

# AFTER PRISON: ROADBLOCKS TO REENTRY

## A REPORT ON STATE LEGAL BARRIERS FACING PEOPLE WITH CRIMINAL RECORDS

### Report Card

#### SOUTH CAROLINA

Roadblocks are defined as unfair and counterproductive barriers to the reentry into society of people with criminal records, so the fewer the roadblocks, the better the score. Each of the 7 categories has a maximum of 10 roadblocks, so the highest (and worst) possible score is 70 roadblocks.

##### **EMPLOYMENT: 10 ROADBLOCKS**

Employers can ask about arrests that never led to conviction and refuse to hire anyone with a criminal record no matter their qualifications. No opportunity for people with criminal records to obtain certificates of rehabilitation.

##### **PUBLIC ASSISTANCE AND FOOD STAMPS: 5 ROADBLOCKS**

Individuals with drug-related convictions must submit to random drug tests and/or participate in an alcohol or drug treatment program to be eligible for cash assistance and food stamps.

##### **ACCESS TO CRIMINAL RECORDS: 8 ROADBLOCKS**

Arrests that did not lead to conviction may be destroyed, but the individual cannot deny the existence of those destroyed records if asked about them. Convictions may not be sealed or expunged, even if old or minor. Records are available on the internet.

##### **VOTING: 5 ROADBLOCKS**

Bars individuals who are incarcerated or serving parole or probation from voting.

##### **PUBLIC HOUSING: 5 ROADBLOCKS**

The Public Housing Authority of Charleston makes individual eligibility determinations based on relevance of criminal history, but considers arrests that never led to conviction.

##### **ADOPTIVE AND FOSTER PARENTING: 5 ROADBLOCKS**

Determinations about suitability to be an adoptive parent are made individually, but no individualized determinations about suitability to be a foster parent.

##### **DRIVERS' LICENSES: 9 ROADBLOCKS**

Licenses are automatically revoked or suspended when individuals convicted for all drug offenses, not just those related to driving. Licenses revoked for at least 30 days for some alcohol-related driving offenses, 6 months for some drug offenses, and a year for other drug offenses. Special restricted licenses may be available for employment or educational purposes after an individual enrolls in a special safety program if the individual lives more than one mile away from school or work and no adequate public transportation exists.

##### **TOTAL ROADBLOCKS: 47**

**Rank: 49th best out of 50**