

**The Relationship Between Criminal Record
Expungement and Family Relationships**

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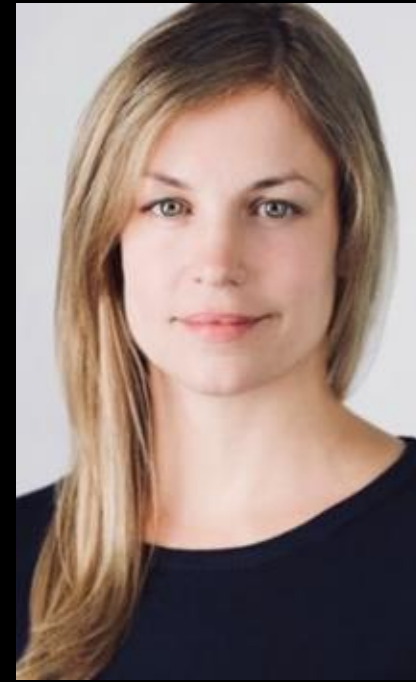
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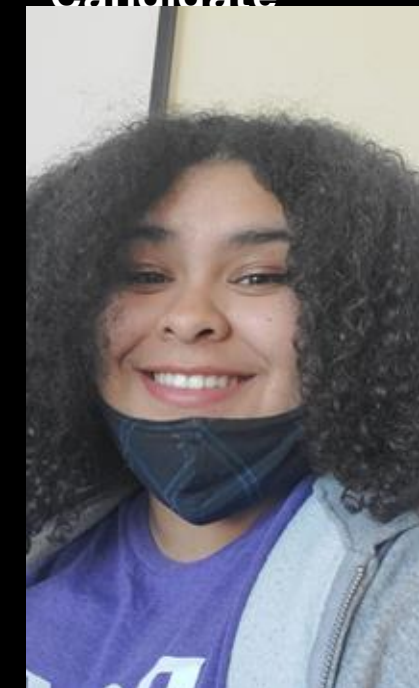
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Background

- 1 in 3 adults have a criminal record
- The collateral consequences of a criminal conviction include:
 - Decreased opportunities for employment, housing, licensure, etc.
 - Increased likelihood of failing a background check
- The collateral consequences of a criminal conviction on a person's family members is less studied
 - A person's criminal record destabilizes the family and produce unique hardships for the group
 - Common for child protective services to be involved in situations where parents are involved in the criminal legal system
- This study adds to the existing literature by:
 - Exploring the impact of a person's arrest and misdemeanor conviction on their relationship with loved ones
 - Investigating the impact of record clearance on a person's relationship with family members



