

## Get the Facts

Do you have a criminal record?  
For people convicted of a crime,  
finding housing and employment  
can be extremely difficult.

This pamphlet provides  
information to help people with  
criminal records understand  
employment and housing laws.

## Restoring Your Right to Vote

**In Washington State, the right to vote is restored automatically to people with felony convictions** when they have completed their time in prison and have served any required community custody supervised by the State Department of Corrections (DOC). You no longer need to get a court order (Certificate of Discharge) to restore your right to vote.

Your right to vote has been restored if:

- a) You are no longer in DOC custody (i.e., in prison or other DOC confinement and
- b) No longer on community custody with the DOC (i.e. supervision or probation).

This means you are eligible to register to vote. In order to vote, you must register. You also must meet the other requirements for a Washington voter (age, citizenship, residency).

To find out if you are on or off community custody, call DOC at 800-430-9674. For more general information [visit the American Civil Liberties Union \(ACLU\)](#) or call 206-624-2180.

## Resources

[King County Bar Association  
Neighborhood Legal Clinics](#)

206- 267-7070

Call to meet with a volunteer attorney for up to 30 minutes of free legal advice and consultation. For civil cases only.

[King County Bar Association  
Lawyer Referral Services](#)

206-267-7010

Free referral to lawyers.

[Northwest Justice Project](#)

206-464-1519

Free civil legal services to low-income people.

[ACLU of Washington Foundation](#)

206-624-2180

Free legal information and referral.

[Northwest Women's Law Center](#)

206-621-7691

Free legal information and referral.

Information for this pamphlet was provided by the Seattle Housing Authority, U.S. Department of Labor's "Working Ahead" guidebook, Fair Housing Partners of Washington State and the ACLU of Washington Foundation.

### Seattle Office for Civil Rights

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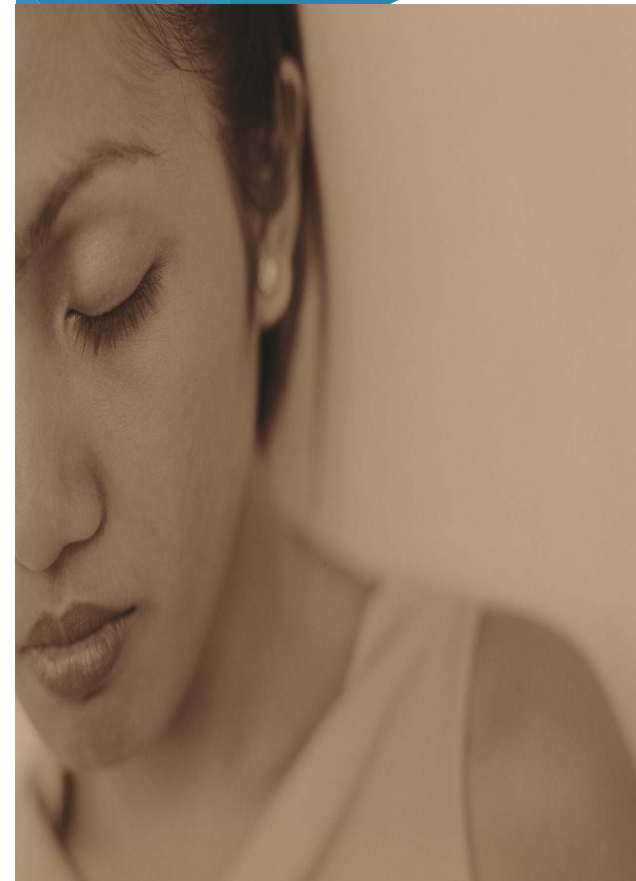
Tel: (206) 684-4500

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[www.seattle.gov/civilrights/](http://www.seattle.gov/civilrights/)

 **Seattle Office  
for Civil Rights**

## Employment and Housing Facts for People with Criminal Records



# Getting a Job

*I'm applying for a job as a gardener at a state university. I was convicted of forgery in 1995. Can they deny me employment based on my record?*

No. According to RCW 9.96A, public agencies (cities, counties, public schools, etc.) in Washington State are not allowed to discriminate against someone only on the basis of a past criminal record if:

1. The conviction does not directly relate to the job.
2. It's been over 10 years since the conviction.

The law does **not** apply to law enforcement agencies and jobs providing unsupervised access to children and vulnerable adults.

