



## JUSTICE INITIATIVES

### Criminal Issues Initiative

#### Got a Record? **Know Your Rights**

Helping ex-convicts navigate obstacles they may face as they make the transition from prison to the general population is the focus of a website recently launched by Legal Aid of Western Michigan's Reentry Law Project (RLP) and the Michigan Poverty Law Project.

The **Michigan Reentry Law Wiki** <http://reentry.mplp.org/wiki> provides visitors with answers to frequently asked questions, current case law, statutes, trends regarding prisoner reentry, and downloadable forms for everything from obtaining a state identification card to expunging criminal records. It also contains a wealth of information to help lawyers, judges, social service providers, and others involved in the re-entry process.

The wiki format allows collaborators to easily update information on the site. The RLP and the Michigan Poverty Law Program spearheaded the site's implementation and design, with financing provided by the Michigan State Bar Foundation; the Grand Rapids Community Foundation; the Open Society Institute; and the Justice, Equality, Human Dignity, and Tolerance Foundation.

Got a Record?

## Know Your Rights

Your source for relevant, current information on civil legal issues facing people with criminal records.



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Go to [www.michbar.org/programs/criminalissues.cfm](http://www.michbar.org/programs/criminalissues.cfm)

The State Bar's Criminal Issues Initiative (CII) also assisted with the website's development. CII operates under the Bar's umbrella volunteer committee, Justice Initiatives, which has assumed the challenge of meeting the many needs that arise from the interconnection of civil and criminal issues.

For more information on the Michigan Reentry Law Wiki, contact Judy Hershkowitz at (800) 968-1442 ext. 6335 or [jhershkowitz@mail.michbar.org](mailto:jhershkowitz@mail.michbar.org).

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This brochure can be downloaded in PDF format from the State Bar of Michigan website at <http://www.michbar.org/programs/criminalissues.cfm>.

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## Immigration

Quick Guide  
Got a Record? **Know Your Rights**



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Criminal Issues Initiative

Got a Record? **Know Your Rights**

Two brochures outlining a person's rights regarding immigration and employment after a criminal conviction may be downloaded in PDF format from the State Bar of Michigan website at <http://www.michbar.org/programs/criminalissues.cfm>. Additionally, a client questionnaire is available for attorneys to use during the initial client intake process.

**TOP 10** REENTRY RESOURCES  
<http://reentry.mplp.org>

1. How to get a public criminal record—how to correct it.
2. Quick guide to immigration consequences of convictions.
3. How-to guide on expungement.
4. Fact sheet about employment rights for people with records.
5. Legal outlines for jobs off-limits to people with records.
6. Child support self-help for recent and former prisoners.
7. How to challenge record-based barriers to work and housing.
8. Checklist of consequences for criminal defense attorneys.
9. Sample briefs and motions.
10. Links to statutes.

**Immigration**

Depending on your immigration status, your age, how long you have been in the U.S., how you entered the U.S., if you have a spouse or children who are U.S. citizens, and the nature of the conviction, you may or may not be deported.

**Employment**

Having a criminal record can make it hard to get a job, even if it has been years since your offense. Many employers ask about criminal records and refuse to hire people who have them. In addition, some jobs are off-limits to people with certain convictions. To get and keep a job, you need to know what is on your criminal record.

**Client Questionnaire**

This questionnaire is an intake tool for attorneys who are representing defendants in criminal cases. It is designed to assist attorneys in avoiding unintended civil consequences or future legal actions for the client.

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to take a plea that keeps you out of jail but gets you deported.

The American Immigration Lawyers Association website maintains a list of Michigan attorneys specializing in immigration law at [www.aila.org](http://www.aila.org).

**What if I already took a plea or was convicted?**

It may be possible to expunge or erase your conviction, but you must be very careful how it is done to avoid immigration problems.

It may be possible to raise defenses to deportation if your spouse or child is a U.S. citizen and depending on the crime and how long you have been in the U.S.

**What if Immigration catches me?**

You will probably be detained, and Immigration will decide whether to release you on bond or deport you.

You have a better chance of obtaining bond if you can show that you are not going to run away, that you have family and friends nearby, a steady job, and a place to live.

**How can I get more information?**

To find an attorney who works with immigration issues, go to [www.aila.org](http://www.aila.org). For more information, go to <http://reentry.mplp.org>. To find an attorney, contact the State Bar of Michigan Lawyer Referral Service at (800) 968-0738. If you cannot afford an attorney, ask to be referred to your local legal aid office.

**Will I get deported because I was convicted of a crime?**

Depending on your immigration status, your age, how long you have been in the U.S., how you entered the U.S., if you have a U.S. citizen spouse or children, and the nature of the conviction, you may or may not be deported.

**What if I have a Green Card?**

You may still be deported if you are convicted of any of the following crimes:

- Drug or gun offense
- Fraud, money laundering, bad check, or similar offense if:
  - Committed within five years of admission to the U.S., and
  - Punishable by one year in prison (even if sentence is less)
- Domestic violence, stalking, or child abuse or neglect offense
- Crime of violence (murder, rape, theft, or burglary)

**What if I do not have a Green Card?**

You may be deported if you are convicted of any of the following crimes:

- Drug or gun offense
- Fraud, money laundering, bad check, or similar offense
- Domestic violence, stalking, or child abuse or neglect offense
- Crime of violence (murder, rape, theft, or burglary)

**Where can I get help?**

Have your criminal defense attorney consult an immigration attorney for specific advice *before* you take a plea or admit guilt. You may still be deported even if you do not go to jail, so be very careful not