

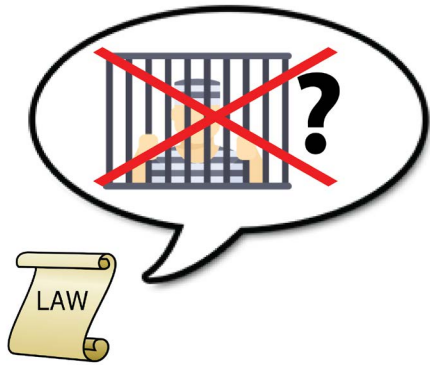


*Easy Read Edition*

**Crisis In Our  
Communities:  
Racial Disparities in  
Community Living**

**Part 4: The Criminal Legal  
System**

# Words To Know for Part 4



## Ban the box

Ban the box is a name for a type of law. These laws say that employers and landlords can't ask if someone has been arrested or gone to jail.



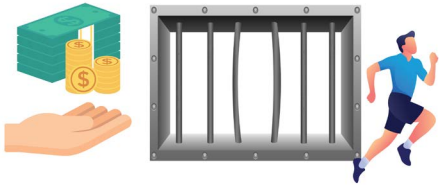
## The Criminal Legal System

The Criminal Legal System is the government system whose job it is to decide if someone broke the law. It decides whether someone who broke the law should be punished, and what those punishments should be.

## Expungement



Expungement means erasing a record. In the criminal legal system it is when a judge erases some or all of someone's criminal record after the punishment.



## Money bail

Money bail is a system where people who are arrested need to give money to the court to be let out of jail. Money bail is sometimes called cash bail



## Pardon

Pardon means forgiveness. In the criminal legal system, someone in charge of a government can use pardons to forgive a crime. Usually this person is a president or governor. Getting a pardon basically means the government says the crime didn't happen. If someone is still being punished and they get a pardon, that punishment ends.





## Public defenders

Public defenders are lawyers who help people who have been accused of crimes and can't afford to pay a lawyer on their own. Everyone has a right to defend themselves if they are accused of a crime. Public defenders are meant to help make sure we have that right.



## Qualified immunity

Qualified immunity is a special rule made by the courts for when people accuse police of breaking the law. These rules make it harder to prove that the police break the law. The rules make the person who got hurt prove that the police knew the law. They have to prove the police broke the law on purpose.

## Restorative justice



Restorative justice is a name for a different approach to justice than the criminal legal system. Restorative justice is a group of ideas about how we can help the person who broke the law and anyone they hurt, instead of removing them from the community.



## Substance Use Disorder

Substance use disorder is a disability. A lot of people who don't get support for substance use disorder have trouble in the criminal legal system.



## Vocational Rehabilitation

Vocational Rehabilitation is a support provided by the state government to help people with disabilities get jobs. It is sometimes called VR for short. The supports VR gives depends on what each person needs.

# Policing, Race, and Disability

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The criminal legal system is the government system.



The job of the criminal legal system is to decide if someone broke the law.



The criminal legal system decides whether people should be punished.



It decides what those punishments should be.



There are a lot of parts to the criminal legal system.

There are:



- Courts and judges.



They figure out if someone broke the law.



They decide if someone should be punished.



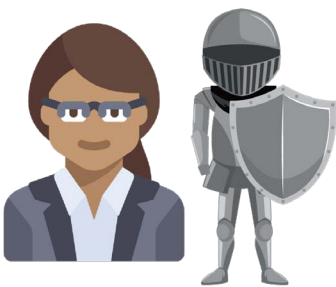
They decide what sort of punishment people should get.



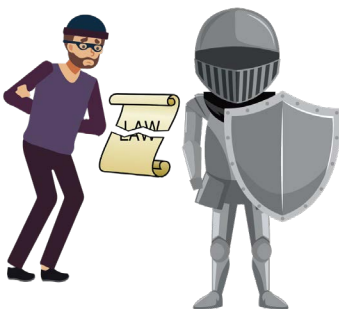
- Police.



The job of police is to arrest people who they think broke the law.



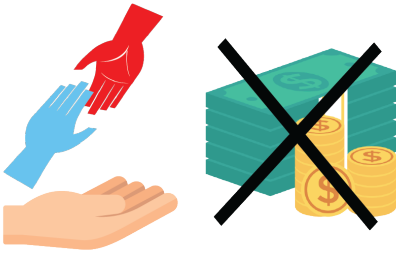
- Defense Lawyers.



They defend people who are accused of breaking the law.



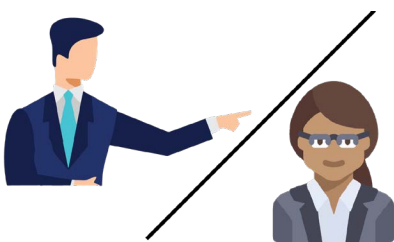
Some of these lawyers are called **public defenders**.



They help people who can't pay for a lawyer on their own.



- Prosecutors.



These are also lawyers.



Their job is to prove people broke the law



- Jails.



Some people who are accused of breaking the law get put in jail.



People in jail are removed from their communities.



People get put in jail before courts decide if they broke the law.

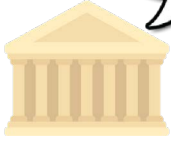


- Prisons.

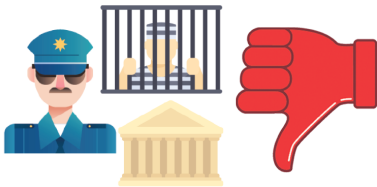




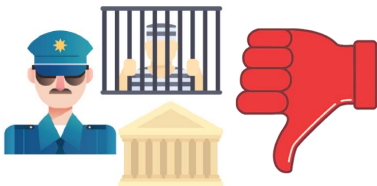
These are places where people who get punished are put after they are removed from communities.



Prison is part of the punishment people are given for breaking the law.



The criminal legal system causes a lot of problems for people with disabilities.



The criminal legal system causes a lot of problems for people of color.

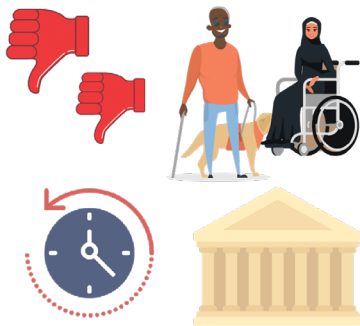




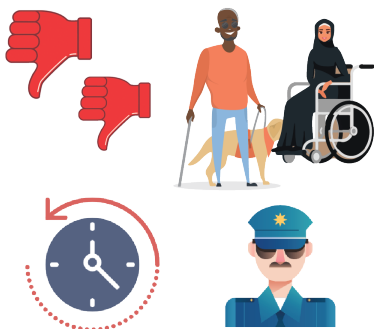
The criminal legal system especially causes a lot of problems for people of color with disabilities.



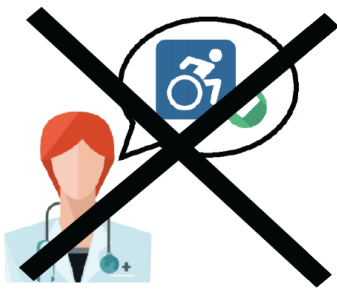
The problems the criminal legal system creates for people of color with disabilities start before prison.



They start before courts and lawyers.



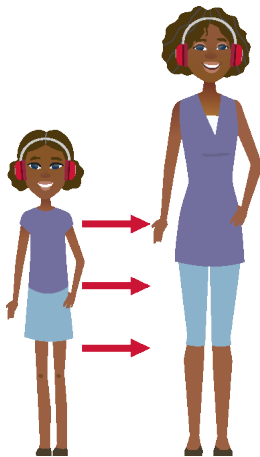
They start before the police.



Many types of disability are not diagnosed as often in people of color.