*I'm trying to get a job at a store in the mall. Can they decide not to hire me because I served time in prison five years ago?*

Yes. Washington State does not have any standards that keep private employers from discriminating against someone in the hiring process based on a past conviction. In applications and interviews, however, an employer is only allowed to ask about past convictions relating to the job duties and if the convictions or release from prison occurred in the last 10 years.

*The job application asks if I was ever arrested. I was arrested two years ago but was never convicted. Can they ask me this anyway?*

Yes. In Washington, employers are allowed to ask applicants about arrests that happened within the last 10 years even if they did **not** lead to a conviction. They must ask if the charges are still pending, have been dismissed, or led to conviction of a crime involving behavior that would negatively impact job performance.

It is increasingly common for employers to conduct background checks. Be aware that even if you have a sealed record, a past conviction might show up during a background check. If you are unsure on how to answer questions regarding arrests when filling out a job application, please contact one of the legal aid groups listed on the back of this brochure.

# Housing Facts

*I was arrested for a crime. Does the Seattle Housing Authority consider arrests that did not lead to a conviction in its admission criteria?*

Except in the case of pending drug prosecutions, the Seattle Housing Authority (SHA) does not consider arrests. SHA does however make individual determinations about an applicant's eligibility based on the relevance of the criminal record. If you have a pending drug prosecution you can be denied admission.

*I just got out of jail. How long will I be barred from getting SHA housing?*

The rules are set at the federal level through the Department of Housing and Urban Development (HUD), not SHA, but they do apply to SHA housing. If your offense was a drug-related eviction from public housing property there is a 3-year bar. This also applies to drug-related or violent crime activity that may threaten the health, safety, or right to peaceful enjoyment by other residents. The ban can be lifted early if the applicant completes certified drug or alcohol counseling.

*I am applying for SHA housing for my family. I heard that SHA can exclude us because my son was recently arrested for a violent crime. True?*

Yes. If your household includes someone who committed violent criminal activity (during a reasonable time before the admissions decision) and will be living with you, you may be denied housing.

*I got caught producing meth at my apartment which is subsidized by money from Housing and Urban Development. Can I be evicted?*

Yes. HUD-funded housing programs must evict tenants for:

- Manufacture/production of methamphetamines in any HUD funded housing program
- Alcohol abuse that interferes with other tenants' rights.

*I've heard there are some crimes that ban you or a family member from HUD-funded housing for life. What are these?*

Yes, you can be banned for life if you are:

- A registered sex-offender
- Convicted of producing methamphetamines on the premises
- Abusing drugs or alcohol which threatens the health, safety or right to peaceful enjoyment of the premises by other residents.

*I want to move into a privately owned apartment building. Can they deny me just because I have a criminal record?*

Yes. Landlords are allowed to screen and deny housing to someone based on a past criminal conviction.

*I was arrested last week for selling weed from the private house I rent. I haven't even been convicted yet but my landlord is trying to evict me. Can he do that?*

Yes. Landlords are allowed to evict a person who has been arrested (whether or not convicted) for:

- Engaging in gang or drug related activity, or allowing someone else to engage in these activities on the premises.
- Unlawful use of a firearm or other deadly weapon on the premises

Assault that occurred on the premises.  
*Note: If you are a victim of domestic violence and receive a notice to vacate from your landlord, you may not have to move. In Washington State, both the fair housing laws and the Residential Landlord-Tenant Act provide some protections against evictions in this situation.*

Tenants are entitled to an unlawful detainer hearing at which the landlord must provide evidence that they actually did what is alleged.