

NC COMMERCE REENTRY INITIATIVE

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NC DEPARTMENT OF COMMERCE REENTRY INITIATIVE

WENDI BOWEN EURE, REENTRY COORDINATOR
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NORTH CAROLINA
Department of Commerce
Division of Workforce Solutions

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Source of Stats

<https://www.prisonpolicy.org/>

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A LONG HISTORY

- About 1 out of every 3 Adults in the workforce have something on their criminal record
 - Criminal Convictions (Guilty)
 - Arrests
 - Dismissed Charges
 - Charges Disposed “Not Guilty”
 - Charges Pled to Lesser Offenses
 - Deferred Prosecution/Diversions Program
 - Domestic Violence/Restraining Orders
- Huge impact on economic development & citizen’s employability
- In the 1990’s Employment Security Commission operated The Ex-Offender Program
- The current program was established in 2007 as the Former Offender Initiative,
 - expanded in 2009, and
 - again in 2013 to current capacity of 6 Regional Reentry Specialist and a Coordinator.
- Rebranded and Renamed The NC Commerce Reentry Initiative in 2018
- History of issuing reentry grants and partnerships with DPS
- Operating the Federal Bonding Program (over 50 years old)



THE REENTRY TEAM

- Reentry Program Coordinator, Wendi Bowen Eure
- Six Highly Qualified Regional Reentry Specialists
- NCWorks Career Centers, Reentry Specialists
- Partners



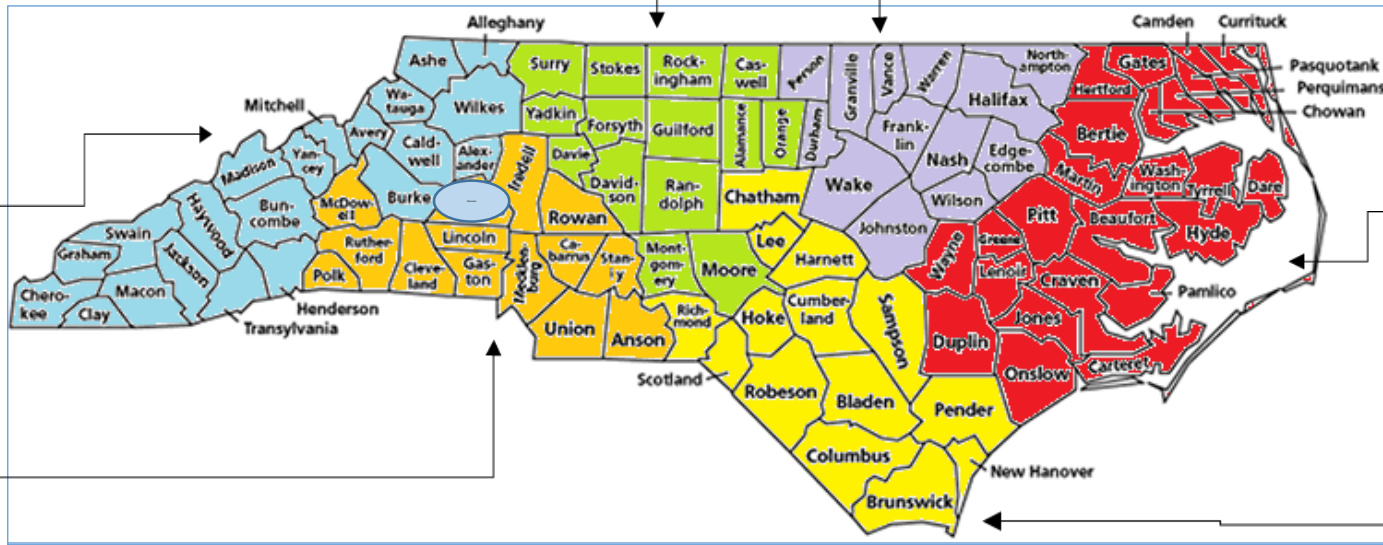
Brian Long



Vanessa James



Janie Rollins



Tenisha Kelly



Victor Hinannt



Michael Westray



2020 STRATEGIC PLAN

Mission: Promote “Equitable Hiring” to employers, individuals with criminal records, and the community through engagement, education, and partnerships.