Many times they are misdiagnosed.



This is especially true for intellectual and developmental disabilities.



It is also true for mental health disabilities.



When we get misdiagnosed we don't get the support we need.



Without support, people of color with disabilities get more in trouble in school.



They are more likely to be suspended.



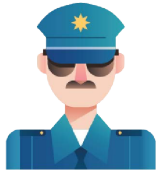
They are more likely to be expelled.



When someone is suspended or expelled they aren't allowed to go to school.



People who are suspended or expelled are at more risk of getting arrested.



A lot of schools also have police in them.



When police are in schools, students have more risk of being arrested or hurt by police.



Most of the problems students in schools have are about breaking school rules.



Most of them are not crime problems.



Most of them are not safety problems.



Sometimes they are problems caused by support needs.



Police are trained to think of problems as crime or safety problems.



The main job of police is to stop crime or safety problems.



They are trained to arrest people to stop these problems.



They are trained to use violence to stop these problems.



This means that police will use violence and arrest to stop these problems.



This puts students at more risk of violence or arrest.



This puts students who have support needs at even more risk.



Police are in schools with more students of color more often.



This means that students of color are more likely to encounter police.



Even if police aren't personally racist against Black students, they are more likely to use violence or arrest them.

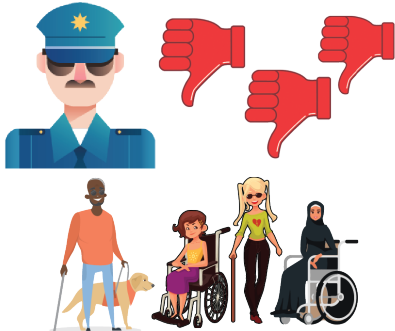




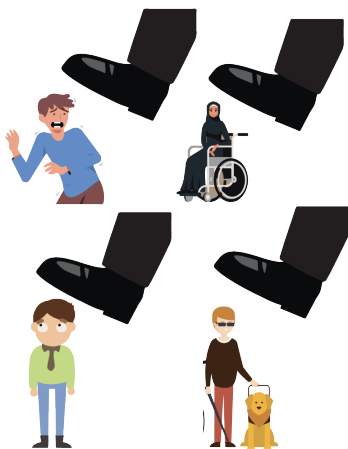
Even if they treat everyone the same, they are in schools with more Black students more often.



This means Black students are more likely to experience violence and arrest from police in schools.



Policing is especially dangerous to people with disabilities.



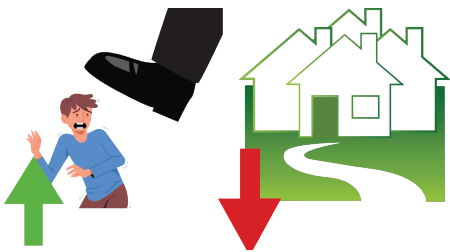
Up to half the time police use violence against someone, it involves someone with a disability.



Many times this violence is because the police do not understand us or what we need.



Many times this happens when the police are called to help us.



When we are at risk of police violence, it is hard to live in our communities.



It becomes hard for us to spend time in public.



If police think we are a crime or safety problem, it isn't safe for us



We won't spend time where the police will stop us.



Police spend a lot more time stopping people in some communities.



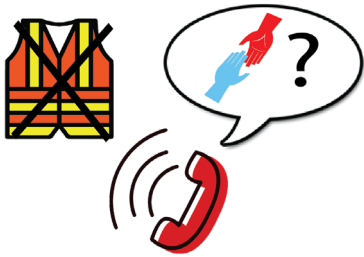
If we live in these communities this makes it hard to work or see other people.



It can make it hard for us to ask for help in an emergency.



Police are usually the first ones to come when someone asks for help in an emergency.



If police are dangerous to us then this makes asking for help dangerous too.

## Jail and Prison



When someone is put in prison, it removes them from their community.



If they were working, they can lose their jobs.



They can lose supports they were relying on.



They can lose contact with their family and friends.



They lose the right to control where they go and who they see.



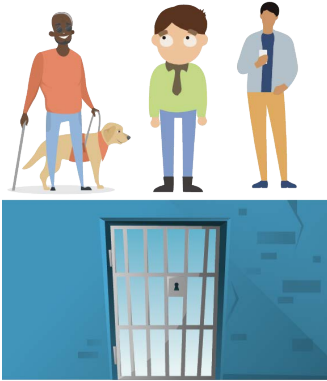
These are all things that institutions do as well.



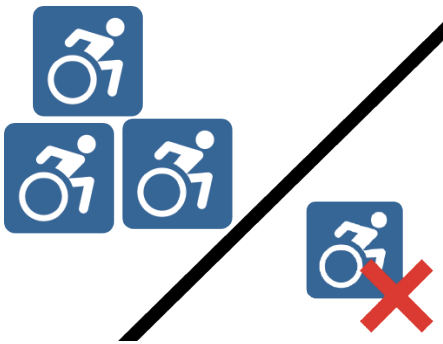
A lot of people with disabilities are put in prison.



1.4 million people are in prison in the US.



About a third of those people have at least one disability.



This is about three times the rates for people in general.



Because of this, prison is sometimes called the “largest institution in America”.



There are more people with disabilities in prison.



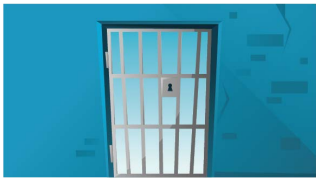
Some people with disabilities end up in prison because of their disabilities.



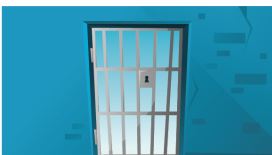
Prisons are also not very safe or healthy places.



They do not have healthy food.



The conditions people live in are often bad.



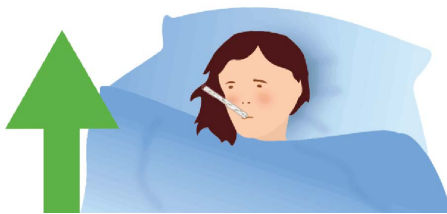
It is a stressful place.



People are more likely to experience violence.



People in prison often don't get the health care they need.



This makes it easy to get sick in prison.

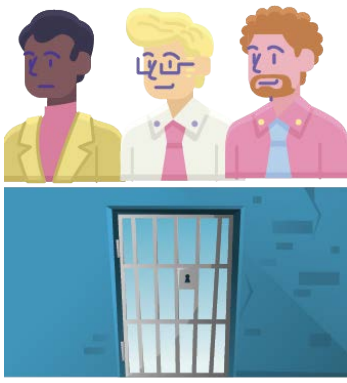


This means people become disabled in prison.

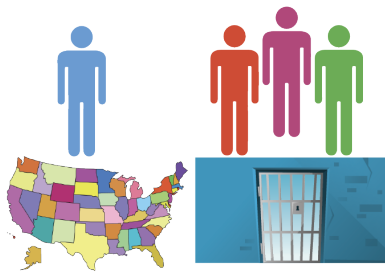


People of color are put in prison much more often than white people.





More than one-third of people in prison are Black.



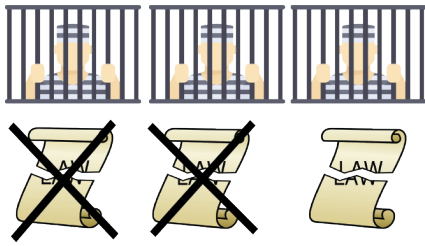
That's more than three times Black people's share of the population



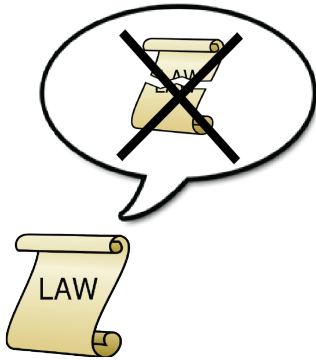
Three out of every ten Black men are expected to be arrested and put in jail at some point.



