Overview of Achievements

While the pandemic continued to affect our ability to provide legal services, particularly at partner agency sites, the Community Service Society of New York (CSS), through its Legal Department and the Department’s Next Door Project (NDP), persevered in providing direct assistance remotely, and in some cases in person, to more than 662 low-income New York City residents. All our clients were members of our target population: low-income New Yorkers with conviction histories, many of whom had experienced homelessness, substance use disorders and/or mental health issues; and current or prospective CUNY students, including incarcerated individuals. Our reduced numbers reflect challenging circumstances for CSS and our clients. Many partner agencies had difficulties adapting to pandemic-related challenges (including quarantining), so fewer individuals participated in many agencies’ programming. We began new, intensive partnerships with groups such as the Fortune Society and Housing Works, offering virtual trainings and in-person rap sheet-related services on-site and at our offices. Advanced technologies aside, ordering fee-waived rap sheets still requires in-person fingerprinting. With our office reopening on a limited basis, we were increasingly able to provide this and other rap sheet-related services, while continuing to provide virtual Know Your Rights trainings for clients and partner agency staff, and one-on-one client legal sessions. In August 2021, while John Jay remained physically closed, we were able to resume in-person legal services at Otisville. We continued to represent individuals remotely in applications to seal convictions and engaged a second firm to assist in working on these matters pro bono. We continued to be deeply involved in the Clean Slate NY campaign, which CSS co-leads: the Clean Slate Act was amended and reintroduced in both the Senate and the Assembly; we fully believe that it will pass this session. We presented about Clean Slate and our current sealing law in many forums, including a faith leaders’ roundtable attended by approximately 70 people and a convening of the Rochester-Monroe Anti-Poverty Initiative attended by approximately 40 members. We also continued our representation – with co-counsel Youth Represent and Outten & Golden – of a prospective class of applicants boxed out of a major delivery services employer’s online hiring platform due to their conviction histories. The class is estimated to number 11,302 individuals.

Population Served: Low Income New Yorkers with Arrest and/or Conviction Histories

Area Served: New York City Metropolitan Area

Total IOLA Grant: $80,000

Staffing Full Time Equivalents:
- Total Staff: 10
- Lawyers: 5.5
- Paralegals: 3
- Other Staff: 1.5
Direct Legal Services: Cases

Employment and licensing:
CSS represented client PM in moving to seal her sole criminal conviction pursuant to CPL 160.59. We conducted detailed interviews with PM, compiled proof of positive change, and worked with her to draft an affidavit in support of her motion. Despite her long history of successfully maintaining employment, getting promoted, and holding positions that required a high degree of financial responsibility, her conviction had served as a barrier to pursuing her desired career path. The sealing of her conviction has allowed her to move forward without carrying those unnecessary barriers; she is now seeking a new job in her chosen field at a considerable raise in pay from her current position.

Records Sealing:
Mr. P participates in a John Jay Institute for Justice and Opportunity college-in-prison program and is scheduled to be released shortly. To best prepare for employment on the outside, Mr. P wanted to ensure his official criminal records were accurate and review them to ensure he fully understood them and could competently answer questions about them if posed by an employer. We ordered his rap sheet and found that indeed another person’s arrest information – including a warrant – was mixed in with Mr. P’s. We worked with the Queens County Criminal Court clerk and the NYPD to remove the improper information from the rap sheet, then obtained an updated copy and reviewed it with Mr. P, who now feels confident in discussing his history.
Other Services: Overview

CSS attorneys engaged in several virtual community legal education events, covering such topics as New York’s criminal record sealing law, C.P.L. §160.59; the NYC Fair Chance Act (FCA); the marijuana decriminalization law and its automatic expungement provisions; legal protections against criminal records-based employment discrimination; and issues facing individuals with conviction histories seeking higher education. At most all sessions we distributed legal information materials. Our goal in each of these presentations was to educate individuals and service providers on rights and remedies, and to provide them with information about our services. Our community legal education presentations reached more than 275 individuals over the program year.

We also provided more than 536 individuals with pro se Know Your Rights, sealing, employment, and related legal assistance through virtual and in-person trainings in cooperation with nonprofit partner agencies, distributing legal information materials at each session.

### Number of People who Benefitted from Services Other Than Direct Legal Representation

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<table>
<thead>
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<td>Community Legal Education</td>
<td>405</td>
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<td>Pro Se Assistance</td>
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1,972 People Benefitted by Services Other Than Direct Legal Representation
Other Services: Technology and Other Innovations

Because operations continued to be primarily remote this program year, CSS relied heavily on technology. CSS-provided iPhones and laptops continued to be essential means of communication. We used Microsoft Teams and Zoom platforms for internal meetings, and meetings and presentations with/for those outside CSS. For some multiagency teams we used WhatsApp. CSS migrated all files and email to the cloud. We used SharePoint for inter-dept. work. The Legal Dept. deployed a customized Salesforce case management system which, because of its complexities, took time to operationalize – it should be fully available this coming program year. We continued to use the Legal Hotline created with Youth Represent, which connects callers with attorneys or NDP rap sheet specialists.