Strategy/Goals:

- Promote “Equitable Hiring,” benefits, and Cert. of Relief to Employers
 - Plan, help plan, or present at Employer events around the state (Participated in 19 Employer Events in 2019)
 - Launch of 2020 Equitable Hiring Campaign, host event in April for Reentry Month
 - Conduct one-on-one employer visits and record services in NCWorks Online (Connected with 1,240 employers in 2019)
- Provide for Training and Technical Assistance to NCWorks Career Center staff
 - Annual Certified Reentry Specialist trainings: 6 sessions to be held in 2020 and provide training to NCWorks Career Centers
- Educate about Certificate of Relief and Expungements through Legal Aid partnership by Increasing the number of Career Centers offering clinics (Currently 26 centers are signed up to offer clinics)
 - Other Clinic Topics include: Divorce, Child Custody, Healthcare Power of Attorney, Social Security Disability, Employee Rights, and Tenant Rights
- Build network of partner agencies who provide services to individuals with criminal records and educate them on Commerce services and related reentry information
- Increase Federal Bonding utilization by promoting the program with local Career Center Staff and partners (The number of Bonds issued has double the last 2 years)
- Provide employment related services to individuals who have a criminal record
- Provide employment related services to incarcerated individuals at the 12 Transitional facilities and 4 youth facilities designated by DPS and any other facilities upon request within 90 days of release



INCARCERATED VETERANS

- Over **180,000** Veterans incarcerated in state, federal prisons and local jails (2012)
- Veterans represent about **8%** of the incarcerated population
- Incarceration rate for Veterans was **855 per 100,000** vets in US
- Compared to **986 per 100,000** non-veterans
- Black and Hispanics incarcerated represented **38%** of incarcerated Veterans
- Compared to **63%** of incarcerated non-Veterans
- Greater percentage of incarcerated Veterans sentenced for violent offenses (**64%**)
- Compared to **48%** of non-Veterans sentences for violent offenses
- More than **736,000** veterans live in North Carolina, representing **9.8%** of the state's total population.
- Department of Commerce Veteran's Program
- Regional Reentry Specialist designated as Veteran Specialist

Data from the Bureau of Justice Statistics





DIRECT SERVICES

Direct services are provided by the NCWorks Career Centers across the state and recorded in NCWorks Online.

- Register in NCWorks Online
- Assistance with updating the resume
- Various Workshops available
- Referrals to other services as needed
- Information about Federal Bonding & Work Opportunity Tax Credits
- Access to WIOA (Work Innovation and Opportunity Act)
- Veterans Employment Services
- Job Fairs and access to on site employers
- Computer access to search for an apply for jobs online

Between January 1 and December 31, 2019, Centers served **14,766** individuals who self-disclosed they had a criminal record.



WORKFORCE INNOVATION & OPPORTUNITY ACT (WIOA)

- The US Department of Labor issues annual funding to the NC Department of Commerce.
- The 23 Workforce Development Boards administer programs locally.
- Access to programs is normally provided at the NC Works Career Centers.
- WIOA funding is used to assist the unemployed and underemployed, specifically those with barriers to employment, to obtain skills necessary to return to the workforce and reach self-sufficiency such as:
 - Funding for approved short-term (up to two years) training in demand occupation.
 - On the Job Training Contracts
 - Specific funding for Programs for Correctional Education
- To be accepted for enrollment, consideration may be given to income, work history, current education and skill levels, and your ability to fully complete the training.
- If you qualify and are accepted for enrollment in WIOA, case managers will:
 - Assist you with developing an individual employment plan
 - Give you financial assistance to help pay for your training program
 - Help you access support services from the NC Works partners and other community agencies



WIOA LEGISLATION (REENTRY)

TRAINING AND EMPLOYMENT GUIDANCE LETTER WIOA NO. 19-16

OPERATING GUIDANCE for the WORKFORCE INNOVATION AND OPPORTUNITY ACT

Priority Populations under WIOA. Services provided to adults and dislocated workers under title I of WIOA can be a pathway to the middle class and to maintain and build skills to remain in the middle class. **Across all titles, WIOA focuses on serving “individuals with barriers to employment”, defined in WIOA section 3(24) and seeks to ensure access to quality services for these populations.** The WIOA Final Rules discuss priority and special populations for the Adult and Dislocated Worker programs at 20 CFR 680.600 through .660. These populations are discussed below:

The populations included in the “individuals with barriers to employment” in WIOA sec. 3(24) include:

- (a) Displaced homemakers (as defined in WIOA sec. 3(16));
- (b) Low-income individuals (as defined in WIOA sec. 3(36));
- (c) Indians, Alaska Natives, and Native Hawaiians (as defined in WIOA sec. 166(b));
- (d) Individuals with disabilities, including youth who are individuals with disabilities (as defined in WIOA sec. 3(25) (includes individuals who are in receipt of Social Security Disability Insurance);
- (e) Older individuals (age 55 and older) (as defined in WIOA sec. 3(39));
- (f) Ex-offenders (“offender” as defined in WIOA sec. 3(38)); (38) Offender.--The term “offender” means an adult or juvenile-- (A) who is or has been subject to any stage of the criminal justice process, and for whom services under this Act may be beneficial; or (B) who requires assistance in overcoming artificial barriers to employment resulting from a record of arrest or conviction.**
- (g) Homeless individuals or homeless children and youths (see Attachment III);

The Department encourages targeting individuals who are long-term unemployed, ex-offenders, and individuals who are currently receiving or have exhausted TANF benefits when developing these policies.



WIOA LEGISLATION (REENTRY)

SEC. 225. <<NOTE: 29 USC 3305.>> PROGRAMS FOR CORRECTIONS EDUCATION AND OTHER INSTITUTIONALIZED INDIVIDUALS.

(a) Program Authorized.--**From funds made available under section 222(a)(1) for a fiscal year, each eligible agency shall carry out corrections education and education for other institutionalized individuals.**

(b) Uses of Funds.--The funds described in subsection (a) shall be used for the cost of educational programs for criminal offenders in correctional institutions and for other institutionalized individuals, including academic programs for--

- (1) adult education and literacy activities;
- (2) special education, as determined by the eligible agency;
- (3) secondary school credit;
- (4) integrated education and training;
- (5) career pathways;
- (6) concurrent enrollment;
- (7) peer tutoring; and
- (8) transition to re-entry initiatives and other post-release services with the goal of reducing recidivism.



(c) Priority.--Each eligible agency that is using assistance provided under this section to carry out a program for criminal offenders within a correctional institution **shall give priority to serving individuals who are likely to leave the correctional institution within 5 years of participation in the program.**

(d) Report.--In addition to any report required under section 116, each eligible agency that receives assistance provided under this section shall annually prepare and submit to the Secretary a report on the progress, as described in section 116, of the eligible agency with respect to the programs and activities carried out under this section, including the **relative rate of recidivism** for the criminal offenders served.



ON THE JOB TRAINING

What is it?

- Pathway for unemployed workers seeking employment and for employers seeking workers
- Training by an employer provided to a paid participant while engaged in productive work
- Training provides knowledge or skills essential to the full adequate performance of the job
- Reimburses companies for up to 50% of the employee's wages during the training period

To Qualify

- The Job Applicant must be eligible Workforce Innovation and Opportunity Act (WIOA) participants who are assessed and found to be in need of, and suitable for training services in order to obtain or retain employment leading to self-sufficiency.
- The Employer is assessed and factors such as working conditions, availability of health benefits, sustainable wage structure, turnover rates, adequate staff to carry out training, and whether the employer is in compliance with federal, state, and local laws, are considered.
- Employment should be on-going and not temporary, probationary, or intermittent.

For More Information or Questions, contact your NCWorks Career Center. The program is administered by the Local Workforce Development Board.