There are also far more people of color with disabilities in prison than their share of the population.



Besides federal prison, two thirds of people in jail have not been convicted of a crime yet.



The law says this means they are presumed innocent.



But they are still held against their will.



They are still removed from their communities.



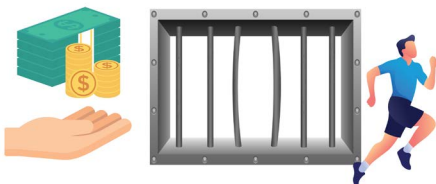
They still lose their jobs, housing, and supports.



Sometimes they have to wait a very long time to go to court.



People in waiting for trial are the group of people in jail that has grown the most in recent years.



One reason a lot of people are in jail is **money bail**.

HELLO  
my name is

# Cash Bail

Money bail is sometimes also called cash bail.



Money bail means that when someone is arrested, they have to pay money to the court to get let out of jail.



The idea is that this money makes it harder for people to run away when they get out.



But it doesn't do a good job at this.



Money bail does not do a good job at keeping people in jail if they are more likely to run away.



Instead it means people who don't have a lot of money stay in jail more.



People who are forced to stay in jail have a harder time defending themselves in court.



They already have a hard time affording a lawyer.



They are more likely to lose their supports.



They are more likely to lose their jobs.



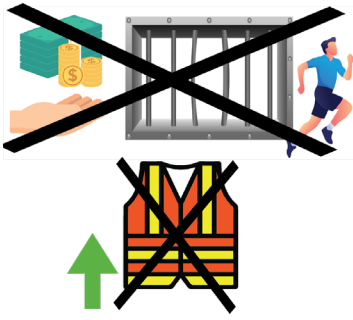
They can lose access to their health care.



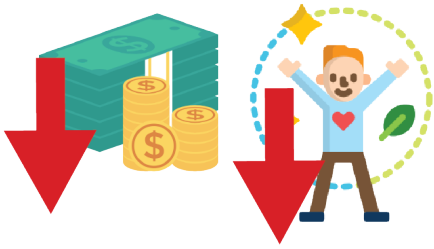
Jails are crowded.



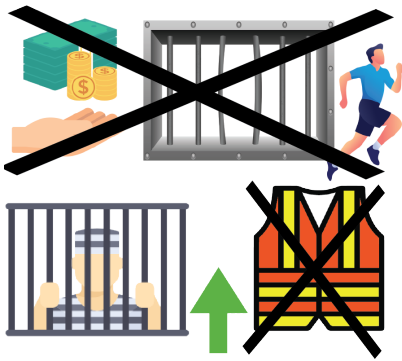
Jails are unsafe.



People who cannot afford to pay bail are vulnerable in other ways.



This is because not having a lot of money means someone is at risk of poor health.



Being in jail because of money bail puts them at even more risk.



Besides jail before trial, there are other problems with the criminal legal system.



There are often accessibility problems in the court system.



This can make it hard for people with disabilities to get a fair trial.



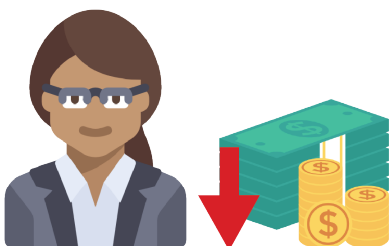
People with disabilities often are not tested or diagnosed.



This makes it harder for them to get accommodations when they need them.

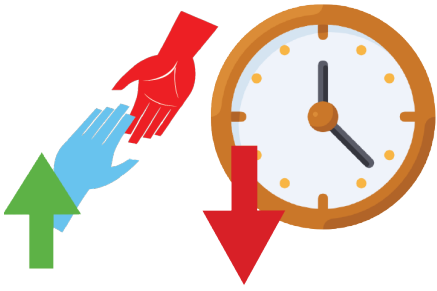


It also makes it harder for people with disabilities to defend themselves in courts.



This is because public defenders don't have much money.

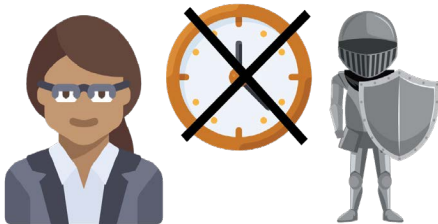




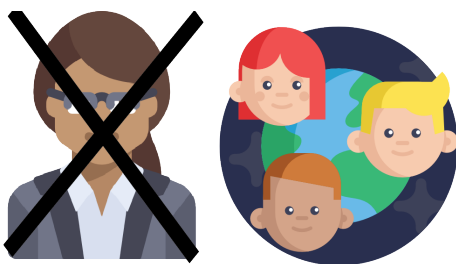
These lawyers often have to help a lot of people with very little time.



They often don't have the money they would need to defend anyone well.



They often don't have the time to spend with people who need help.



There often aren't enough of them to help everyone who needs a lawyer.



This means that people who have problems with the court system often have a harder time defending themselves.



This means courts are more likely to say they broke the law.



They are more likely to punish them.



Courts are more likely to say disabled people need to be taken away from the community.



They are more likely to put us in prison or institutions.



Everyone is supposed to have the right to defend themselves in court.



But disabled people and people of color have a much harder time getting a fair chance.

# What can we do?

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## Alternatives to police that won't hurt people or force them into institutions.



Any time police are in a situation, there is a chance they will arrest someone.



There's a chance they will hurt or kill someone.



This is because the main job of police is to arrest people.



Police are trained to use violence if they think a situation is unsafe for them or someone else.



They always have a gun.



Using a gun is part of their job too.



One of the best ways to keep police from hurting or killing people is to keep police out of situations that don't need them.



One of the best ways to keep police from arresting people is to keep police out of situations that don't need them.



We can have other people help instead.



These people should be experts at talking to people and helping them get help.

For example,



Alice is having a mental health crisis.

Alice calls a phone number



She says she is having a mental health emergency and needs help



Instead of sending the police, that phone number sends Bob to talk to Alice.



Bob is a social worker.



He is not a police officer.





He doesn't carry a weapon.



It is not part of his job to arrest people or use violence.



Bob's job is to talk to people and help them figure out how to get the help they need.



In this example, Bob is not the police.





He doesn't do what police do.



He won't arrest Alice or force her into a hospital or institution.



Bob should be trained to help people choose the help they need.



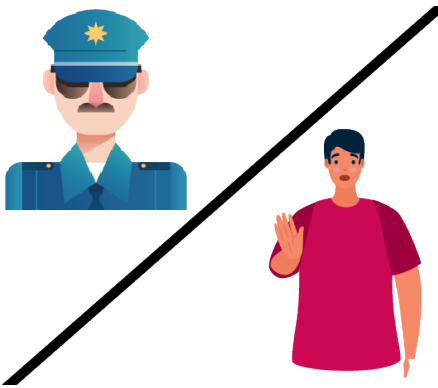
When Bob talks to Alice, the police don't come with him.



It would not be okay if Bob came with the police.



Then, the police are still there.



The main job of police is very different from Bob's job.



If police think the situation is dangerous, they will hurt or arrest Alice.



We should make sure there are enough people like Bob to help people.



One way to do this is to make sure we build the systems that use this.



This means we should make sure there are places that hire and train Bob to help people.



We should also make sure that there are places that Alice can call to get help.



Right now in America, the main phone number people know to call in an emergency is 911.



It took a lot of time and money to make sure people knew about 911.



Both the government and the phone companies worked hard to get everyone to use 911.



This is important for two reasons.



We need to have a number that people call for mental health or support emergencies.



But we can learn some lessons from 911 about how that should work:



This number should be easy to use and remember.



