either have not received a pardon or have not been otherwise released from the resulting disabilities.

IDENTIFICATION AND OTHER DOCUMENTS

Often times, a person's identification is taken upon arrest or incarceration and it can be difficult to obtain a new identification. In trying to transition back after contact with the criminal justice system, it is crucial that you have an identification, as you will need it when applying for jobs, public benefits, and housing.

How do I obtain a social security card?

You can obtain a replacement social security card or obtain a new card if you have a social security number. To apply for a social security card, you need to complete an application and take it or mail the completed application and documents to your local Social Security office. In Austin, the local Social Security office is located at 1029 Camino La Costa, Austin, Texas 78752. The application and card are free, and it may take several weeks to receive the card after submitting the application. If applying for an original card, you will need to provide at least two documents to prove your age, identity, and U.S. citizenship or current lawful, work-authorized immigration status. If applying for a replacement card, you must prove your identity. Documentation that may be used to prove your identity includes a current driver's license, Texas identification card, employee identification card, school identification card, health-insurance card, or U.S. Military card.

How do I obtain a birth certificate?

You can order a certified copy of your birth certificate by completing an application and either sending it to Texas Vital Statistics or delivering it in person at 1100 West 49th Street, Austin, TX 78756. You must provide a photocopy of a valid photo identification card issued by a governmental entity and pay a \$22 fee. If you qualify, you may also be able to order your birth certificate online at the following link: www.texasonline.state.tx.us/tolapp/ovra/.

How do I obtain a Texas identification card?

You must appear in person at any Texas Driver License office and provide proof of identity and pay the required fee.

How do I obtain a Texas driver license?

If you are attempting to renew a valid Texas driver license or a Texas driver license that has been expired for less than two years, if your last renewal was completed in person, and you have no outstanding traffic tickets or suspensions or revocations, you may be able to obtain a Texas driver license online (at www.texasonline.state.tx.us/tolapp/txdl/welcome.dl) or by telephone (at 1-866-DL RENEW or 1-866-357-3639).

If your Texas driver license has been expired for more than two years, you must appear in person at any Texas Driver

License office, and apply as an original applicant. At any Texas Driver License office, you will be required to present proof of identity and proof of a social security number, pass the vision exam, and pay the required fees.

If you have never had a Texas driver license, you must appear in person and, in addition to all of the other requirements, pass the written and driving exams.

If you are under 18 years of age, a Texas Education Agency (TEA) certificate (verifying attendance and enrollment in school) is also required. If you are removing a “B” restriction from your current Texas driver license, you must present a certificate of completion of Driver Education.

What do I need to have as proof of my identity when applying for a Texas driver license or identification card?

DPS has set out the following rules as it relates to proof of identity: All original applicants for a Texas driver license or identification certificate must present proof of identity satisfactory to DPS. (All applicants for a driver license must also provide proof of their social security number). All documents must be verifiable by the source that issued the document.

There are three categories of documents that may be presented to establish proof of identity: primary, secondary, and supporting.

Every original applicant must present:

- one piece of primary identification;
- one piece of secondary identification plus two pieces of supporting identification; or
- two pieces of secondary identification.

The following items are not all inclusive. The examining or supervisory personnel may determine that an unlisted document meets DPS's needs in establishing identity:

Primary	Secondary	Supporting*
MUST INCLUDE PHOTO, FULL NAME, AND DATE OF BIRTH (DOB)	RECORDED U.S. GOVERNMENTAL DOCUMENTS (INCLUDES FULL NAME & DOB)	ADDITIONAL RECORDS AND DOCUMENTS THAT AID IN ESTABLISHING IDENTITY
Accepted for identification without additional documentation	Applicant must present one secondary and two supporting or two secondary documents to establish identity	
Texas driver license (DL) or identification certificate (ID) with photo within two-years of expiration date	Original or certified copy of a birth certificate issued by the appropriate State Bureau of Vital Statistics or equivalent agency (U.S. Territory, the District of Columbia, or a Canadian province)	School records Insurance policy (valid continuously for the past two years)
Unexpired United States passport		Vehicle title Military records (Form DD 214)
United States Citizenship Certificate or Certificate of Naturalization with identifiable photo (N-560, N-561, N-645, N-550, N-55G, N-570, or N-578)	Original or certified copy of United States Department of State Certification of Birth (issued to United States citizens born abroad) (Form FS-240, DS-1350, or FS-545)	Unexpired military dependant identification card (actual card)
Unexpired Department of Homeland Security (DHS) or US Bureau of Citizenship and Immigration Services document issued for a period of at least one year that is valid for no less than six (6) months from the date presented to DPS with a completed application. The document must contain verifiable data and an identifiable photo, specifically a:	Original or certified copy of court order with name and DOB indicating an official change of name and/or gender from a US state, US Territory, the District of Columbia, or a Canadian province.	Original or certified copy of marriage license or divorce decree
• US Citizen Identification Card (I-179 or I-197);		Voter registration card (actual card)
• Resident Alien Card (I-551);		Social Security card (actual card)
• Temporary Resident Identification Card (I-688); or		Pilot's license (actual card)
• Employment Authorization Card (I-688A, I-688B or I-766).		Concealed handgun license (actual card)
		Temporary receipt for a Texas DL or identification certificate (actual receipt)
		Unexpired photo DL or photo ID issued by a US state, US territory, the District of Columbia, or Canadian province (actual card)