WORKFORCE DEVELOPMENT BOARDS

- **Capital Area WDB** received \$1.5 million from US DOL to assist 188 individuals in returning to the workforce from incarceration.
- **Kar-Tarr WDB** received a \$30,000 innovation grant from NC Dept. of Commerce to create a Vance-Granville Reentry group. The group has been meeting regularly for over 1 year now.
- **Triangle South WDB** has held several meetings in 2019 to establish a Reentry group in Lee County. There was no funding/grants associated with this effort.
- **Lumber River WDB** received a \$30,000 innovation grant from NC Dept. of Commerce to create Reentry groups in Bladen and Richmond counties. They have held their first interest meeting.
- **CharlotteWorks WDB** is operating an NCWorks Career Center inside the Mecklenburg County Detention Center to offer pre-release services.
- **CharlotteWorks** staff, Commerce Reentry Initiative Specialist Janie Rollins, and Mecklenburg County Sheriff's Office collaborated on a presentation at the American Correctional Association Conference in San Diego, CA about their partnership and the work being done in NC.
- **Gaston WDB** is continuing efforts to launch a work release project with Gaston Correctional Institution and an employer utilizing OJT funding to support their employment during the training period.
- **Centralina WDB** in partnership with Rowan-Cabarrus Community College is offering courses supporting reentry. Courses are offered in truck driving, forklift, manufacturing and production.
- **Western Piedmont WDB** and Regional Reentry Specialist Vanessa James have been hosting Western Piedmont Reentry Meetings with 50-70 individuals from multiple counties in attendance.
- **Mountain Area WDB** has been very supportive of reentry efforts. Funding from Buncombe County Government has supported a career navigator stationed at the Justice Resource Center.



FEDERAL BONDING PROGRAM (FBP)

AN INCENTIVE FOR EMPLOYERS WHO HIRE “AT RISK” INDIVIDUALS

- **Provides a guarantee of job honesty by issuing FREE bonding to reimburse the employer for any loss due to employee theft of money or property.**
 - \$5,000 in coverage (Up to \$25,000 if business needs require)
 - 6 Months of Coverage at NO COST
 - No application or forms to complete (our staff take care of that)
 - No Deductible if employee dishonesty occurs
 - No age limits for bonded individuals (other than legal working age)
 - ANY job can be covered
 - ANY full or part-time employee paid wages with Federal taxes automatically deducted
 - Temporary Agencies are eligible
 - **Targets “At Risk” individuals including those who:**
 - Have a criminal conviction or arrest record;
 - Have a history of substance abuse;
 - Receive TANF (Temporary Assistance to Needy Families);
 - Have poor credit;
 - Are economically disadvantaged or with little or no work history; or
 - Have been dishonorably discharged from the military
- *Eligible individuals should be given the Federal Bonding Eligibility Letter***



ACCESSING THE FBP IS EASY!

1. A job offer is made, **PRIOR** to the first day of work, the **Employer***** contacts Career Center staff, Regional Reentry staff, or the FBP Coordinator
2. NCWorks Staff complete and submit the Federal Bonding Request form (revised 8/2019) to the Federal Bonding Coordinator.
3. The Federal Bonding Coordinator processes the bond and sends employer letter. The bond is issued and made effective on the employee's first day of work.
4. Employer receives a packet from Union Insurance Group with additional information.

***Jobseekers can be given an eligibility letter to use in their job search.



WORK OPPORTUNITY TAX CREDIT

A FEDERAL TAX CREDIT FOR EMPLOYERS WHO HIRE INDIVIDUALS IN CERTAIN TARGET GROUPS

Reduces the federal tax liability of private-for-profit employers

Target Groups and Amounts:

Veteran Target Group

| Veteran Target Group | Maximum Tax Credit |
|--|--------------------|
| Receives SNAP (food stamps) benefits | \$2,400 |
| Entitled to compensation for service-connected disability | |
| Hired one year from leaving service | \$4,800 |
| Unemployed at least 6 months | \$9,600 |
| Unemployed | |
| At least 4 weeks | \$2,400 |
| At least 6 months | \$5,600 |

Other WOTC Target Groups

| Target Group | Maximum Tax Credit |
|--|----------------------|
| Qualified Long-Term Unemployment Recipient | \$2,400 |
| Short-Term TANF Recipient | \$2,400 |
| Long-Term TANF Recipient | \$9,000 (over 2 yrs) |
| SNAP (food stamp) Recipient | \$2,400 |
| Designated Community Resident | \$2,400 |
| Vocational Rehabilitation Referral | \$2,400 |
| Ex-Felon | \$2,400 |
| SSI Recipient | \$2,400 |
| Summer Youth | \$1,200 |



NC BUSINESS SAVINGS WITH EX-FELON CATEGORY

Fiscal Year
2018-2019

Certified 1,818
EX-Felon Applications

Max Credit
\$2,400

Total Savings =
\$4.4 Million

- The Ex-Felon category represents only about 2.14% of the total Certified Tax Credits
- To qualify for this category, the individual must have a **felony conviction** or **release from prison** within the **past 12 months** prior to hire
- Employees must work at least **400 hours** to qualify for the maximum amount of \$2,400 (based on 40% of first year's wages)
- Employees who work between **120 and 399 hours** can qualify for a partial tax credit up to **\$1,500** (based on 25% of first year's wages)



HOW DOES IT WORK?

