COLLATERAL CONSEQUENCES OF CRIMINAL CONVICTION: LAW, POLICY AND PRACTICE, 2018–2019 EDITION

By Margaret Colgate Love, Jenny Roberts and Wayne A. Logan

This volume is a comprehensive resource for practicing lawyers, judges and policymakers on the legal restrictions and penalties that result from a criminal conviction over and above the court-imposed sentence.

Today, many millions of Americans have a criminal record of some kind, potentially triggering a vast array of highly burdensome and stigmatizing consequences that can have life-long debilitating effects. This volume provides comprehensive discussion and analysis of these after-effects of the nation’s ongoing “tough on crime” policies, ranging from loss of civil rights and employment opportunities, to registration and residency restrictions. It serves as a single go-to resource for lawyers, judges, and policymakers as they negotiate the often complex and obscure statutes and regulations that come into play as a consequence of arrest and conviction.

Features & Benefits:

- Describes specific types of consequences, including firearms dispossession, licensing and contracting bars, and travel restrictions
- Discusses legal and ethical duties of counsel and courts
- Explains varied methods of rights restoration and preservation
- Covers criminal practice-related issues (charging, negotiating pleas, sentencing, appeals and collateral relief)
- Covers access to criminal records and regulation of criminal background checking
- Discusses current and possible future law reform efforts (ALI/MPC, state initiatives, etc.)
Summary of Contents:
Chapter 1. Introduction, Historical Background, and Overview of Issues
Chapter 2. Types of Collateral Consequences
Chapter 3. Constitutional Challenges
Chapter 4. Collateral Consequences and the Right to Counsel
Chapter 5. Access to and Use of Criminal Records
Chapter 6. Regulation of Employment and Occupational Licensing
Chapter 7. Restoration of Rights and Status After Conviction
Chapter 8. Practice Issues for the Criminal Case: Advocacy and Administration
Chapter 9. The Future of Collateral Consequences

Reviews:
“An extremely important contribution to an issue that desperately needs more attention. Millions of lives have been turned upside down by our expansive criminal justice system and the often unintended and frequently unjust collateral consequences of conviction.”
— BRYAN STEVENSON, Executive Director, Equal Justice Initiative, professor at New York University School of Law.

“This impressive volume proposes practical ways to roll back the millstone of invisible punishment that keeps millions of Americans in a state of diminished citizenship. In the name of justice, let the reform movement begin!”
— JEREMY TRAVIS, Executive Vice President of Criminal Justice, Laura and John Arnold Foundation

“This important book documents the many ways in which the tangled web of conviction-related consequences creates and sustains a caste-like system that disproportionately affects people of color.”
— MICHELLE ALEXANDER, Author of “The New Jim Crow”

“There are many facets of our criminal justice systems in need of reform, but none are more important than the collateral consequences of criminal convictions. In this comprehensive book, the leading experts in the field shine desperately needed light on this dense tangle of issues, always the first step toward correcting miscarriages of justice.”
— JOHN GLEESON, Partner, Debevoise & Plimpton, former United States District Judge, and adjunct professor at New York University School of Law

“This book will be a definitive resource for legal aid practitioners, public defenders and any other attorney who represents an individual who has (or faces) a criminal conviction. Keep it on your desk and refer to it often!”
— JO-ANN WALLACE, President & CEO, National Legal Aid & Defender Association