Where are the Driver License offices in Austin?

In Austin, there are three Driver License offices located at the following addresses:

Austin Northwest

13730 Research Boulevard
Austin, TX 78750-1812
(512) 335-8131

Austin South

4719 South Congress Avenue
Austin, TX 78745-2302
(512) 444-5241

Austin North Lamar

6121 North Lamar
Austin, TX 78752
(512) 424-2076

IMMIGRATION CONSEQUENCES

This section is intended to provide an overview of the issues facing immigrants who are re-entering society after being convicted of a crime.

You are probably reading this section because you have been convicted of a crime and are in the process of integrating back into society. In most cases, if you are a United States citizen, there are no immigration consequences of your crime. However, if you are a legal permanent resident or undocumented, then there may be very significant immigration consequences of your crime. It is extremely important for you to contact an immigration attorney to discuss the specifics of your case. This section, however, should help you understand the basic issues you may confront in your case.

Do I have a criminal conviction for immigration purposes?

Under immigration law, “conviction” is a broader concept than in criminal law. It has two elements: a judge or jury found you guilty, and the judge or jury punished you by sentencing you to jail, to complete probation, or to pay a fine.

For immigration purposes, you are considered convicted of a crime if you have done any of the following things:

- You went before the judge and pleaded guilty or no contest to a criminal charge (including a charge for some class C misdemeanors, like a misdemeanor for the possession of drug paraphernalia), and the judge found you guilty and sentenced you to jail time, to complete probation, or to pay a fine.
- You went before the judge and pleaded guilty or no contest to a criminal charge, and the judge did not find you guilty at that time but placed you on deferred-adjudication probation.
- You took your case to trial, and the judge or jury found you guilty and sentenced you to jail time, to complete probation, or to pay a fine.
- You admitted to enough facts of the crime to merit a finding of guilt, and you were punished in some way.

This is just a general list and may not apply to your case.

Are juvenile adjudications criminal convictions for immigration purposes?

Currently, immigration law does not consider juvenile adjudications to be convictions unless you were certified as an adult and found guilty in an adult court.

What if my criminal charge was “12.45’d” into another case?

If your criminal charge was “12.45’d” into another case, then you have admitted your guilt to that charge even though you were not found guilty or convicted of the charge. Consult an immigration attorney to determine if the “12.45’d” case is a conviction for immigration purposes.

What if my criminal charge was dismissed or I was found not guilty?

If your criminal case was dismissed or you were found not guilty after a trial, then you are in a much better position than someone who has pleaded guilty or been found guilty and punished. In general, immigration authorities cannot deport you for a criminal charge that was dismissed or for which you were found not guilty.

However, if you admit to immigration officials that you committed the crime, the government can try to deport you for that crime. This is a general rule to which there are exceptions. It is best to consult an immigration attorney before speaking with immigration officials to avoid admitting to something that they can use against you.

What if I have a conviction and I am a Legal Permanent Resident?

A Legal Permanent Resident (LPR) is someone who has permission to live in the United States. You have a green card. You are documented. Most times people get their green cards because a family member petitioned for them to come into the country.

As an LPR you can live your whole life in this country without becoming a citizen. But if you are convicted of a crime, then Immigration and Customs and Enforcement (ICE) can try to take away your green card and deport you. The government will start “removal proceedings” (deportation) if they believe you have a criminal conviction that makes you removable. The law calls LPRs “deportable aliens” in this situation. There are other grounds for deportation besides those related to criminal convictions. Consult an immigration attorney to determine if you may be subject to deportation.

Generally, if you are an LPR with a criminal record, you can be deported for the following reasons:

- You are convicted of committing a Crime Involving Moral Turpitude (CIMT) within five years of getting your green card, and you could have been sentenced to jail or prison for one year or more for committing that crime.
- A CIMT is very difficult to define but is typically any crime clearly contrary to common decency and usually includes most violent crimes, fraud, theft, or intent to commit bodily injury including misdemeanor assault, family violence, class C shoplifting, prostitution, and tampering with a government record. The law has changed a lot in this area. You must consult an immigration attorney to determine if your conviction is a CIMT.
- You committed two or more CIMTs, not arising out of a single scheme of criminal misconduct.
- You committed an aggravated felony.