Step 1: Employee or Employer Completes IRS Form 8850 (Pre-Screening Notification and Certification Request)

Step 2: Employer Completes ETA Form 9061 (Individual Characteristics Form)

Step 3: Employer registers as a user at www.ncworkswotc.com and electronically submits the request to NC Division of Workforce Solutions **within 28 days** of the new employee start date.

*Hard copies of Form 8850 and Form 9061 should be retained by employer for their records.

Step 4: Employer receives an electronic determination of eligibility, denial with explanation, or request for additional information.

Step 5: After receiving a certification, employer may file for the tax credit with the IRS on their yearly taxes.

*Tax credits can be claimed only once per employee, but there is **no limit** on the number of qualifies employees the company can hire

For More Information or Questions:

Freeman Denton | WOTC Program Coordinator | 919-814-0439

Freeman.denton@nccommerce.com

<https://www.doleta.gov/business/incentives/opptax/>



NEW! ELIGIBILITY LETTER



ROY COOPER
Governor

ANTHONY M. COPELAND
Secretary

JESSICA ENGLERT
Assistant Secretary

Form Fill Document

Job Seeker's Name

Federal Bonding



Dear Employer:

This letter serves to introduce [redacted], who has been determined eligible for participation in the Federal Bonding Program (FBP). This program provides fidelity bonds guaranteeing honesty for "at risk," hard-to-place job seekers. The bond covers the first six months of employment. There is **NO COST** to the applicant or to the employer. This hiring incentive targets individuals who:

- Have a criminal conviction or arrest record;
- Have a history of substance abuse;
- Receive TANF (Temporary Assistance to Needy Families);
- Have poor credit;
- Are economically disadvantaged or with little or no work history; or
- Have been dishonorable discharged from the military.

The FBP is designed to reimburse employers for any loss due to employee theft of money or property up to \$5,000 during the first six months of a bonded individual's employment. Higher amounts can be requested based on business necessity. Bonds can be applied to ANY job and ANY full or part-time employee paid wages with Federal taxes automatically deducted, including those hired by temporary agencies. Self-employed or 1099 employees are not eligible.

Work Opportunity
Tax Credit



This individual may also be eligible for the Work Opportunity Tax Credit (WOTC) Program which entitles employers to reductions in their federal taxes when they hire eligible workers. Maximum tax credit range between \$2400 and \$9600 per eligible WOTC applicant. If you intend to make a job offer to this applicant and would like to apply for the tax credit, please visit for additional information: <https://www.nccommerce.com/grants-incentives/workforce-grants/work-opportunity-tax-credit>. (Note: To qualify for this program, application must be completed no later than the 28th day after the employee begins work).

Regional Specialist
or local contact

If you are interested in hiring this individual or need additional information, you may contact [redacted] or the Federal Bonding Coordinator, Wendi Eure at 919-814-0457.

Sincerely,

Issuer's Signature

Wendi Eure
NC Federal Bonding Program Coordinator



100-DAY NO FAULT GUARANTEE

- Selecting the right person for a job can be a challenge.
- If you need to terminate a new employee, your unemployment insurance taxes may not be affected.
- Applicable only if the employee is terminated...
 - within a 100-day period from the date of hiring.
 - due to a bona fide inability to do the work.
- Employers must request the non-charging by contacting the Division of Employment Security.
- As a result, the employer is not penalized for giving someone a chance at the job.
- Reduces the federal tax liability of private-for-profit employers
- Not specific to Reentry, any new hire is eligible



For More Information or Questions:

Contact the Division of Employment Security

Employer Call Center at 919-707-1150

This information is also available:

<https://des.nc.gov/DES/Static?page=100DayGuarantee>



LEGAL RELIEF



NORTH CAROLINA
Department of Commerce
Division of Workforce Solutions

A Criminal Record in North Carolina



At least 2 million North Carolinians have a criminal record

What is on a criminal record?

