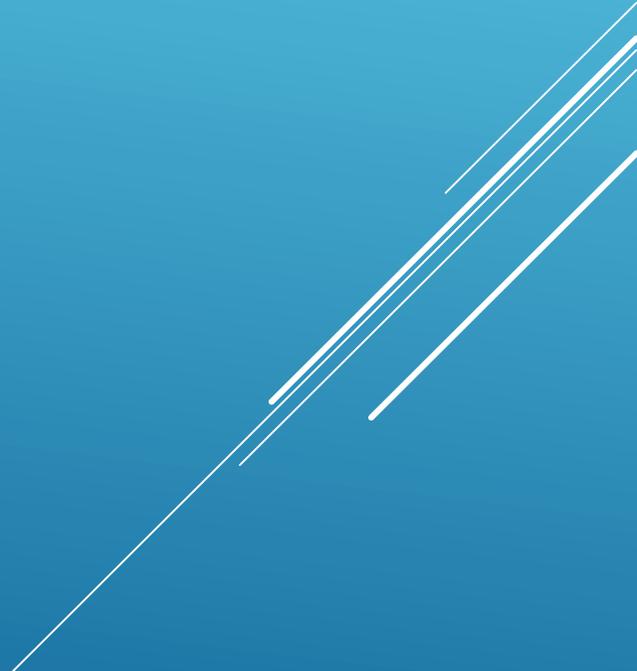


# LAW & ORDER

## Special Transfer Unit

**(Insert DUN DUN Sound here folks 😊)**

Tony Trodella, Associate Director of Admission & Coordinator of Transfer  
Admission Saint Anselm College

- ▶ **Why is Tony doing this?**
  - ▶ **Dealing with non-criminal/disciplinary concerns**
  - ▶ **Dealing with criminal convictions**
  - ▶ **Legal Terms and Scenarios (just the basics, no law degree required)**
  - ▶ **Ban the Box movement**
  - ▶ **Questions and other comments**
- 
- A decorative graphic consisting of several parallel white lines of varying lengths, slanted diagonally from the bottom right towards the top right, set against a blue background.

- ▶ **Tony's Background**
- ▶ **Westfield State College (was not a university back in the day)**
- ▶ **Double Major Criminal Justice/Psychology**
- ▶ **Police Officer/Sgt. 6 years**
- ▶ **Probation/Parole Officer 3+ years (Specialized caseloads including sex offenders and domestic violence offenders)**
- ▶ **Protective Services Manager (Fairchild Semiconductor) duties included working with HR in new employee/intern background investigations**
- ▶ **Career Change into Higher Ed beginning in Residential Life/Student Conduct (transferable skills see the above list) 7 years**
- ▶ **College Admissions last 10 years**
- ▶ **I am not an attorney. I do not play one on TV. I'm not claiming to be a legal expert!**

# WHERE DOES IT ALL START? (USUALLY)

▼ Disciplinary History

Have you ever been found responsible for a disciplinary violation at any educational institution you have attended from the 9th grade (or the international equivalent) forward, whether related to academic misconduct or behavioral misconduct, that resulted in a disciplinary action? These actions could include, but are not limited to: probation, suspension, removal, dismissal, or expulsion from the institution. \*

Yes

No

[Clear](#)

Have you ever been adjudicated guilty or convicted of a misdemeanor, felony, or other crime? Note that you are not required to answer "yes" to this question, or provide an explanation, if the criminal adjudication or conviction has been expunged, sealed, annulled, pardoned, destroyed, erased, impounded, or otherwise required by law or ordered by a court to be kept confidential. \*

Yes

No

[Clear](#)

What is your next  
step?

# WHY IS YOUR INSTITUTION ASKING THESE QUESTIONS?

- ▶ **Does the applicant demonstrate the ability to comply with campus policies as to not disturb the learning and living communities?**
- ▶ **Does the situation regarding a criminal conviction impact their eligibility for specific programs? (Nursing or Education for example)**
- ▶ **Can the student be successful at the institution? Are their restrictions or conditions that do not make that realistic?\***
- ▶ **liability?**

**\* Colleges and Universities are not responsible for maintaining supervision or compliance of conditions of probation or other type of release.**