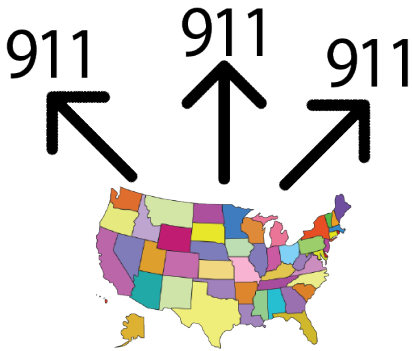
It should be accessible to people with all sorts of disabilities.



It should be the same number in as many places as possible.



It is very important to spend time and money so people know about it.



The other important thing to remember is that 911 is well known and available nearly everywhere in America.



Even if we have a number for mental health emergencies, a lot of people will still call 911.



It is important to make sure that 911 operators know to send mental health emergencies to the right places.



It is important that they do not send police as the main response when they don't need to.

## Hold Police Responsible; Not Just More Training



Police can use violence to stop crimes.



But a lot of times they use more violence than they need to.



A lot of times they use violence when they shouldn't.



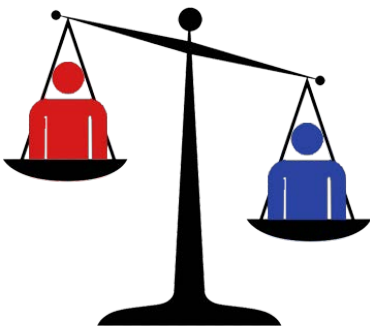
A lot of people get hurt or killed by police.



This violates our rights.



We have a right not to get hurt or killed for no reason.



When our rights are violated it can be **discrimination.**





Discrimination is when we are treated unfairly because of who we are.



A lot of times when police hurt us, it is discrimination.



It is important to hold police accountable when they hurt us.



It is important to hold police responsible when they violate our rights.



They shouldn't get away with it.



Otherwise, they will keep doing it.



Right now, the police usually aren't held responsible.



People keep getting hurt.



Most discrimination is not because of mistakes.



When police hurt us, it is usually not because of mistakes.



It is not because the police don't know the right thing to do.



When police violate our rights, it is often because of policies.



When police hurt us, it is often because of policies.



It might be because policies aren't working the way they should.



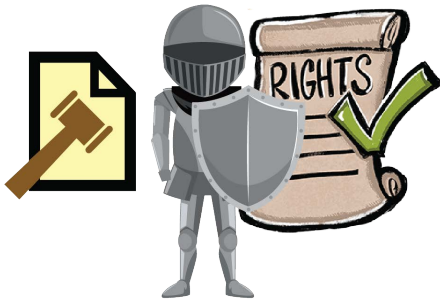
It might be because policies make it easier to do the wrong thing than the right thing.



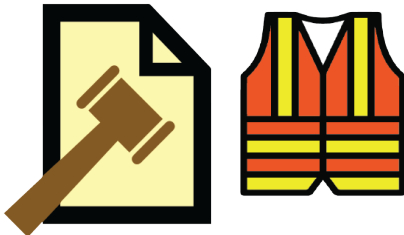
It might be because the policies we need just aren't there.



It is important to change those policies.



We need policies that protect our rights.



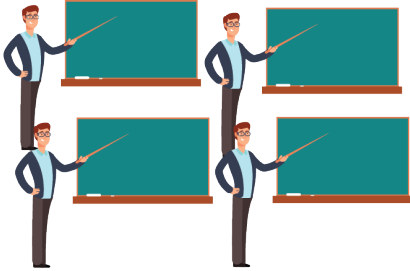
We need policies that keep us safe.



Some people say that police don't need new policies.



They say police just need more training.



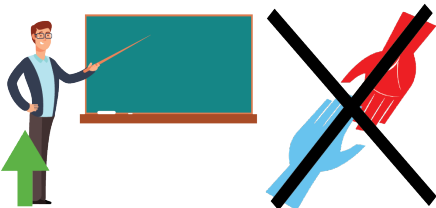
But police already get a lot of training.



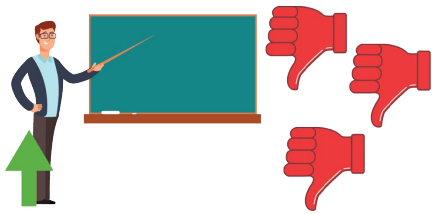
They already get training about our rights.



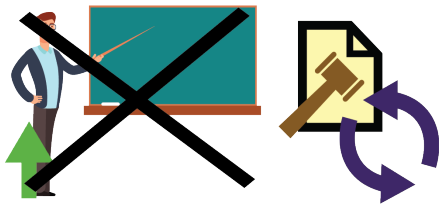
They already get training about not hurting us.



More training won't help.



Some types of training can even make things worse.



We need to change policies to hold police accountable.



Changing policies can be hard.



But it is important.



Police who violate our rights are breaking the law.



Police need to follow the law.



If police don't follow the law, it isn't safe for anyone.



Policies aren't just about one police officer.



When police hurt us, it is more than one person's choice.



Police departments train police.



They tell them how to behave.



They tell them what is okay and what isn't okay.

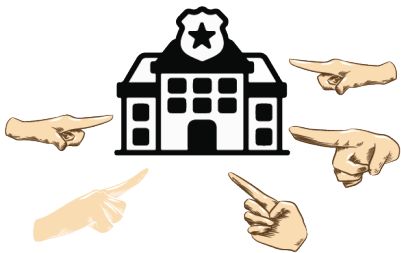


If police do something wrong, the police department has to find out what happened.



They have to make sure it doesn't happen again.





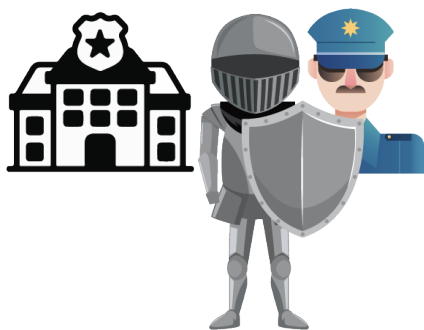
If police do something wrong, the police department has responsibility too.



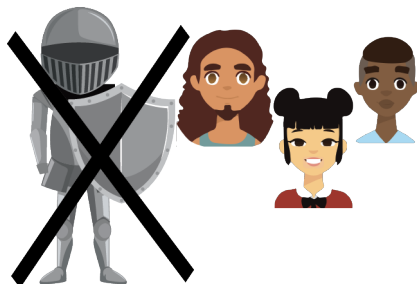
They need to keep everyone safe.



But some departments don't do their job.



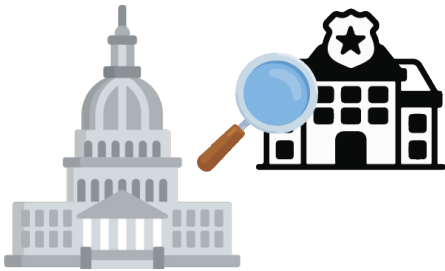
They protect the police who work for them.



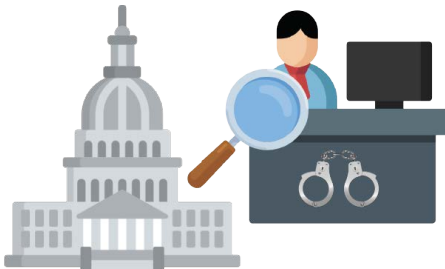
But they don't protect the people those police hurt.



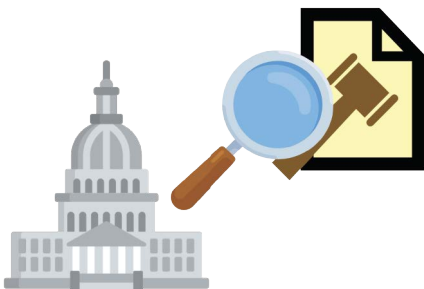
This isn't safe.