Aggravated felonies are defined broadly under immigration law to include minor crimes that are neither felonies nor considered aggravated under criminal law. For example, if you are convicted of misdemeanor shoplifting, sentenced to one year in jail, and placed on probation, you have committed an aggravated felony under immigration law. This is just one example that does not capture the entire definition. Aggravated felonies include:

- murder, rape, and sexual abuse of a minor;
 - drug trafficking offenses (except for a single conviction for simple possession of a controlled substance, unless it was crack or flunitrazepan, a date rape drug);
 - firearms trafficking offenses (e.g., felon in possession);
 - theft or fraud involving loss of \$10,000 or more;
 - bail jumping when the underlying felony has a punishment range of two years or more; and
- most crimes for which the term of imprisonment is one year or longer, including:**
- crimes of violence (e.g., burglary of habitation or vehicle); and
 - theft offenses (e.g., misdemeanor shoplifting or receipt of stolen property when a person is sentenced to one year in jail and then placed on probation).
 - You are convicted of any law relating to a controlled substance (including a Class C misdemeanor for possession of drug paraphernalia), unless it was a single offense involving possession of less than 30 grams of marijuana. This area of the law is very tricky, so please consult an immigration attorney for further guidance.
 - You are a drug addict.
 - You are convicted of a possessing, selling, or carrying a firearm.
 - You are convicted of a crime of domestic violence (which requires a sentence of one year or more), including stalking, child abuse, neglect, or abandonment, or you violate a protective order. This area of the law is complicated, so please consult an immigration attorney for further guidance.
 - You are convicted of smuggling people into the country, unless it was your spouse, parent, and/or child.
 - You are convicted of document fraud.
 - You are convicted of attempting or conspiring to do any of the crimes listed above.

These are the general grounds for which an LPR can be deported for criminal convictions. This is not a complete list of the reasons the government can use to deport you. The law also provides for certain ways to excuse or waive some of these grounds of deportation.

Finally, an LPR with any of the convictions listed above should not leave the country without consulting with an immigration attorney beforehand. ICE usually detains LPRs with criminal convictions at the border or in the airport as they are returning to the country and places them in deportation proceedings. LPRs who are detained as they are attempting to enter the country are not entitled to a bond and may be detained while they fight their immigration case.

What if I have a conviction and I am undocumented and without legal immigration status?

Most people who are undocumented or without any legal immigration status entered the United States without going through a port-of-entry. They usually entered the country by crossing the river or walking through the desert.

The rules that apply to undocumented immigrants are different from the rules that apply to LPRs. Undocumented immigrants are called “inadmissible aliens” in immigration law. LPRs who have left the country and who are detained by the government as they try to return also fall into this category. Inadmissible aliens may be deported or denied admission into the United States for several reasons.

Generally, if you are an undocumented immigrant with a criminal record, you can be deported or denied admission into the country for the following reasons:

- You are convicted of or you admit to committing a CIMT. There are, however, two exceptions to this rule. Consult an immigration attorney to see if you qualify for the exceptions.
- You are convicted of or you admit to committing any crime relating to a controlled substance.
- You are convicted of two or more offenses and received an aggregate sentence of imprisonment for five years or more.
- You are a controlled substance trafficker. This ground does not require a conviction.
- You are coming to the United States to engage in prostitution or you have engaged in prostitution within the last 10 years. This area of the law is tricky, so consult an immigration attorney.
- You are a human trafficker.
- You have engaged in money laundering.

Many grounds of inadmissibility do not require convictions and apply to undocumented immigrants in the United States, LPRs who left and are returning to the country, and undocumented immigrants arrested at the border. There are also grounds of inadmissibility that are not listed here. The law provides for certain ways to excuse or waive some of these grounds.

Can I be deported while I am in prison or upon my release from prison?

In certain cases, ICE will deport prisoners while they are serving their sentence for a criminal conviction through a process called “administrative removal.” Basically, if you have a conviction for an aggravated felony, you may be administratively removed from the country without seeing an immigration judge. An ICE officer determines whether your conviction qualifies as an aggravated felony. If the officer determines it does, then the officer may order you deported. If you are served with an Administrative Removal Order, there may be limited relief available. If there is relief, you have a very short window of time within which to apply for it.

If I am in immigration custody, what rights do I have?

If possible, contact an immigration attorney before you are taken into ICE custody. If you are in prison or jail, plan ahead and get in touch with an attorney a few months before you finish your sentence. It is also a good idea to have money in your books when you are released from prison or jail. You may use that money once you are in immigration custody to buy calling cards that will make communicating with your family and your attorney easier.