- Conviction Offenses (felonies and misdemeanors)
- Charging Offenses
 - Arrests
 - Dismissed Charges
 - Charges Disposed “Not Guilty”
 - Charges Pled to Lesser Offenses
 - Deferred Prosecution/Diversions Program
 - Indictments,
 - Appeals
 - Traffic violations

What entities maintain records of criminal charges and convictions?

- Courts
- Local, State, and Federal Law Enforcement Agencies
- Department of Public Safety
- DMV
- Private Background Check Companies
- Media*



CERTIFICATES OF RELIEF

- A person with a criminal conviction can petition the court that convicted the person to receive a Certificate of Relief if it has been at least 12-months since they finished their sentence.
- Does not delete or obscure the person's record.
- The judge must find that granting the person the certificate does not pose an unreasonable risk to any person.
- An **employer** of a certificate holder is shielded from negligent hiring liability. Landlords and other decision-makers are also shielded from negligence liability.

Expanded Eligibility Beginning Dec. 1, 2018

- Session Law 2018-191 will go into effect Dec. 1, 2018.

Eligible Record

- Any number of misdemeanor convictions
- Up to 3 incidents of Class H or I felony convictions

Disqualifying Conviction

- Class A-G felony conviction

Wait Time

- 1 year from date person completes their criminal sentence

Other Criteria

- No pending criminal charge
- Judicial finding that granting the petition does not pose an unreasonable risk to the safety or welfare of the public



CERT. OF RELIEF PETITION AND ORDER

| | | |
|--|---|--|
| STATE OF NORTH CAROLINA | | File No. _____ |
| County _____ | | In The General Court Of Justice |
| | | <input type="checkbox"/> District <input type="checkbox"/> Superior Court Division |
| IN THE MATTER OF | | |
| Name And Address Of Petitioner (Type Or Print) _____ | | |
| CERTIFICATE OF RELIEF PETITION AND ORDER | | |
| Place _____ | Sex _____ | Date Of Birth _____ |
| | | Last Four Digits Of SSN _____ |
| G.S. 15A-173.1, -173.2, -173.3, -173.4, -173.5, -173.6 | | |
| I. OFFENSE(S) | | |
| File No. | Date Of Conviction | General Statute And Offense Description |
| | | Class |
| | | Date Of Completion Of Sentence |
| | | |
| | | |
| II. PETITION | | |
| I hereby petition for a Certificate of Relief under Article 6 of Chapter 15A of the General Statutes and certify as follows: | | |
| 1. I was convicted of no more than two Class G, H or I felonies or misdemeanors in one session of court, as shown above. | | |
| 2. I have no other convictions for a felony or misdemeanor other than a traffic violation. | | |
| 3. At least twelve (12) months have passed since I served all of the active time, if any, imposed for each offense, and since I completed any period of probation, post-release supervision, or parole related to the offense that was required by State law or court order. | | |
| 4. I <input type="checkbox"/> a. am engaged in, or seeking to engage in, the following lawful occupation or activity: (list employment, training, education, or rehabilitative program) _____ | | |
| <input type="checkbox"/> b. have the following lawful source of support: (list source of support) _____ | | |
| 5. I have complied with all requirements of my sentence, including any terms of probation. | | |
| 6. I <input type="checkbox"/> a. am not in violation of the terms of any criminal sentence. | | |
| <input type="checkbox"/> b. am in violation of the terms of a criminal sentence, but the failure to comply is justified, excused, involuntary, or insubstantial because (explain justification) _____ | | |
| 7. No criminal charges are currently pending against me. | | |
| 8. Granting the petition would not pose an unreasonable risk to the safety or welfare of the public or any individual. | | |
| 9. If I filed a previous petition for a Certificate of Relief that was denied, at least twelve (12) months have passed since the denial, which was entered on (date) _____ I have remedied any defects in my previous petition and have complied with any conditions for reapplication set by the Court in that (explain) _____ | | |
| NOTE TO PETITIONER: You may submit additional materials that support the claims made in this petition at the hearing. Please note that any additional materials you submit may become part of the official court record, which is open to the public. | | |
| Date _____ | Signature Of Petitioner _____ | |
| III. SERVICE ON DISTRICT ATTORNEY | | |
| NOTE TO CLERK: "When a petition for a Certificate of Relief is filed under G.S. 15A-173.2 . . . the court shall notify the district attorney at least three weeks before the hearing on the matter." G.S. 15A-173.4(a). No hearing may be held on this matter until at least three (3) weeks after notice to the District Attorney. | | |
| NOTE TO DISTRICT ATTORNEY: "The district attorney shall have the right to appear and be heard at any proceeding relating to the issuance . . . of the Certificate of Relief." G.S. 15A-173.4(c). "The victim of the underlying offense for which a Certificate of Relief is sought may appear and be heard, or may file a statement for consideration by the court, in a proceeding for issuance . . . of the Certificate of Relief. Notification to the victim shall be made through the Victim Witness Coordinator in the office of the district attorney." G.S. 15A-173.6. | | |
| The undersigned accepts service of this petition on behalf of the Office of the District Attorney: | | |
| Date _____ | Signature Of Person Accepting Service _____ | |
| Name Of Person Accepting Service (Type Or Print) _____ | Title Of Person Accepting Service (Type Or Print) _____ | |
| CAUTION TO PETITIONER: A Certificate of Relief is NOT an expunction or a pardon. It does NOT relieve you of the collateral sanctions listed in G.S. 15A-173.3, sanctions imposed by the North Carolina Constitution, sanctions imposed by federal law, or any sanctions that remain in place as identified in Order No. 3 on Side Two. Your Certificate of Relief may be revoked if you are convicted of a new felony or misdemeanor other than a traffic violation, or if you are found to have made any material misrepresentation in your petition. | | |
| AOC-CR-273, Rev. 6/12 | | (Over) |
| © 2012 Administrative Office of the Courts | | |