The federal government needs to pay attention to police departments.



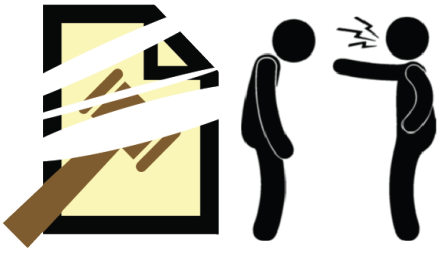
They should look at the way police departments work.



They should look at the policies they use.



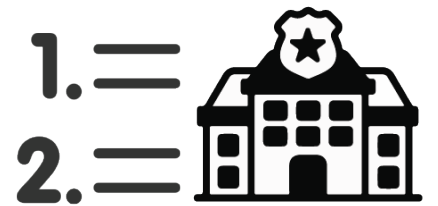
They should make sure police departments keep records of when they hurt people.



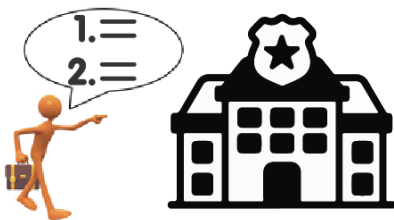
They should make sure they are responsible when they break their policies.



It isn't enough to make rules for police to follow.



The government also needs to make sure that police departments follow the rules.



It is important to enforce the rules for police departments.



If they don't enforce the rules, they won't work.



If they don't enforce the rules, it isn't safe.



If the police break the law, they should have to go to court.



But a lot of the time the courts don't hold police responsible.



The court made special rules for police.



These rules are called **qualified immunity**.



The rules make it harder to prove that the police break the law.



The rules make the person who got hurt prove that the police knew the law.



They have to prove the police broke the law on purpose.



This isn't fair.



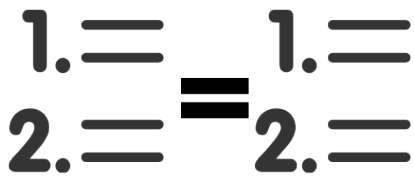
There shouldn't be special rules for police.



Police should have to follow the law.



It is their job.



Courts should have the same rules for police as for everyone else.



We should end qualified immunity.

# Alternatives to Jail and Prison



Jail and prison are two different parts of the criminal legal system.



They both take people out of their community.



When people get taken out of their community it is hard to stay safe.



They lose supports they rely on.



They have trouble getting them back when they get out.



Jail and prison are bad for their health and can make people sicker.



They can make people get new disabilities.

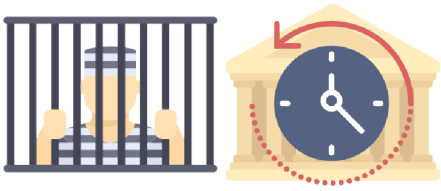


We should find ways to keep people from going to jail.



We should find ways to keep people from going to prison.

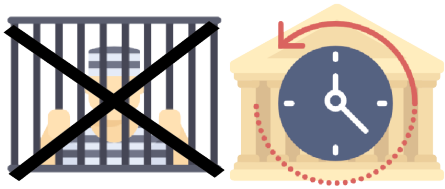




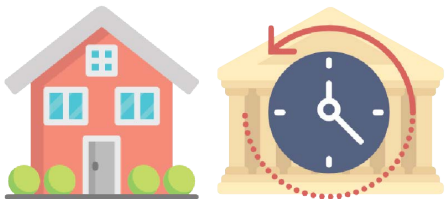
People get put in jail before they go to court..



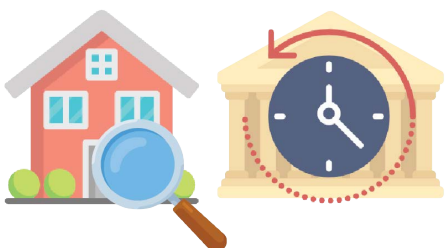
A lot of people in jail have not been found guilty of anything.



There are other options for most people accused of crimes.



People can be allowed to stay at home.



They can be monitored to make sure they come to court.



This can let people keep their communities and supports.



If they aren't guilty they won't be punished for no reason.



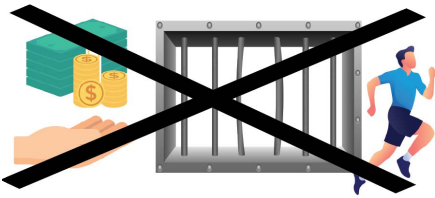
This can also make it easier for people to defend themselves fairly.



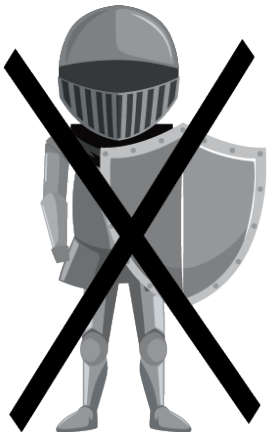
People have a right to defend themselves when they're accused of crimes.



The government should not be making it harder.



We can keep people out of jail by getting rid of money bail.



Money bail does not help protect the public from dangerous people.



Money bail makes it so that only people with a lot of money can be free before trial.



People who do not have much money can wind up in jail for a long time.



Sometimes people end up in jail for years.



These are also people who have not been found guilty of anything.



This can happen when people are accused of small crimes.



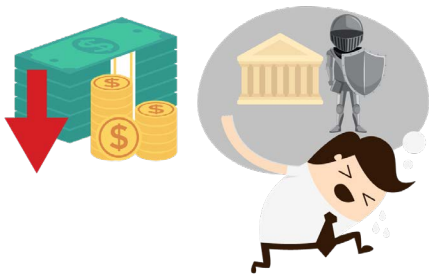
It is not fair.



It means only people with a lot of money can stay safe if they are accused of crimes.



People without much money have a risk of bad health.



People without much money already have a lot of trouble defending themselves.



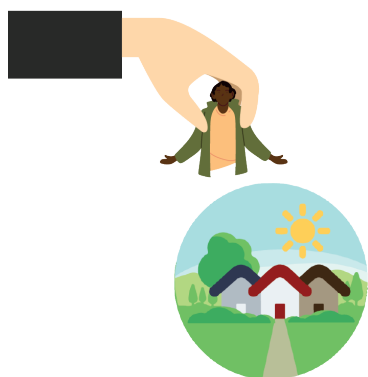
Money bail makes those inequalities worse.



We should make the criminal legal system use prison less.



Prisons are a lot like institutions.



They remove people from their communities.



They are often not very good at supporting health or disability needs.



We should come up with ways to make a more fair system.



We should make a system that helps people get supports.

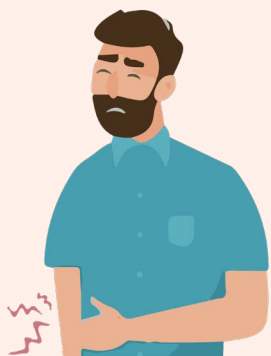


We should find ways other than prison or institutionalization to do this.



Other ideas about justice are sometimes called **restorative justice**.

For example:



Joe is very hungry.



He does not have money to buy food.



So he breaks into Marco's home.



He steals food out of Marco's fridge.



Joe gets arrested for stealing food from Marco.

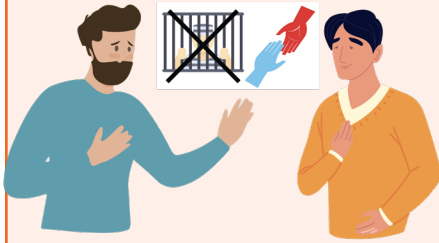


Marco feels bad for Joe.