Upon release from imprisonment or during your probation period, ICE may take you into custody if it believes you are undocumented or that due to your criminal conviction, you are deportable. If ICE arrests you, then you will be processed and served with a formal charge called a Notice to Appear (NTA). The NTA is filed with the immigration court, which is called the Executive Office of Immigration Review.

During this process, ICE will give you an alien identification number. This is your “A number.” Your family will need your A number to send you money. Your immigration attorney will need your A number to file all court documents. Your A number appears on the NTA and on the bracelet given to you at the immigration detention center.

You have a right to fight your deportation before an immigration judge unless you have previously been ordered deported or you have been arrested at the border. There are limited grounds for relief for people with prior orders of deportation. Contact an immigration attorney right away, as you must act within a very short period of time.

You have the right to remain silent and not say anything to ICE. ICE will normally ask you your name, date of birth, place of birth, the date you entered the country, if you entered with permission, and your parents’ names. The answers you give to these questions will be used against you in immigration court. Tell ICE that you need to call your attorney and that you will not answer any question without your attorney present. ICE will ask you to sign certain documents. Be sure you know what you are signing before you sign anything.

You have the right to have an immigration attorney represent you. You are not entitled to a court-appointed attorney in immigration court. You must pay an attorney or contact a nonprofit immigration service provider. ICE will provide you with a list of these nonprofit providers.

If I am in immigration custody, how do I get released?

In general, most people are eligible for an immigration bond. ICE may or may not set your bond before you get to immigration court. In any case, you may ask the immigration judge to reconsider your bond determination through

a hearing. The immigration judge will decide whether you are eligible for a bond by looking at your criminal record, your family ties, your relief from deportation, and other factors. If the immigration judge sets a bond in your case, you must pay the entire amount of the bond. For example, if the bond is set at \$2,500 then you or your family must pay \$2,500 into the immigration court for your release.

Some people are not eligible for a bond and must remain in detention while they fight their case. These people are called “mandatory detention” cases. In general, you are considered a mandatory detention case if: you have a conviction for an aggravated felony, you are arrested at the border, or you have a prior order of deportation. There are other grounds of mandatory detention, so please consult an immigration attorney for more information.

Once you are released from ICE custody, you will return to court at least two times. While many people go through the deportation process without hiring an attorney, having an advocate who is experienced in immigration law greatly increases your chances of being able to stay in this country.

Will I be able to stay in the country?

Deportation is a scary process for everyone that goes through it. Do not give up hope. There are many defenses to deportation. Talk to an immigration attorney to better understand the immigration consequences of your criminal conviction and what defenses you have.

RESOURCES AND PLACES TO GET HELP

General Reentry Services

A New Entry

Basic Needs — case management, recovery support planning, housing and substance-abuse referrals

Pete Daniels

500 E. 7th St.

Austin, TX 78701

(512) 470-3213

peter.daniels@anewentry.org

Obtaining Documents

Social Security Card: www.ssa.gov/ssnumber

Social Security – Local Office

1029 Camino La Costa

Austin, TX 78752

(512) 206-3700

Mon. – Fri., 9:00 a.m. to 4:00 p.m.

Birth Certificate: www.dshs.state.tx.us/vs/reqproc/certified_copy.shtm or (888) 963-7111

Texas Vital Statistics (physical)

Department of State Health Services

1100 W. 49th Street

Austin, TX 78756

Mon. – Fri., 8:00 a.m. to 5:00 p.m.

Texas Vital Statistics (mailing)

Department of State Health Services

P.O. Box 12040

Austin, TX 78711-2040

Driver's License: www.texasonline.state.tx.us/tolapp/txdl/welcome.dl

(South Office)

4719 South Congress Avenue

Austin, TX 78745-2302

(512) 444-5241

Mon., Tue., Wed., and Fri., 8:00 a.m. to 5:00 p.m.; Thu., 8:00 a.m. to 7:00 p.m.

(North Office)

6121 North Lamar

Austin, TX 78752

(512) 424-2076

Mon., Wed., Thu., and Fri., 8:00 a.m. to 5:00 p.m.; Tue., 8:00 a.m. to 7:00 p.m.

Passport: travel.state.gov/passport/passport_1738 (offices in Houston and Dallas)

Criminal Records

records.txdps.state.tx.us

www.caction.org

Employment Support

Workforce Solutions

6505 Airport Blvd. # 101E

Austin, TX 78752

(512) 223-7970

www.wfscapitalarea.org

Workforce Solutions offers many services to job seekers and businesses in order to create a more successful workforce in our community. They offer a variety of things, including job-search assistance, seminars and trainings, funding assistance for childcare, and work-readiness and life-skills training for youth.