| | | | |
|--|---|---|--------------------------------------|
| IV. FINDINGS OF FACT | | | |
| After a hearing on this petition, and after reviewing the petition, the petitioner's criminal history, any information provided by the victim(s), any information provided by the District Attorney, and any other relevant evidence, the Court finds the following by a preponderance of the evidence: | | | |
| <input type="checkbox"/> 1. The petitioner was convicted of no more than two Class G, H or I felonies or misdemeanors in one session of court. | | | |
| <input type="checkbox"/> 2. The petitioner has no other convictions for a felony or misdemeanor other than a traffic violation. | | | |
| <input type="checkbox"/> 3. At least twelve (12) months have passed since the petitioner served all of the active time, if any, imposed for each offense, and since the petitioner completed any period of probation, post-release supervision, or parole related to the offense that was required by State law or court order. | | | |
| <input type="checkbox"/> 4. The petitioner (check one or both) | | | |
| <input type="checkbox"/> a. is engaged in, or seeking to engage in, the following lawful occupation or activity: (list employment, training, education, or rehabilitative program) _____ | | | |
| <input type="checkbox"/> b. has the following lawful source of support: (list source of support) _____ | | | |
| <input type="checkbox"/> 5. The petitioner has complied with all requirements of the sentence, including any terms of probation. | | | |
| <input type="checkbox"/> 6. The petitioner (check one) | | | |
| <input type="checkbox"/> a. is not in violation of the terms of any criminal sentence. | | | |
| <input type="checkbox"/> b. is in violation of the terms of a criminal sentence, but the failure to comply is justified, excused, involuntary, or insubstantial because (explain justification) _____ | | | |
| <input type="checkbox"/> 7. No criminal charges are currently pending against the petitioner. | | | |
| <input type="checkbox"/> 8. Granting the petition would not pose an unreasonable risk to the safety or welfare of the public or any individual. | | | |
| <input type="checkbox"/> 9. No previous petition has been filed, or if the petitioner filed a previous petition for a Certificate of Relief that was denied, at least twelve (12) months have passed since the denial, and the petitioner has remedied any defects in the previous petition and has complied with any conditions for reapplication set by the Court in that (explain) _____ | | | |
| <input type="checkbox"/> 10. The Office of the District Attorney received notice at least three weeks prior to the hearing on this matter. | | | |
| <input type="checkbox"/> 11. Other: _____ | | | |
| V. CONCLUSIONS OF LAW | | | |
| Based on the foregoing findings of fact, the Court concludes as follows: (check one) | | | |
| <input type="checkbox"/> 1. (full relief granted) Finding No. 1 through Finding No. 10 above having all been found, and the Court having found no reason in Finding No. 11 above to deny or limit the Certificate of Relief, the petitioner is entitled to a full Certificate of Relief. | | | |
| <input type="checkbox"/> 2. (relief denied) Finding <input type="checkbox"/> No. 1 through Finding No. 10 above having NOT all been found, <input type="checkbox"/> No. 11 above having been found indicating that the petitioner should not obtain the relief requested, the petitioner is NOT entitled to a Certificate of Relief. | | | |
| <input type="checkbox"/> The following reapplication condition(s) is necessary: _____ | | | |
| <input type="checkbox"/> 3. (restricted relief granted) Finding No. 1 through Finding No. 10 above having all been found, BUT having found reason in Finding No. 11 above to limit the Certificate of Relief, the petitioner is entitled to a Certificate of Relief, with the following limitation: (identify restriction and/or collateral consequence from which relief should not be granted) _____ | | | |
| VI. ORDER | | | |
| (check one) | | | |
| <input type="checkbox"/> 1. (full relief granted) The petitioner's request for a full Certificate of Relief is granted. | | | |
| <input type="checkbox"/> 2. (relief denied) The petitioner's request for a full Certificate of Relief is denied. <input type="checkbox"/> If the petitioner chooses to reapply under G.S. 15A-173.2(g), the petitioner must satisfy the following condition(s) of reapplication: _____ | | | |
| <input type="checkbox"/> 3. (restricted relief granted) The petitioner's request for a Certificate of Relief is granted, with the following limitation: (identify restriction and/or collateral consequence from which relief is not granted) _____ | | | |
| Date _____ | Name Of Judicial Official (Type Or Print) _____ | <input type="checkbox"/> Judge <input type="checkbox"/> Clerk <input type="checkbox"/> Magistrate | Signature Of Judicial Official _____ |
| AOC-CR-273, Side Two, Rev. 6/12 | | | |
| © 2012 Administrative Office of the Courts | | | |