He does not want Joe to go to prison because Joe was hungry.



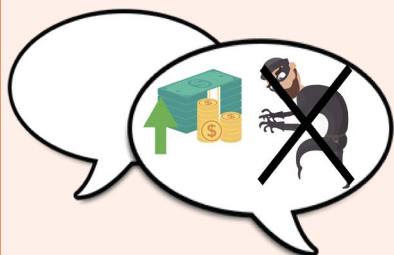
So Marco and Joe do restorative justice.



Joe apologizes to Marco for stealing his food.



Joe and Marco talk about how Joe can pay Marco back for the food he stole.



They talk about ways Joe could get more money so he can buy his own food.



They talk about programs that could help Joe.



Marco and Joe did restorative justice.



They talked about ways Marco could get help.



They talked about ways Joe could get help.



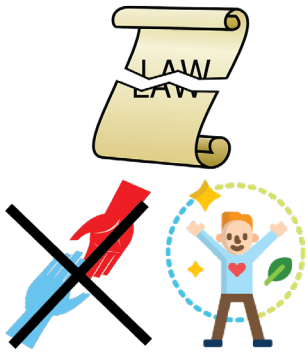
Joe didn't go to prison.



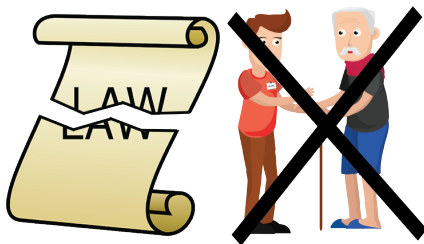
A lot of times these ideas focus on making things right for the victim of crime.



It means helping both the victim and the person who hurt them both get support.



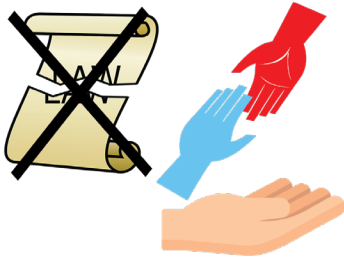
Sometimes people break the law because they aren't getting help for health problems.



Sometimes people break the law because they aren't getting supports they need.



Prison makes it harder to get support, not easier.



We can help people stay out of trouble by helping them get support for those needs.



We can address the health and social needs that led to their problems.



Sometimes people are arrested because they don't have homes.



They already can't stay safe or healthy.



They sometimes get in trouble while trying to do their best to stay safe.



Helping people get homes can help them stay out of trouble.



It can help them stay healthy and safe.



It can help them start to get other supports.



Sometimes people get in trouble with the laws because of drugs.



For some people this happens because of a disability called **substance use disorder**.



A lot of people with substance use disorders have other disabilities too.



Helping people find support for substance use disorders can help them stay healthy.



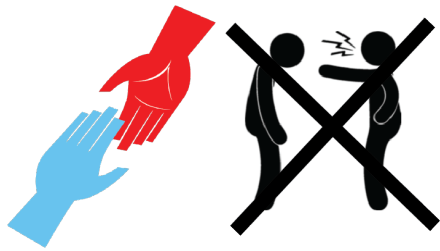
It can help them stay safe.



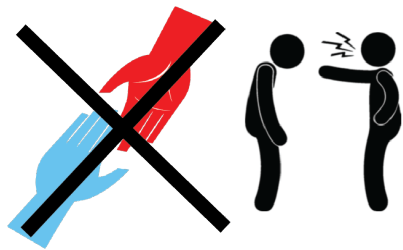
It can help them keep from getting in trouble again.



It is important to make sure that this support is actually helpful.



It is important that we don't use supports as a way to punish people.



If we do that then people won't want to use supports.



They will try to avoid them.



This will make them less safe.



It will make them less healthy.



These ideas can help keep people connected to their communities.



Prison removes people from their communities.



It makes it harder to get services and supports.



It makes it harder to stay safe and healthy.

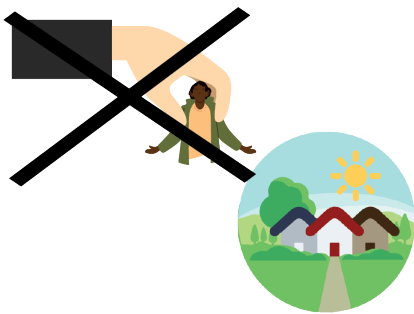




It makes it more likely people will get in trouble again later.



We need to try out new ways to keep people away from prison.



We need to help them keep or improve their connections to their communities.



We need to help them get support if they need it.

## Support the justice-involved at all stages



When someone is arrested it is hard to get supports.



When they are put in jail or prison it becomes even harder.



People with disabilities often lose supports we need.



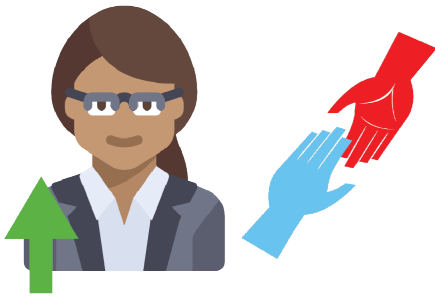
We should be sure to do enough to help people in the criminal legal system.



People with disabilities still need supports.



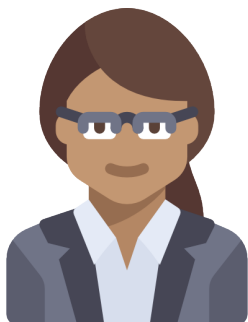
Many times we do not get the attention to these needs that we deserve.



One place we need more support is legal help.



We have a right to defend ourselves if we get accused of crimes.



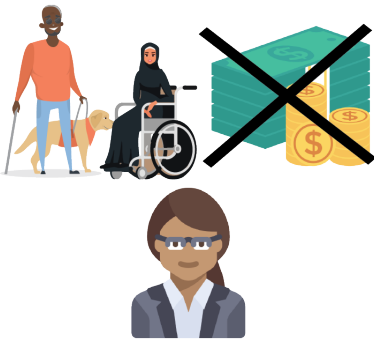
That includes having a lawyer to help.



But lawyers cost a lot of money.



And a lot of people who are accused of crimes don't have much money.



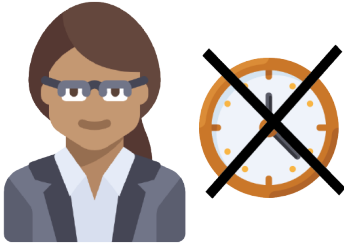
People of color with disabilities especially don't have much money.



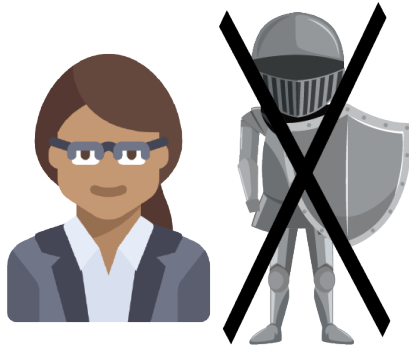
This means a lot of us need to use public defenders.



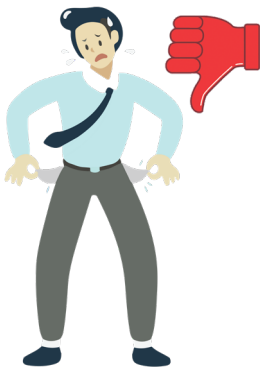
There are not enough public defenders for everyone who needs lawyers.



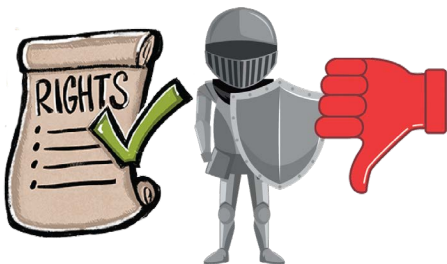
That means if we need lawyers we don't get a lot of time with them.



