

**Agenda:**  
**Forging a Legal Strategy to Remove Barriers  
To Employment of People with Criminal Records  
June 1-2, 2006, Philadelphia, PA**

**Day One: Thursday, June 1st**

8:30 - 10:00      ***Exploring the role of strategic litigation to remove barriers to employment for people with criminal records***

The opening session will allow participants to introduce themselves and will cover the goals and the structure of the meeting.

**Planners and speakers:**

Sharon Dietrich, Community Legal Services

Maurice Emsellem, National Employment Law Project

**Speaker:**

Dorsey Nunn, All of Us or None

10:00 - 10:15      Break

10:15 - 12:00      ***Limiting availability and improving accuracy of criminal records***

This session will examine legal handles for challenging inaccurate criminal records, such as constitutional theories, state statutes, and the Fair Credit Reporting Act. It will also explore the possibility of legal challenges to access to records and whether use restrictions may be more feasible than access restrictions.

**Planner and speaker:**

Sharon Dietrich, Community Legal Services

**Speaker:**

Laurie Parise, National H.I.R.E. Network

12:00 - 1:00      Lunch (provided)

1:00 - 2:45      ***Litigating civil rights claims for employment rejections for people with criminal records***

This panel will discuss recent audits of race-based discrimination against persons with criminal records in the New York City hiring market. It will also examine litigation of Title VII disparate impact claims and state law anti-discrimination claims for people with criminal records and explore strategic options to bringing discrimination cases and enforcing existing laws.

**Planners:**

Fran Fajana, Massachusetts Law Reform Institute  
Melanca Clark, NAACP LDF

**Speakers:**

Glenn Martin, National H.I.R.E. Network  
Robert Stroup, NAACP LDF  
Melanca Clark, NAACP LDF

2:45 - 3:00

Break

3:00 - 4:45

***How to “clean up” records: expungements and pardons***

This session will examine what it means to “clean up” a criminal record: what different mechanisms are available to "neutralize" the effect of a criminal conviction, how effective are they, and what strategies can be pursued to make these mechanisms more accessible and effective, including expungement clinics and possible collaborations.

**Planners and speakers:**

Margaret Love, Law Offices of Margaret Love  
Margaret Richardson, East Bay Community Law Center

4:45 - 5:00

Break

5:00 - 6:30

***Opportunities & challenges to working together: legal advocates, people with criminal records and other community allies***

This session will explore how legal advocates can best build relationships and effective collaborations with community organizations, groups representing people with criminal records, labor unions and other key allies in the process of their work promoting the employment rights of people with criminal records. Leading off the broader group discussion, the panelists will offer their insights and perspectives working with legal advocates (what has worked, what hasn't) in the context of their campaigns.

**Planner:**

Maurice Emsellem, National Employment Law Project

**Speakers:**

Dorsey Nunn, All of Us or None  
Horace Small, Union of Minority Neighborhoods  
Larry Willis, AFL-CIO Transportation Trades Department

7:00

Dinner (Vietnam Restaurant; cost not provided)

**Day Two: Friday, June 2nd**

9:00 - 10:30

***Bringing legal challenges to statutory employment restrictions***

In this session we will consider how to most effectively challenge statutory barriers to the employment of individuals with records. The conversation will be grounded in contrasting case studies from Pennsylvania and Michigan, where legal aid advocates used differing approaches to challenge record-based barriers to employment in the long-term care field. We will discuss possible legal theories, including possible constitutional claims. In addition, we will discuss strategic considerations in identifying which statutes to challenge. We will also explore the possibility of planning and coordinating litigation among those working in this field.

**Planners and speakers:**

Miriam Aukerman, Legal Aid of Western Michigan  
Janet Ginzberg, Community Legal Services

**Speaker:**

Linda Mills, Consultant, Annie E. Casey Foundation

10:30 - 10:45

Break

10:45 - 12:15

***Proving suitability to work: waivers/certificates of rehabilitation***

As we work to increase employment opportunities for people with criminal records, we must determine: (1) if certain barriers to employment that are deemed “permanent” are subject to legal challenge on constitutional or other grounds; (2) how to successfully overcome general “morality” or “suitability” provisions that often act as an automatic disqualification for people with criminal records; and (3) how to develop waiver exceptions into existing or new statutes that restrict employment or licensing for people with criminal records. This panel will explore how to expand access to criminal record waiver processes such as FDIC waivers and TSA waivers, state occupational licensing waivers, state-level policy response to removing employment and occupational licensing bars.

**Planner and speaker:**

Roberta Meyers-Peebles, National H.I.R.E. Network

**Speaker:**

Jodina Hicks, Safer Foundation

12:15 - 1:15

Lunch provided

1:15 - 3:00

*Next steps*

Subjects to be covered include: (1) priorities/ “roadmap” report; (2) coordination; (3) leveraging our resources; (4) ideas for fundraising; and (5) post-conference communications.

3:00

*Adjourn*