Skillpoint Alliance

201 E. 2nd St., Suite B

Austin, TX 78701

(512) 323-6773

www.skillpointalliance.org

*Skillpoint Alliance works to lead community members toward college and career success, and helps to create a qualified workforce. They offer such services as youth-education programs, a college and career expo, computer skills training, and employment services for job-readiness. **Specifically, they have a free, five-week, adult training program in the construction trades for Travis County residents who are unemployed, homeless, or transitioning from incarceration. ***

Worker's Defense Project (WPD)

1417 W 51st St
Austin, TX 78756
(512) 391-2305
www.workersdefense.org

WDP empowers low-wage workers to act collectively for justice in the workplace. It seeks to provide low-wage workers with the resources they need to stand up against unfair and unsafe working conditions. They offer such things as wage recovery, workers' rights education, courses in English as a Second Language (ESL) and leadership, and fair day-labor opportunities.

Project Reintegration of Offenders (RIO)

Texas Workforce Commission
101 E. 15th Street
Austin, TX 78778
(800) 453-8140
www.twc.state.tx.us/dirs/wdas/wdamap.html

RIO provides intensive employment services including training and referrals to people who have been incarcerated through WorkSource centers across Texas.

Austin Area Urban League

Kenneth Mack
1033 La Posada Dr. #150
Austin, TX 78752
(512) 478-7176
www.aaul.org

The Austin Area Urban League offers employment and workforce development.

Capital Idea

504 Lavaca St.
Austin, TX 78701
(512) 457-8610
www.capitalidea.org

Capital Idea works to raise low-income families into new careers with a starting pay of \$12 per hour and benefits. They provide training, certification, and counseling. Orientation is offered three times per year (in February, June, and September).

Career Services of Austin "Building Bridges"**Mailing Address:**

P.O. Box 26492
Austin, TX 78755

Training Location:

5808 Balcones Drive
Austin, TX 78731
Business: (512) 794-1089
Cell: (512) 694-9301
Fax: (512) 692-2526
armac@austin.rr.com
www.careerservicesaustin.com

Career Services of Austin provides individual self-assessment, job-seeking skills training, vocational training, job-placement assistance, and certification in Job Seeker's Training or Vocational Adjustment Training. Candidates must complete the Career Services of Austin Referral Form available online and follow up by phone.

Goodwill Industries of Texas Community Rehabilitation**Goodwill Community Center**

1015 Norwood Park Blvd.
Austin, TX 78753
(512) 637-7100

Rosewood Job Help Center

2001 Rosewood Ave. Bldg-B #2101
Austin, TX 78702
(512) 480-0772

South Lamar Job Help Center

3005 S. Lamar Blvd., Suite 104
Austin, TX 78704
(512) 707-6894

Springdale Job Help Center

916 Springdale Rd.
Austin, TX 78702
(512) 480-0772
Monday-Thursday walk-ins accepted
Friday by appointment only

Goodwill provides job-quest training, job placement, job coaching, supported employment, and ongoing support services.

Lisa's Hope Chest WEANGELS (for women) and STEP Forward (for men)

3110 A Manor Road
Austin, TX 78723
(512) 457-0999

The goal is to promote personal and professional growth in financially challenged individuals. These organizations provide resume-writing and interview training classes. They partner with the Travis County Jail at Del Valle and Texas Department of Criminal Justice Pardon and Parole Board to teach life skills and share the following address:

DeWitty Job Training

2209 Rosewood Dr. Suite 205
Austin, TX 78702
(512) 472-5718

DeWitty Job Training provides job skills, ESL courses, GED courses, etc.

City of Austin, Austin Youth Development Program

100 N IH 35
Austin, TX 78701
(512) 854-4591

The Austin Youth Development Program provides full-time employment for youth aged 17 to 22. It also provides mentoring, job-readiness training, and life-skills support. Refer youth for alternative educational services.

Christian Women's Job Corp.

Chris Rowley
Austin, TX
(512) 963-5330
chrisrowley@cwjcaustin.org

This is a Christian-based workforce development for women.

Austin Men's Center

812 W. 11th St.
Austin, TX 78701
(512) 477-9595
www.austinemenscenter.com

The Austin Men's Center provides career and general counseling, education services, and anger-management classes.

Crime Prevention Institute

8101 FM 969
Austin, TX 78724
(512) 502-9704
laura@cpiaustin.org

The Crime Prevention Institute provides pre-release and post-release case management and employment referrals to selected non-violent inmates from the Travis County State Jail.