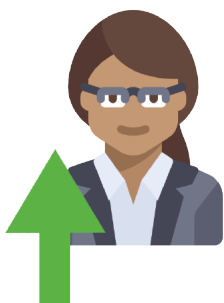
The lawyers can't make the best defense possible.



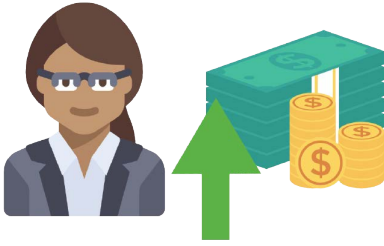
This hurts poorer people who need lawyers a lot.



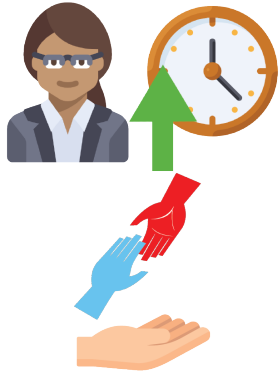
And it hurts our right to defend ourselves.



We need to make sure that there are more public defenders.



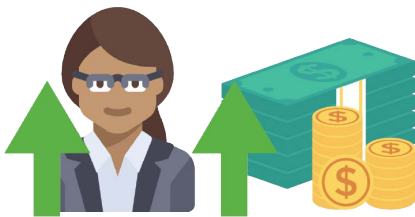
We need to make sure they have enough money to help everyone who needs them.



We need to make sure they have time to help everyone who needs them.



People with disabilities can need more time and money to defend themselves.



There needs to be enough public defenders and money to do this.



It's not enough to support people only before they go to court.



We need to make sure people in prison get the support they need.



People with disabilities in prison often do not get supports they need.



They should.



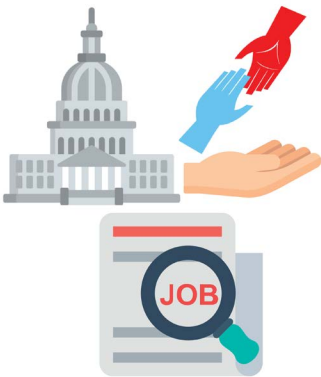
It is important to get supports.



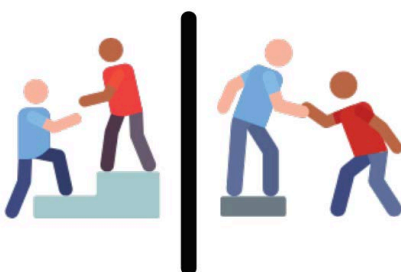
Getting supports can help them be successful after prison.



They can help reduce the risk of going back to prison later.



One support that helps people with disabilities find jobs is called **vocational rehabilitation**, or VR for short.



The sorts of help VR gives depends on what each person needs.



Some of the things VR can include are:



- Tests to identify job skills, strengths, challenges, and how ready we are for work



- Job skills training before work



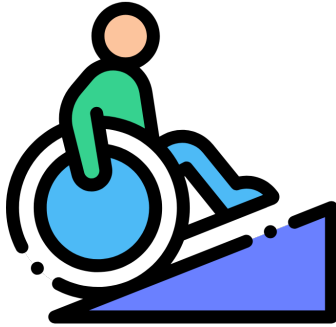
- Job skills training during work



- Help deciding what kind of job someone wants



- Help finding a job



- Working with employers to get accommodations.



Getting VR before leaving prison can help people with disabilities who are returning.



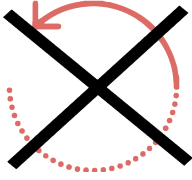
It can make it easier for them to join their communities.



It can help them find ways to make money.



It can mean they won't go back to prison.



But many people in prison aren't able to get VR.



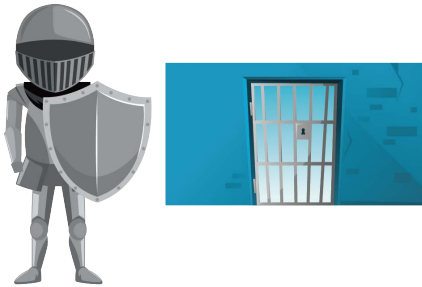
A lot of disabled people in prison are never diagnosed.



If they aren't diagnosed they won't get VR services.



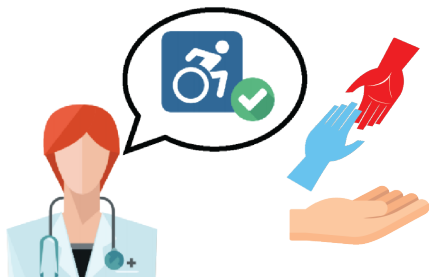
People with disabilities should be identified as early as possible.



This can also help them defend themselves.



But it is also important to continue to diagnose people in prison.



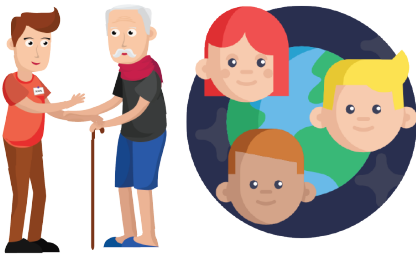
It's important to get them the help they need.



Many people with disabilities are ignored by the legal process.



Some people become disabled in prison.



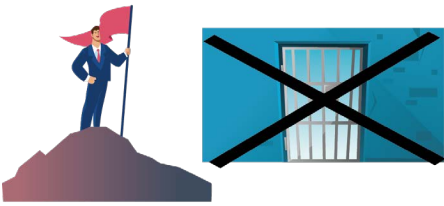
We need to make sure we support everyone with disabilities.



We should make sure we help them get the support they deserve.



If we do it can help them succeed.



If they succeed after prison they can stay out of trouble.



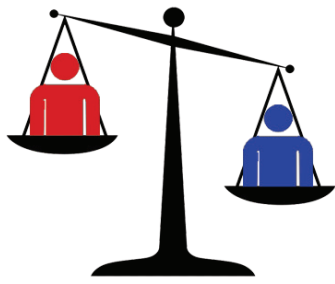
We also need to make sure people have the supports they need after prison.



People returning from prison often have problems getting services and supports.



They often have trouble getting housing and jobs.



They often face discrimination.



We should build more programs to help people navigate the return from prison.



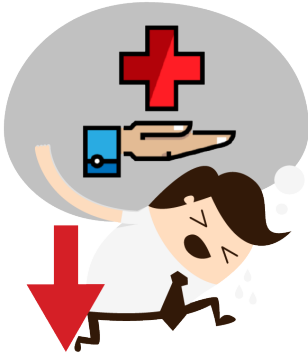
These programs should pay particular attention to people with disabilities returning.



A large number of those returning are disabled.



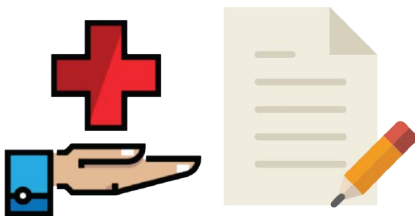
They often do not get the supports we need as people with disabilities.



One important thing we can do is make it easier for returning people to get Medicaid.



Usually when someone is on Medicaid and goes to prison, their Medicaid is canceled.



When they return, they have to apply again.

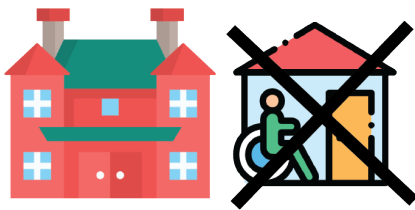




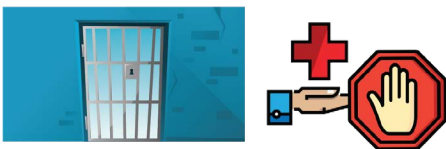
They have to go back on wait lists to get services.