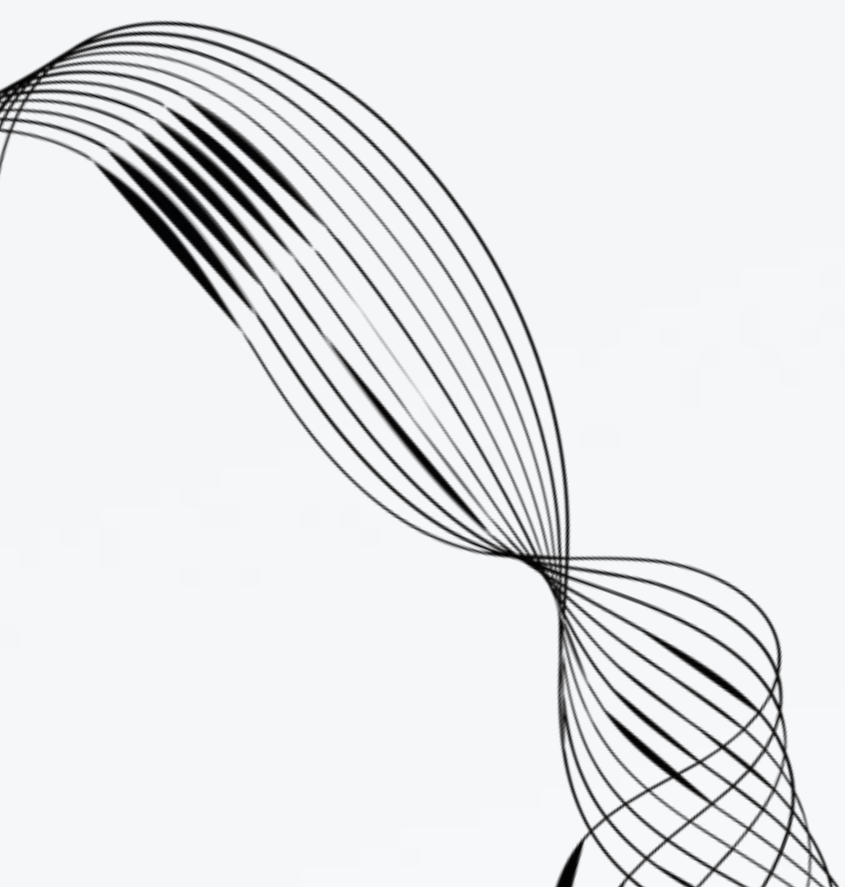
Methodology

Research Questions



RQ: 1

How does a person's criminal record impact their relationships with loved ones?



RQ: 2

How does a person's criminal record impact their ability to care for their loved ones?

RQ: 3

How does criminal record clearance impact a person's relationship with loved ones?

STUDY DESIGN



4 states with
automatic
expungement:
PA, UT, CA, NJ

Study Period:
2021-23

STATES + YEARS



Clean Slate-eligible
participants
+ Follow-ups 1 year
later

Community & Govt.
Representatives

INTERVIEWS

Seeking Paid
Participants For Study
on Criminal Records



**Study Title: The Impact of Automated Record Clearance
on Individuals, Families, and Communities**




ABOUT

The study will address the effects of criminal records on individuals' lives. We will also investigate the impact of automated/petition-based record clearance on people's experiences and the experiences of their families and communities.

ELIGIBILITY

- People 21 years of age or older convicted of a cannabis offense in California before July 1, 2019
- OR
- People who have been arrested, but not convicted or incarcerated, for ANY misdemeanor after January 1, 2021

FOR QUESTIONS:

-  Email the study team at cacannabisstudy@gmail.com
-  Text us at (669)-696-3967
-  Follow us on Twitter @cleanslatestudy

INFORMATION

- Your responses are confidential. Only our research team will have access to any of the information you tell us, and only the researchers will know you participated in this study.
- Interviews will last approximately 45-60 minutes and be conducted via zoom.

COMPENSATION WILL BE PROVIDED

\$40 gift card for an initial interview
\$40 gift card if selected for a follow-up
interview



SCAN FOR,
SIGNUP,
WEBSITE, SURVEY
ACCESS

Interviews Completed as of November 2023

State	Expungement-eligible individuals	Community/govt. representatives	Total
California	23	28	51
New Jersey	20 + 2	10	32
Pennsylvania	22 + 1	15	38
Utah	43 + 5	11	59
Other states	0	5	5
Total	108 + 8	69	185

Recruitment

	MTurk	Prolific	Flyers, Email, Listservs, Social Media	Total
Intake surveys	875	409	1422	2706
Eligible and contacted	155	75	262	492
Invalid contact	52	0	66	118
Duplicate	13	0	24	37
Unresponsive	84	47	86	217
Ineligible/Declines	1	3	8	12
Interviewed	5	25	78	108

Data Collection and Analysis

- All interviewees were over 18 and provided informed consent
- Interviews were completed via Zoom and recorded
 - Interviews were transcribed via Otter.ai
 - Research assistants cleaned interview transcripts
- Coding in progress in Atlas.ti
- Two team members are coding each interview
- Thematic memos are being developed to explore prevalent codes



Findings



Financial Support

I stayed in really low-level jobs, like food and retail ,for a really long time. And the only way I ended up getting into the legal world is because of my mother-in-law. And it's really hard to provide for a family when you're working in those kinds of jobs.

- “Stephanie,” White, Utah, retail theft

But like, my record, every time I got laid off, it was a hindrance to my family. You know, being it was me, my wife, and my daughter and a family of three, like, there was no support, I guess, like government support, food stamps, anything like that, that we could qualify for, because my wife was still working. And, like, I remember one time, I was literally with unemployment, I was making \$3 too much to get any other assistance. ... So I mean, yeah, it's been difficult. Like, there's been hardships for my family.

