



Everything New Orleans

## Ex-offenders aim to get records expunged during Clean Jacket Day

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Percy Mitchell, living on the street for the last few days, was walking down Claiborne Avenue Saturday (Nov.8) when he saw a line forming outside Christian Unity Baptist Church.

When he found out that the men and women were lining up in the hopes of having their criminal records expunged, he decided to stay.

"I'm trying to get straightened out," said Mitchell, 61. "If I can get off drugs and get my record cleaned up, I can get back on the right track."

Mitchell was one of dozens participating in the **Justice and Accountability Center's** Clean Jacket Day. By the end of the day, organizers said, hundreds will have been screened to find out how to get their records expunged or even if they are eligible under Louisiana's complex laws.

Last year, about 500 attended the event, and another 500 came to the center by appointment. Of those, about 180 had their records expunged, said Ameca Reali, executive director for the center.

Many more than that, about 42 percent, were probably eligible under the law, but they couldn't afford the court fees required to execute the expungement, said Adrienne Wheeler, the center's director of law and policy.

Prior to a change in the law this year, expungements cost \$360 to \$775, depending on the jurisdiction, Wheeler said. Now, it costs a flat \$550, with the largest chunk of that sum, \$250, going to state police. Clerks get the second largest portion, at \$200.

For many, it becomes a catch-22, Wheeler said. They can't pay the fee for expungement, and they can't get a job to pay the fee because they have a criminal record.

"It's part of the larger budget issues happening in this state," she said. "The criminal justice system doesn't account for the cost of this procedure. It's a problem when you get someone involved in the system and don't let them out."

Ex-offenders, even those with just misdemeanor convictions, can find themselves locked out of the job market, unable to find quality housing in safe neighborhoods and disqualified from licensing for many professions.

One woman said she can no longer work in pharmacies because she was convicted of stealing cable TV service.

A criminal record can also make it hard or even impossible to get student loans and small business loans, Wheeler said. "You could have dreams of becoming something you want to be, and you won't be able to do that because of your past," she said. "It creates a caste system."

Generally, arrests that did not result in conviction are eligible for expungement, as are misdemeanor convictions where the sentence has been deferred. Felony convictions can be expunged after 10 years, or sooner if the sentence was deferred.

**Crimes** of violence, drug distribution convictions and sex crimes can not be expunged.

To find out whether the hopefuls who came to Saturday's event were eligible, the center had a sort of assembly line set up. Volunteers screened applicants, getting a detailed look at their histories and documentation status before passing them to teams of lawyers who went over the material in detail.

Graham Bosworth, a defense attorney, worked with a young man convicted of aggravated flight, a felony charge that essentially means that he ran from police in such a way that it put the public at risk. It's commonly levied against people who lead authorities on car chases.

Though the crime happened two years ago, the young man looked to be still in his teens. His file indicated that the conviction was keeping him from getting a job.

He is one of the lucky ones, Bosworth said. He did everything right through the court process to keep expungement as an option. Now, all he has to do is pay the fee and file the paperwork. When he's done, he'll legally be allowed to check "no" on employment forms that ask whether he has been convicted of a crime.

Bosworth said that expanding access to expungement is important so that people can get on with their lives after a criminal conviction rather than continuing to suffer from a debt to society that has already been paid.

*Updated at 9:30 p.m. to correct the fee breakdown.*

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