Housing Support

Foundation Communities

815 W. Slaughter Ln.
Austin, TX 78748
(512) 280-5200
www.foundcom.org

Foundation Communities helps individuals and families with low incomes find affordable housing. They also offer services to improve educational and economic statuses. They have financial coaching, economic-education classes, free income-tax preparation, and scholarships to college for those who qualify.

Texas Housing Counselor:

www.texashousingcounselor.org

This web application automatically estimates qualification and rent for subsidized housing programs in Texas and also provides a resource for exploring housing opportunities in the city of your choice.

Basic Needs

Travis County Health and Human Services

100 N.IH 35, Suite 1000
Austin, TX 78701
Phone: (512) 854-4120
Fax: (512) 854-4118
www.co.travis.tx.us/health_human_services/default.asp

The Travis County Health and Human Services provide case management, basic-needs assistance, transportation assistance, rent/mortgage assistance, vehicle emissions-related repairs,

clinics, WIC offices, senior lunch, computers to support employment searches, and eligibility screening for the Medical Assistance Program (MAP).

Caritas of Austin

611 Neches St
Austin, TX 78701
(512) 479-4610
www.caritasofaustin.org

Caritas offers services such as support finding stable housing, a Community Kitchen and Food Pantry, educational courses on life skills and managing finances, and assistance for low-income individuals and refugees in locating stable employment.

Salvation Army

501 E 8th St
Austin, TX 78701
(512) 476-1111
www.uss.salvationarmy.org

The Salvation Army provides a wide variety of services: advocacy, shelter, food assistance, counseling, case management, computer labs, phone services, educational opportunities, and involvement in religious instruction/practices. Other services are available – see the website or call for more information.

People's Community Clinic

2909 N IH-35
Austin, TX 78722
(512) 478-4939
www.austinpcc.org

People's Community Clinic offers healthcare to individuals who are uninsured or are covered by a governmental healthcare program; they will assist with enrolling in government healthcare if patients qualify but are not enrolled yet. PCC's services are not free, but they are offered on a sliding-scale basis. They provide a wide variety of services including prenatal, pediatric, adolescent, and adult care. Additionally, they provide access to immunizations, social-work services, behavioral/mental-health care, and chronic-disease management. Individuals must call to make an appointment.

El Buen Samaritano

7000 Woodhue Drive
Austin, Texas 78745
(512) 439-0700
www.elbuen.org

El Bueno Samaritano provides integrated health care, emergency food, advocacy, leadership, development, and basic education for working-poor Hispanic families.

Austin Resource Center for the Homeless (ARCH)

500 East 7th Street
Austin, TX
(512) 305-4100
www.ci.austin.tx.us/downtown/arch.htm

Basic Needs Services: Mon. - Fri., 6:30 a.m. to

4:00 p.m. (showers, laundry facilities, telephone, hygiene items)

Clothing for Men: Mon. at 10:00 a.m. (Sign up begins at 9:30 a.m.)

ARCH is a day resource center and shelter where homeless people can access basic-needs services and other assistance, including job search and computer support.

Trinity Center

304 E. 7th Street
Austin, TX
(512) 472-1196
www.trinitycenteraustin.org
Mon., 10:00 a.m. to 12:00 p.m. (women only);
Tue. - Fri., 10:00 a.m. to 2:00 p.m.;
Sun., 2:45 p.m. to 4:30 p.m.

Trinity Center is a day resource center that provides phones, computers, breakfast and coffee, a women's clothing closet, direct assistance, and an eye clinic (appointments made through ARCH Clinic). Communication assistance is provided on Fridays and on Sunday, there is a worship followed by a meal.

Christian Service Center

1903 University Ave.
Austin, TX 78705
(512) 476-9584

The Christian Service Center provides small amounts of financial assistance

for items including Texas ID cards, birth certificates, and criminal background checks. Call to make an appointment.

Substance Abuse

Cornerstone Counseling

2417 Ashdale Drive
Austin, TX 78757
(512) 420-0803

Cornerstone Counseling focuses primarily on substance-abuse treatment (outpatient) and offers services to men, women, and clients in relation with the criminal justice system. The services are offered on a sliding scale based on income and other factors. They take self-payment or will work with private insurance. Services are also offered in Spanish.

Hill Country Intergroup (AA) Oficina Intergupal Hispana

1825 Fortview Rd., Suite 104
8906 Wall Street
Austin, TX 78704
Austin, TX 78714
(512) 444-0071
(512) 832-6767
austinaa.austin.tx.com
oficinaintergupal@sbcglobal.net
www.austinaa.org

Hill Country Intergroup is a resource center for all AA meetings in Austin and surrounding areas. The office also provides books/materials, meeting information, and information on other AA-related events. The partner organization, Oficina Intergupal Hispana, offers similar resources for Spanish-speakers.