EXPUNCTIONS IN NORTH CAROLINA

- An expungement or expunction is the deletion of a criminal record.
- The Administrative Office of the Court maintains a confidential file which may be requested under certain circumstance.
- Recently, in 2017, the expungement laws were amended making this type of legal relief more accessible.

Specific “one-time” Expunctions:

- One-time Nonviolent Misdemeanor Conviction
***Wait period reduced to 5 years
- One-time Nonviolent Felony Conviction
***Wait period reduced to 10 years
- One-time Misdemeanor Conviction Under Age 18
- One-time Drug Conviction Under Age 22
- One-time Gang Conviction Under Age 18
- One-time Prostitution Conviction

***In most situations, eligibility for expungement requires having no misdemeanor or felony conviction prior to the one being expunged or during the wait period.

“One-time” conviction means:

- A. single conviction, OR
- B. multiple convictions disposed in the same session of court

If someone has two or more criminal convictions with different conviction dates, the person is generally not eligible for expunction of a “one-time” conviction.

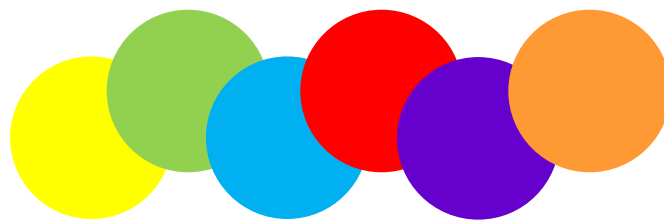
Traffic offenses do not count as criminal convictions for purposes of expunction eligibility



A CHARGE NOT RESULTING IN CONVICTION MAY BE EXPUNGED

- Charges have been dismissed or there are findings of not guilty.
- Charges have been dismissed or there are findings of not guilty as a result of identity theft or mistaken identity.
- DNA records when charges are dismissed on appeal or pardon of innocence is granted.
- Charges when a pardon of innocence is granted.
- Unless the person has been convicted of a felony (in NC or any other state)
- A person with a felony conviction on his or her record is disqualified from expunging any dismissed or “not guilty” charges.





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