

Commercial Driver's License: If you commit a crime while driving a commercial vehicle, your license (CDL) will be suspended for 1 year. If you are convicted of a drug crime, your license (CDL) can also be revoked. If you are convicted of a DUI/DWI offense, your CDL license may be suspended.

Firearm Possession: Certain criminal convictions can prevent future possession of firearms. Also, if convicted of a gun-related crime, you must register with the Baltimore City Gun Offender Registry.

Voting Rights: Upon conviction of a felony charge, your voting rights are terminated until your sentence has been completed, including parole and/or probation. You must register again.

Military Service: Felons may not serve in any branch of the military.

Sex Offender Registry

If you are convicted of a sexual offense, you must register with Maryland's Sex Offender Registry as either child sex offender, sexually violent offender, offender, or sexually violent predator. The category of registration and the term of registration (usually 10 years or life) depends on the conviction. If you change your address or move out of state, you must notify the Department of Safety and Correctional Services in writing within seven days. If you fail to notify the Department, a warrant for your arrest will be issued and you will be subject to penalties. The state does not restrict where you will live based on your sex offender status, but you are permanently excluded from public housing options.

Immigration

If you are not a U.S. citizen, you may be deported because of the disposition of the criminal case. Many crimes are grounds for deportation. If convicted, and your conviction results in a sentence of one year or more, you can be deported.

Student Grants & Loans

If you committed a drug-related offense while you were currently receiving a student grant or loan, and you are convicted, you will lose the funding and be ineligible for student grants, loans, or work assistance for 1 year or longer.

DNA Database

Maryland law currently requires the collection of a DNA sample from an individual who has been charged with a crime of violence, or first, second, or third degree burglary. Your DNA sample will be stored in a state database.

Your DNA samples and records will be destroyed or expunged automatically from the state database if one of the following happens in your case:

- You receive a not guilty verdict
- Your case is dismissed
- Your conviction is reversed or vacated and no new trial is permitted
- You receive an unconditional pardon

Your DNA sample or DNA record may not be destroyed or expunged automatically from the state database if the criminal action is put on the stet docket or you receive probation before judgment. You will have to take additional steps

Questions?

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Collateral Consequences

of Your Contact

with the

Criminal Courts

"It's more than just a guilty finding"



Office of the

Public Defender

This brochure is for informational purposes and is not a substitute for speaking to an attorney about your individual case.

Current as of 10/07/09.

Introduction

This brochure introduces some of the consequences you may suffer as a result of contact with the criminal courts in Baltimore City. You may think that everything associated with the criminal case is finished when the case is closed. Many times, the consequences are more serious and long-lasting.

Your contact with the criminal courts can have collateral consequences. These consequences are legal, social and administrative problems that occur outside the criminal court system. Collateral consequences may affect employment, housing, health care, immigration, education and family matters.

This brochure will provide you with information about how your criminal case can affect other important parts of your life.

Examples of Collateral Consequences

Housing Benefits

Anyone with drug convictions may be denied public housing benefits. If you have been convicted of a felony drug offense, you can be denied for up to 3 years; if you have a misdemeanor drug conviction, you can be denied for up to 18 months.

If you currently receive public housing benefits, your landlord may file to evict you if you are arrested for a crime that would violate a condition of the lease or if you are deemed to be a threat to the health or safety of others or you are currently using illegal drugs.

Individuals subject to lifetime sex offender registration are permanently excluded from public housing.

Family Life

Marriage: If you have been convicted of a felony or misdemeanor, have been sentenced to prison for at least 3 years, and have served 12 months, the courts can grant your spouse an absolute divorce.

Child Support: You will still owe child support even if you become incarcerated, unless you file for a modification with the courts. Failure to pay all child support debts can result in charges, as well as suspension of professional and recreational licenses.

Parental Rights: If your child has been in an out-of-home placement for 15 of the most recent 22 months, the State of Maryland can take guardianship and terminate your parental rights. The State does not need to try and reunify your family if you have committed violent acts against any family members.

Employment

Licensing Requirement: People with criminal records may be denied an occupational license or permit by licensing agencies.

Background Checks: Your criminal record, including arrest, charges and dispositions, will be made public on the Maryland Judiciary Case Search website. Some employers are required by law to check criminal records.

Licensing for Employment (examples)

- **Education:** People convicted of certain crimes (sexual offenses, crimes of violence) are disqualified from working in schools.
- **Health & Mental Hygiene:** People with convictions for crimes of "moral turpitude," theft, or other activities that could be harmful to patients may be disqualified from working in health-related jobs.
- **Corrections:** People convicted of certain crimes may be disqualified from working in jails or prisons.

Public Benefits

Social Security: You will still be able to get Social Security benefits if you have a drug conviction. But if you are in jail or prison, payments will be suspended. Also, if you are incarcerated too long, you might lose benefits. If this is the case, you must reapply for the benefits after your release by going to your local social services office.

Benefits may be affected if you have an open felony warrant. However, check with Social Security if your benefits were stopped. If Social Security made a mistake, you may be entitled to reimbursement.

Medicaid: You will still be able to get Medicaid if you have a drug conviction. If you are in prison or jail, benefits will stop, but you are still on the enrollment list. When you get out, you will need to go to the local social services office to process the paperwork and show that you are released to resume benefits.

If you received Medicaid because it was tied to Social Security Income (SSI) and lost the SSI benefits while in jail or prison, then you will have to go to the local social services office's Medical Assistance SSI Unit to determine continuing eligibility and reapply for SSI to obtain Medicaid again.

Cash Assistance and Food Stamps: You can apply for these benefits with a felony drug conviction. You will have to attend drug counseling and submit to submit to drug testing; if you refuse to cooperate, your cash assistance and food stamps may end.

If you receive a felony drug conviction while receiving these benefits, you may become ineligible. If you have an open warrant, you may be ineligible for benefits.

Other Limitations

Jury Service: You cannot serve on a jury if you have had a prison sentence of more than 6 months, or have a pending criminal charge that would result in a sentence of more than 6 months service.