Clean Investments Counseling Center

2406 Manor Rd.
Austin, TX 78722
(512) 477-6690
www.cleaninvestmentsinc.com

Clean Investments provides treatment options for people struggling with substance abuse and addiction in the Austin area. Some such services are outpatient care, education, case management, outreach, assessments,

relapse prevention, and counseling. They offer both Spanish and English services.

Austin Recovery

Bill Wigmore
8402 Cross Park Dr.
Austin, TX 78754
(512) 821-1739
Toll Free: (800) 373-2081
www.austinrecovery.org

Austin Recovery provides residential substance-abuse treatment and detox.

Push-Up Foundation

205 Chalmers Ave.
Austin, TX 78702
(512) 469-0561
www.pushupfoundations.org

The Push-Up Foundation is a local transitional home and rehabilitation center that helps individuals overcome their addictions through counseling, testing, food, and housing assistance.

Bluebonnet Trails MHMR

1009 N. Georgetown St.
Round Rock, TX 78664
(512) 255-1720
www.bluebonnetmhmr.org

This is an Outreach, Screening, and Referral (OSR) substance abuse program for adults and adolescents.

Mental Health

Austin Travis County Integral Care

(ATCIC; formerly MHMR)
Crisis Hotline (24 hours, everyday): (512) 472-HELP (4357)
www.integralcare.org

ATCIC is the local authority for behavioral health and developmental disabilities. They provide a wide array of services in the following areas: adult behavioral health, child and family, intellectual and developmental disabilities, and psychiatric crisis services. Some of the services offered under these categories include counseling, medical services, residential/housing assistance,

substance-use treatment, family case management, and employment services.

Capital Area Mental Health Center

2824 Real Street
Austin, TX 78722
(512) 302-1000
camhc.org

Capital Area Mental Health Center offers low-cost counseling services that address a variety of mental health issues including depression, anxiety, relationship issues, abuse, family violence, bipolar disorder, borderline personality disorder, social isolation, and more. There are no session limits, and the length of service is based on individual client needs. Fees range from \$10 to \$50 per session, based on income and other factors.

Crisis Line at Psychiatric Emergency Services

(512) 454-3521 and (512) 472-HELP (4357) or TTY: (512) 703-1395

The Crisis Line at Psychiatric Emergency Services is Austin and Travis County's 24-hour crisis-intervention and suicide-prevention program.

Education

GED Information: For proof of a Texas GED Certificate, eligibility requirements, test-preparation resources, and testing center locations, go to the following link: ritter.tea.state.tx.us/ged/index.html

The Austin Academy

1640-B East 2nd St., Suite 100
Austin, TX 78702
(512) 326-8677

The Austin Academy is an agency geared toward adult educational services. They offer computer skills instruction and GED preparation as well as career services and casework.

American YouthWorks

1901 E. Ben White Blvd.
Austin, TX 78741
(512) 744-1900
www.americanyouthworks.org

Workforce development. Work with Casa Verde and Environmental Corps. Earn a high-school diploma while getting training in construction. Applicants must be between the ages of 16 and 25. Contact American YouthWorks for other eligibility requirements.

Austin Community College (ACC)

Main number: (512) 223-7000
Registration: (512) 223-4636
GED/ ESL: (512) 223-5123
Info Recording: (512) 223-5300
www.austinctc.edu

ACC offers free adult-education classes in GED preparation and ESL at several locations throughout the Austin metropolitan area.

Transitional Housing

A/TC MHMR Alameda House

4019 Manchaca Rd.
Austin, TX 78704
(512) 326-5991

A/TC MHMR Alameda House offers housing and case management for clients with both mental-health and substance-abuse needs.

A/TC MHMR-Safe Haven

3000 Oak Springs Dr.
Austin, TX 78702
(512) 926-5698
help@atcmhmr.com

A/TC MHMR-Safe Haven offers housing and mental-health case management services for people with mental illness. It also offers three meals daily, laundry facilities, meeting rooms for residents, and an actual address and phone number for facilitating service entry and correspondence with friends, family, and employers.

Aids Services of Austin

P.O. Box 4874
Austin, TX 78765
(512) 458-2437

Aids Services of Austin offers housing and HIV counseling services for people living with HIV. There is also a thorough

intake assessment to determine eligibility for rental assistance.

Blackland Transitional Housing

2005 Salina St.
Austin, TX 78722
(512) 972-5795

Blackland Transitional Housing offers affordable housing and case management for parents and their children.

Blueberry Group Home offers affordable housing in a group-home environment for women only. There are limited beds and rooms.