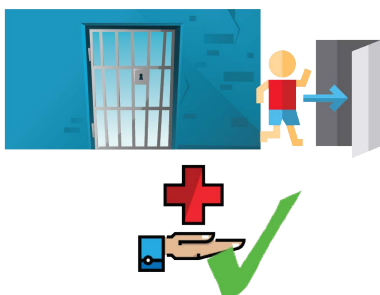
If someone returning needs HCBS, this can mean waiting a long time all over again.



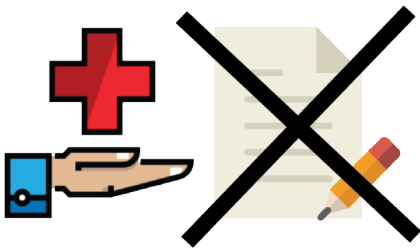
They are more likely to end up in an institution instead.



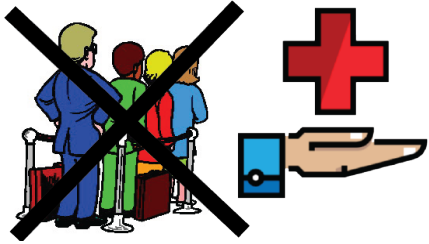
Instead of canceling Medicaid, states could choose instead to pause it.



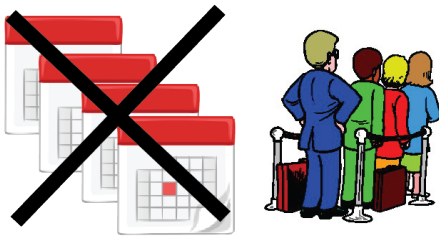
When someone returns from prison, they could start where they left off.



They wouldn't have to apply all over for services.



They would be at the same spot on wait lists as when they left.



This means they wouldn't have to wait as long to get services again.



We should keep people returning from prison safe and supported.



It makes it easier for them to be successful when they return.



When people return from prison, they also face discrimination.



They face discrimination trying to get housing.



They face discrimination trying to get jobs.



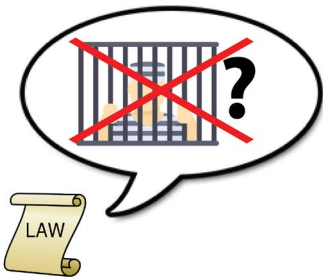
This makes it hard to become part of the community again.



It also makes it hard for them to stay healthy and safe.



Some places have tried policies to reduce this discrimination.



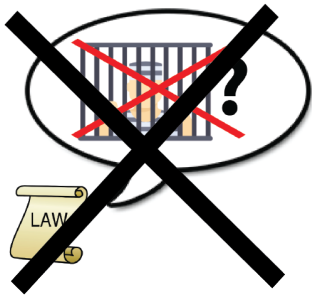
They have passed laws called “Ban the Box”.



This makes it illegal for jobs and homes to ask if people have been in prison.



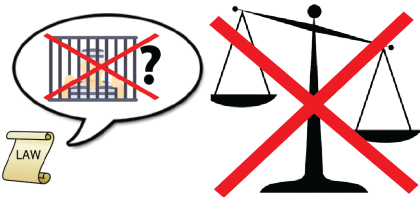
This can be a very good way to prevent some types of discrimination.



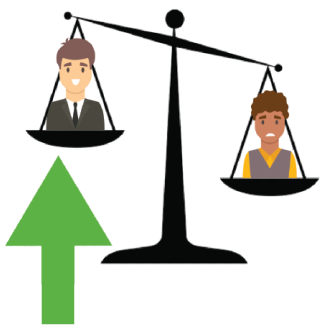
But it isn't perfect by itself.



Some places that have used Ban the Box have noticed a problem.



Ban the Box helps some returning people avoid discrimination.



But that when it was used, employers did more racial discrimination instead.



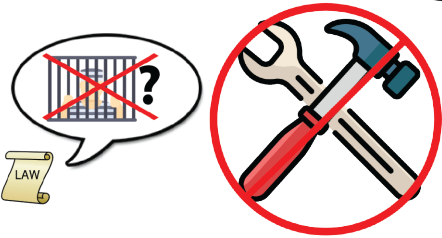
Racial discrimination is illegal.



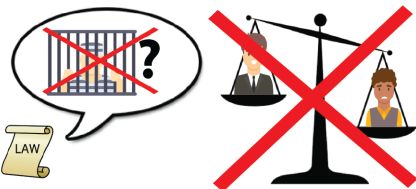
Employers should not be doing it.



But since they couldn't ask about criminal history, jobs were using details like race to guess about it.



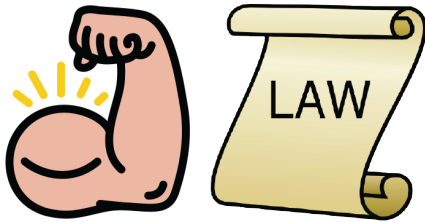
This means that Ban the Box can't fix things entirely by itself.



We also need to make sure that jobs don't do more illegal racial discrimination to get around Ban the Box.



We need to make sure that we are enforcing the laws against discrimination we already have.



We need to make those laws stronger.



We should also look at ways to remove people's criminal legal histories after they are done with their punishment.



One way of doing that is called **expungement**.



Expungement means erasing a record.



In this case, it is something a judge can do in some cases to erase all or part of someone's criminal record.



It usually happens when a crime is minor and it's someone's first charge or they were treated unfairly.



Sometimes they require a certain amount of time to pass without another problem.





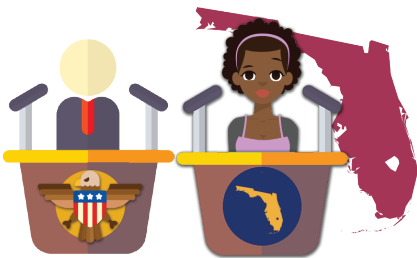
Another way this can happen is from a **pardon**.



Pardon means forgiveness.



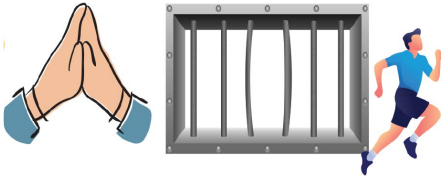
Someone in charge of a government can use pardons to forgive a crime.



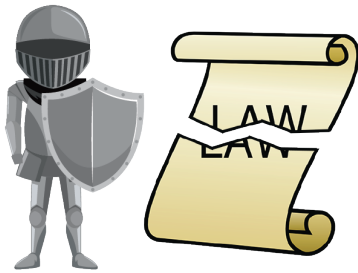
Usually this person is a president or governor.



Getting a pardon basically means the government says the crime didn't happen.



If someone is still being punished and they get a pardon, that punishment ends.



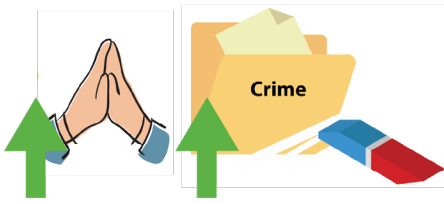
Nothing they got pardoned for can be used against them any more.



Pardons are much less common than expungement.



They are usually only used when someone was treated unfairly.



Some states are looking at ways to use expungement and pardons for many more people.



This is because they know that criminal legal histories hurt people for much longer than their punishment.



This is a type of unfair treatment.



Some laws have made some things crimes in ways that are racist.



Some laws are only enforced in racist ways.



This is also a type of unfair treatment.



Expungements and pardons can be ways to fix these.