When it was possible for a small number of staff to return to the office, we set up a special room for rap sheet fingerprinting outfitted with plexiglass barriers and other adjustments, including computer and projector connectivity which allowed staff to interact remotely with clients, and to safely engage in fingerprinting once paperwork was complete. In this way we were able to offer essential rap sheet services when all other similar programs had ceased doing so.

Other Services: Trainings

The CSS Legal Department helps foster staff professional development by encouraging attendance at conferences and continuing legal education programs, leadership development trainings and online learning platforms. The Practising Law Institute (PLI) provides CLE trainings to CSS free of charge; CSS attorneys avail themselves of this opportunity agency-wide. Legal Department attorneys regularly participate in webinars on topics relevant to their work, such as those presented by the NAACP Legal Defense and Education Fund, the New York City Bar Association, and NELA-NY. Attorneys from Simpson Thacher and Frankfurt Kurnit provided virtual trainings for CSS staff (including non-attorneys) on FOIL procedure and intellectual property legal concerns involving social media, respectively. When new members join the CSS Board (generally this happens once a year), they meet individually with the heads of each department who give presentations about history, functions and major achievements, answer questions and encourage further involvement. CSS attorneys also develop professionally by providing trainings to nonprofit partner agency staff and clients on reentry-related laws and practices.
Pro Bono Volunteer Involvement

CSS works with pro bono counsel on client matters, on general legal matters outside our expertise, and on matters pertaining to the ongoing nonprofit status of the organization. Attorneys from Simpson Thacher and Frankfurt Kurnit provided virtual trainings for CSS staff (including non-attorneys) on FOIL procedure and intellectual property concerns involving social media, respectively. Schulte Roth and Zabel attorneys assisted with spot legal advice; Fross, Zelnick provided key advice and counsel on intellectual property matters. Morrison and Foerster and Proskauer attorneys represented CSS clients in applications to seal conviction records pursuant to C.P.L. §160.59, supervised by CSS attorneys. Two attorneys in private practice, Roland Acevedo and Alan Rosenthal, continued to function as key resources on legal matters relating to occupational licensing and conviction records. Attorneys from Lawyers Alliance provided expert guidance on lobbying rules and restrictions; NYLPI helped connect us with pro bono resources (including Morrison and Foerster).

Law Students: CSS provided law practice externship placement to four Brooklyn Law School students during the Fall and Spring semesters of the 2021-2022 academic year. In June 2021 we hosted a “Pro Bono Week” intern from Schulte Roth.

Other Volunteers: Because of the pandemic, we temporarily suspended the work of our older adult volunteers who assist with NDP this past program year. We hope to reengage them – and recruit more such volunteers – when it is safe to do so.

30 Attorneys volunteered 199 hours

5 Law Students volunteered 315 hours

Significant Collaborations

- Recognizing the continuing value of CSS’s criminal records sealing campaign work, the New Venture Fund again supported CSS, the Legal Action Center (LAC) and two additional groups to push the statewide Clean Slate NY campaign forward. We work very closely with Legal Action Center, and with Clean Slate steering committee groups The Legal Aid Society, Bronx Defenders, Center for Community Alternatives, Hudson Catskill Housing Coalition, and policy entrepreneur Zaki Smith. We also collaborate with the large cohort of organizations that are members of our Clean Slate coalition.
Significant Collaborations

- CSS contracts with the Research Foundation of CUNY to provide legal services for CUNY students with conviction history-related questions and issues. A dedicated CSS attorney provides advice, rap sheet work, informal advocacy, and legal representation to students there and in college programs Otisville Correctional Facility. Most services were provided remotely this year, though regular visits to Otisville resumed in August.

- CSS contracts with the Fortune Society to provide Know Your Rights trainings and rap sheet-related legal services to Fortune clients. Trainings are provided remotely; fingerprinting and rap sheet ordering is done in person.

- CSS works closely with ACE Program for the Homeless to provide legal services to its clients. We have hired a new attorney to provide these services on-site (together with services to be provided on-site at Hour Children, another partner agency).

- CSS continued its pro bono project through which law firm associates represent CSS clients in C.P.L. §160.59 sealing cases. We added the firm Morrison & Foerster to our partnership, working with them and with Proskauer on this project. The firms worked on a number of cases despite the pandemic, but court closures and slowdown meant that few petitions were granted this year; many are pending.

- General Counsel Judy Whiting is co-chair of the Coalition of Reentry Advocates (CoRA), a statewide organization that promotes legislative and administrative reforms to alleviate collateral consequences of criminal convictions.

Sources of Funding

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![Source of Funding Pie Chart]