- “Jordan,” White, Utah, Class A theft, Class B theft



Custody

I really assumed the state would let me have my grandson since he didn't have anywhere else to go. But instead, they throw him in foster care because of my past that once again, get a very expensive lawyer fight for two years to get my grandson to live with me. And they chose to put him in foster care and group homes for two years and make severe damage to him emotionally, where we're struggling with it. And it had everything to do with my past

- “Rosemary,” 51, White, Utah, drug possession, forgery, theft.

Even in my custody battle for my son with my ex-partner, that was brought up. You know what I mean? So yeah, when you're fighting for somebody you love, and that's brought up, absolutely. I mean, just all the self doubt, and everything comes along with it.

- “Anakin,” 42, Mixed Race, Utah, possession with intent to distribute, possession of paraphernalia.

Participating in Activities with Children

I started the expungement process with the hopes to be able to coach. At the time, my son was playing soccer, and[I] hoped to be able to coach you know, my kids' sports, but unfortunately, being a violent offender, that has limited me in my ability to show up for my kids, or to volunteer and things of that nature.

- "Richard," White, Utah, assaults, contributing alcohol to a minor, lying to a gov't official

[My ex] told them that I was on probation. And they straight told me that I wasn't allowed. In order for me to be on the school grounds, I had to take them proof that I was off probation. Like, it was the most humiliating thing that I've ever experienced in my entire life. Hands down, because it made my daughter look at me differently. ... Like, all of the years of volunteering and getting close and having a good rapport with everybody went down the drain. Just because he's a dickhead.

- "Stephanie" White, Utah, retail theft

It's affected, you know, me being a part of the PTA. I mean, they don't want parents that have a criminal background there. Or his sports he's in. He's in soccer, football. He rides rodeo, and so it's just like, everywhere we go. When even if it's not, you know, on paper them asking you if you have a criminal background, once it's brought up. You're frowned upon, you know, so it's affected us a lot.

- "Melanie" White, Utah, drug related charges, burglary, fraud, forgery, domestic violence



Intergenerational Effect

I think the stigma of a criminal record and just the emotional mental health effects of having that record can certainly harm a person's life, and can have intergenerational impacts on not just their earning capacity but their kids earning capacity. There's a lot of research about that. And so I think what I've seen in my work is, you know, people get stuck in these cycles of the justice system, cycles of poverty. And unfortunately, those cycles are transferred to the next generation of children. Whereas if we can get rid of that record, and break the cycle, we can open up a lot of opportunities for those families and kids.

-“Nickole,” Utah, Community Representative

Yeah so my daughter was taken from me about seven years ago. So I ended up doing a year. I did a year in prison. ... So my daddy, when my mom got my daughter, he had to move out. ... I see it all the time, mom has a record, grandma has a record, and grandpa has a record, you know we try auntie, but auntie has a record too.

- “Avery,” California, Community Representative

Impact of Record Clearance on Family Relationships

I go on field trips yes, and actually I got to go to one right before COVID because I got my record expunged but I've only been to one because COVID hit right after. I got a second job and I was able to get it because I did not have a record, so I was working at home depot.

- "Avery," California, Community Representative

He actually didn't talk to me for like a full year, I got my record expunged, and I called him and I said, I finally got my record expunged. And I think that's when we started like rebuilding our relationship. But for a full year, he just like, absolutely like, did not talk to me. And I think that was really stressful for me, because my dad is someone that I respect a lot. I think the expungement did show him that I was responsible and that I did care enough about my future to be able to take care of the charge.

- "Clara," Pennsylvania, White, furnishing alcohol to a minor



Policy Implications and Conclusion

- Results from this study shows that there is **“intergenerational criminal record scarring”**
- Strategies to address intergenerational criminal record scarring
 - Expand strategies to obtain criminal record clearance (e.g., Clean Slate laws, the right to be forgotten)
 - Increase sunset rules for criminal convictions
 - Reconsider how we address minor criminal offenses
 - Develop alternatives to address social problems

Thank You

<https://www.scu.edu/record-clearance-research/>

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