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# Collateral Consequences of Felony Conviction

The moment ex-prisoners leave the prison gate, they face many critical decisions: Where they will live, where to look for a job, how to get from one place to another, what to eat, and how to pay for all these necessities. But this isn't all.

The dire consequences of a felony conviction last far longer than the years spent in prison followed by more time on parole. In addition to those direct punishments, offenders are denied licenses for many jobs, lose their right to vote, and cannot possess guns.

They are frequently denied parental rights, driver's licenses, student loans, and residency in public housing. Sex offenders are required to register with the local police and are often banned from many urban areas. These losses are called "collateral consequences."

Dr. Gabriel Chin, University of California Davis School of Law, writes, "For many people convicted of crimes, the most severe and long-lasting effect of conviction is not imprisonment or fine. Rather, it is being subjected to collateral consequences involving the actual or potential loss of civil rights, parental rights, public benefits, and employment opportunities."

Dr. Chin also points out that collateral consequences are essentially a reincarnation of the old English concept of "civil death," which stripped most civil rights from all persons convicted of a crime and put them outside the law's protection.

The headline of a recent article published by the Journal of the American Bar Association sums up the barriers confronting ex-prisoners today, "Ex-offenders face tens of thousands of legal restrictions, bias and limits on their rights." Some experts estimate that today's ex-prisoners could face up to 50,000 legally-mandated collateral consequences, including restrictions on housing, employment, public benefits, and immigration.

"People coming out of prison have a large number of things they're already facing: stigma, spotty work history, low education levels, issues around substance abuse and mental health," says Jesse Jannetta, a senior research associate at the Urban Institute in Washington, D.C. "Collateral consequences can create a practical barrier that can make the already difficult situation of community integration more difficult."

To break this destructive cycle, we must first become informed. Here are three excellent resources to learn more about collateral consequences of a felony conviction:

- **"The New Civil Death: Rethinking Punishment in the Era of Mass Conviction,"** by Gabriel J. Chin, *University of Pennsylvania Law Review* (April 1, 2013)

- **"Ex-offenders face tens of thousands of legal restrictions, bias and limits on their rights,"** *ABA Journal* (June 1, 2013)

- ***Collateral Consequences of Criminal Convictions: Law, Policy and Practice***, 2012-2013 ed., Thomson West Publishers (2013)

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