Utopia Wallace

4709-B Blueberry Trail
Austin, TX 78723
(512)731-3729

Burke's Supervised Living and Fresh Start

Major Lee Burkes
2612 Wheless Ln.
Austin, TX 78723
(512) 926-6311
ml733@aol.com

This organization provides housing. People who are currently incarcerated may be eligible for a \$50 move-in opportunity. Ten apartments are available. There are double and group rooms. Single rooms are available based on seniority.

Parenting

Any Baby Can

1121 E. 7th
Austin, TX 78702
512.454.3743
Toll Free: 800.672.0238
info@abcaus.org
www.abcaus.org

Any Baby Can is a child and family resource center that offers programs to ensure that children reach their full potential through education, therapy, and family support.

Legal Services

Legal Aid Society of Central Texas

4920 N. I-35
Austin, TX 78751
(512) 374-2700
Toll Free: (888)988-9996
www.trla.org

Legal Aid offers free legal assistance in civil cases to eligible low-income individuals in the areas of housing, consumer, family law, and public-entitlements law. No criminal cases.

Medical Services

HOSPITALS

Brackenridge Hospital

601 E. 15th Street
(512) 324-7000

Children's Hospital

601 E. 15th Street
(512) 324-8000

North Austin Medical Center

12221 Mo-Pac North
(512) 901-1000

Round Rock Medical Center

2400 Round Rock Avenue
(512) 341-1000

St. David's Hospital

919 E. 32nd Street
(512) 476-7111

Seton Medical Center

1201 W. 38th Street
(512) 324-1000

Seton Northwest

11113 Research Blvd
(512) 324-6000

South Austin Hospital

901 W. Ben White Blvd
(512) 447-2211

Clinics

People's Community Clinic
2909 N I-H 35
(512) 478-8924

Austin Dental Clinic
15 Waller Street
(512) 972-4820

Planned Parenthood
1209 Rosewood Avenue
(512) 472-0868

City of Austin Health Centers

**Community Care Services Dept
(MAP)**
1111 E. Cesar Chavez
(512) 972-5300

David Powell Public Health
4614 N I-H 35
(512) 972-4278

East Austin Community Health
211 Comal Street
(512) 972-4278

Far North Austin Community Health
928 Blackson Avenue
(512) 972-4278

Montopolis Community Health
1200-B Montopolis Drive
(512) 972-4278

Northeast Austin Community Health
7112 Ed Bluestein Blvd, Ste 155
(512) 972-4278

Oak Hill Community Health
8656 Hwy 71-2nd floor, Bldg A
(512) 972-4278

Rosewood-Zaragosa
2802 Webberville Road
(512) 972-4278

South Austin Community Health
2529 S. 1st Street
(512) 972-4278

Travis County Health Centers
(Family Support Services Division)

Main
100 N. IH-35
(512) 854-4100

Oak Hill
8656 Hwy 71, 1st floor, Bldg 1
(512) 854-2130

Del Valle
3518 FM 973
(512) 247-4407

Jonestown
18649 FM 1431 Suite 6A
(512) 267-3245

Manor
600 W. Carrie Manor Street
(512) 272-5561

Pflugerville
15822 Foothills Farm
(512) 251-4168

Helpful Government Numbers

LAW ENFORCEMENT

Austin Police Department
Administration: (512) 974-5030
Travis County Sheriff's Office:
(512) 854-9770
Central Booking Facility:
(512) 854-9889
County Jail (Downtown):
(512) 854-9033
Correctional Complex (Del Valle):
(512) 854-4180

TRAVIS COUNTY COURTS

Travis County Attorney:
(512) 854-9415
Travis County District Attorney:
(512) 854-9400
Travis County District Clerk
Criminal: (512) 854-9420
Civil: (512) 854-9457
Travis County District Courts
Administration (General):
(512) 854-9300
Administration (Civil):
(512) 854-9096
Administration (Criminal):
(512) 854-9244

TRAVIS COUNTY DIVISIONS

Travis County Clerk: (512) 854-9188
**Travis County Counseling &
Education Services:** (512) 854-9540
Travis County Domestic Relations:
(512) 854-9696
**Travis County Health & Human
Services:** (512) 854-4100
Travis County Veteran Services:
(512) 854-9340
**Travis County Public Defender's
Office:** (512) 854-4128

TEXAS DEPARTMENT OF CRIMINAL JUSTICE (TDCJ)

Main: (512) 463-9988
Travis State Jail (TDCJ):
(512) 926-4482
TDCJ-Pardons and Parole Division:
(512) 339-9142
Texas Board of Pardons and Parole:
(512) 406-5229

Texas Department of Public Safety Driver's License Offices

6121 N. Lamar
(512) 442-2076

13730 N. Research Blvd
(512) 335-8131

4719 S. Congress Avenue
(512) 444-5241

1500 S. Congress Avenue
(512) 936-2100



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