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**EXPUNGEMENT REFORM OPENS DOORS
AND BRINGS HOPE TO MANY MORE IN NEW JERSEY**

EDISON — For the millions of people in New Jersey with past records of arrest, conviction, or juvenile justice involvement, that once popular song “What’s A Fella To Do” could fittingly be changed to “What’s A Felon To Do.”

One LSNJ client knows the answer because he lived it, navigating the twists and turns of a life handcuffed by red warning flags in public records effectively branding him a risky ex-con — even though his days of hustling dope in the hoods of Essex County had long past and he had become as straight as most folks.

“In addition to housing, employment was the hardest thing,” he admits, “You know, coming home, having a label of a felon trying to get a job. It's just like close to impossible.”

For a long time, New Jersey has had a legal process to allow people in his situation and others to have records of their criminal justice involvement limited from public view to help minimize what is referred to as the “collateral consequences” of a criminal record. But just a few

weeks ago, an even more expansive expungement law change took effect — a major new door opener for thousands more New Jerseyans.

In response, Legal Services of New Jersey (LSNJ) now has fully updated and revamped its special interactive website, Clearing Your Record Online, which focuses on the ins and outs of expungement, including step-by-step guides on virtually everything needed for the application process. You can learn more about this resource at www.lsnjlaw.org/pages/expunge.aspx.

Historically there have been some 10,000 or more expungement applications annually in New Jersey, but that number is certain to balloon with the latest law-loosening changes, according to Akil Roper, LSNJ's vice president and chief counsel for reentry.

“This is the most substantial—both in terms of expanded eligibility and improved process—reform to the expungement law I’ve seen in a decade of doing this work,” Roper said. “More than ever this is a golden opportunity for those who have been unable to get jobs, housing, even education advances because of public records of past arrests and convictions,” Roper noted. “It’s their pathway to a new start, a deserved second chance, and it’s what social justice requires.”

An early indication the easing of expungement requirements is attracting many more New Jerseyans came when applications for the process still rolled in even as the courts were closed because of Covid-19. The court houses have since reopened and judges are scheduling hearings and making decisions on applications.

Meanwhile, Roper says a number of people have contacted Legal Services about a related but unexpected development. The pandemic has given new impetus and need for expungement to people who until now held jobs in which their pasts were not an issue. The virus, though, has thrust them back into the job market where past brushes with the law often are game-enders.

One of the major expungement changes is known as the “Clean Slate” provision. It establishes that except for people with the most serious crimes (for example, murder, robbery, and sexual assault), those who have been crime-free for 10 years can petition to get their entire past records wiped clean, and contemplates an automatic process in the future. Details about that provision are covered in the LSNJ Clearing Your Record Online (CYRO) website, which, in English and Spanish, provides information and needed forms and materials for other filings, including traditional expungements, marijuana convictions, juvenile offenses, young drug offenses, drug court involvement, and dismissed cases, among others.

Historically, among the myriad roadblocks to expungement even for those eligible, is a daunting and sometimes confusing multi-step process, which can stymie even the most savvy court users. The new law promises a new “e-filing” system for expungements, which will help filers, collect their criminal record information and serve the numerous parties with their applications—otherwise required manual steps in the process. The law also calls for a task force to explore the potential and implement an automated expungement process in New Jersey—a process where individuals deserving of expungement need not file applications for relief; instead the court will “automatically” expunge records when they become eligible under the law.

This procedural reform is, in part, what CYRO was also initially aimed at—helping people who could not afford legal assistance deal with an ever-increasingly complicated system of expungement. First created five years ago, the CYRO do-it-yourself operation works much like a computerized tax filing program, walking people through the expungement filing process. Visitors can learn very quickly if they meet expungement requirements. While the site cannot tell whether a judge ultimately will approve a requested expungement, it simplifies and smooths the process to get to that point, especially if hiring an attorney is not affordable. E-filing and

automated expungement, promised by the new law, would be substantial steps to help eliminate procedural roadblock and help facilitate justice for those who have earned the right to reentry society on fair terms.

Mr. Sampson is not shy when talking about his past, his time in prison where he began refocusing on turning his life around, the obstacles he faced, and the help he received directly from Legal Services with expungement and other criminal record related issues. It is his personal story, but it is also fitting for many others whose circumstances and past choices resulted in criminal justice involvement and the subsequent collateral consequences of that involvement.

“I couldn’t be more grateful for everything that they’ve done for me, like it was a godsend moment. I don’t remember how we got that (LSNJ) number, but, you know, I was just so, so thankful that I got a hold of Legal Services of New Jersey. ...They were there to help me every step of the way. And when I felt like we couldn’t make it, they were there to hold my hand.”

These days he and his wife run a photography business in Virginia. He coaches a girls basketball team, often speaks and gives advice to youth groups and prison inmates, and works with the local Chamber of Commerce, lots of folks know him as the community guy with that big, infectious smile. There’s a big difference to how he too often was perceived in the past to how he is seen nowadays.

“When I look at all the barriers where somebody wouldn’t give me an opportunity, you know, to prove that I was a changed, man. I had to create my own,” he recalls.

When you look at me, it's just like your perception may be, 'Oh like he's a thug,' especially when you see the paperwork with a felony. But when you get to know me, like you can see the smile, you know I'm just [me]."

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