## **What do you need? What are you looking for?**

- ▶ **Did the student provide the required explanation?**
- **Did it make sense or seem realistic? (Did the punishment fit the crime?)**
- **Is there a pattern of behavior? ( “Well the 5<sup>th</sup> time I was suspended...” )**
- **Is there reference to it in a recommendation or College Report (if required)?**
- **Do you need other documentation (court records or reports)?**
- **How do you approach at your institution?**

**Who are your allies? (Campus Police/Dean of Students Office)**

**Is it necessary to consult legal counsel? Is it required?**

**Required Interview?**

# SOME TERMS YOU MAY OR MAY NOT BE FAMILIAR

- ▶ **Misdemeanor :** *Offenses lower than felonies and generally those punishable by fine, penalty, forfeiture, or imprisonment other than in a penitentiary (usually served in county jail or house of correction with a sentence of not more than one year).*
- ▶ **Felony:** *A serious crime, characterized under federal law and many state statutes as any offense punishable by death or imprisonment in excess of one year.*
- ▶ **Probation:** *A sentence whereby a convict is released from confinement but is still under court supervision; Probation can be given in lieu of a prison term or can suspend a prison sentence if the convict has consistently demonstrated good behavior.*
- ▶ **Parole:** *The conditional release of a person convicted of a crime prior to the expiration of that person's term of imprisonment, subject to both the supervision of the correctional authorities during the remainder of the term and a resumption of the imprisonment upon violation of the conditions imposed.*

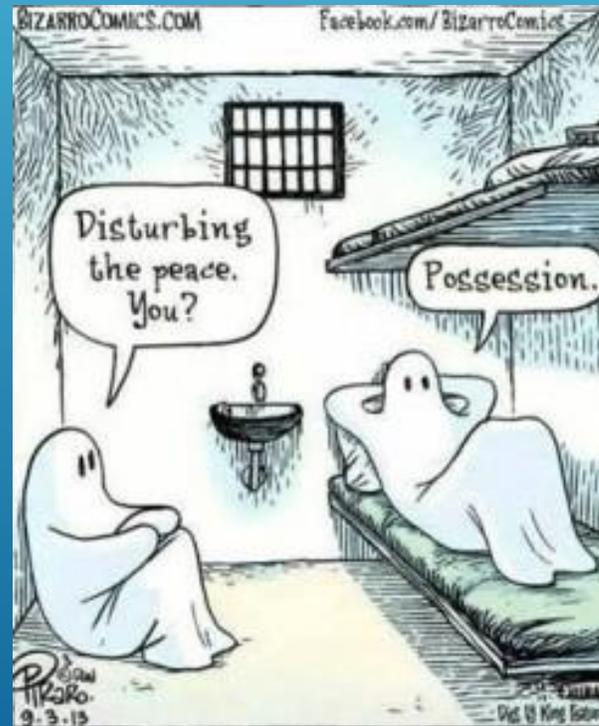
\*Black's Law Dictionary Free 2nd Ed. and The Law Dictionary

# TERMS CONTINUED...

- ▶ **Split Sentence:** The dividing of a sentence for criminal conviction with divides the period of incarceration and community supervision. (ex: 7 years with all but 3 suspended followed by 4 years probation).
- ▶ **Plea Bargain/Agreement:** a negotiation between the defendant and his attorney on one side and the prosecutor on the other, in which the defendant agrees to plead "guilty" or "no contest" (**nolo contendere**) to some crimes, in return for reduction of the severity of the charges, dismissal of some of the charges, the prosecutor's willingness to recommend a particular sentence, or some other benefit to the defendant.
- ▶ **Filed or Continued Without a Finding:** A procedure in which a charge is dismissed if the defendant has no new criminal charges within a period of time determined by the court. Should new criminal charges be brought the filed charges will then be prosecuted.

# A COUPLE OF THINGS TO REMEMBER

- ▶ **Terminology will be different in different states ( ex. OUI, DUI, DWI, don't drink/drug and drive folks)**
- ▶ **The same term can have different definitions in different jurisdictions (ex. Assault in MA vs. Assault in NH)**



# BAN THE BOX

The **Ban the Box** campaign was started by All of Us or None, a national civil rights movement of formerly-incarcerated people and our families. We started the campaign in 2004, after a series of Peace and Justice Community Summits identified job and housing discrimination as huge barriers to our successfully returning to our communities after jail or prison. The campaign challenges the stereotypes of people with conviction histories by asking employers to choose their best candidates based on job skills and qualifications, *not* past convictions. Since 1 in 4 adults in the U.S. has a conviction history, the impact of this discrimination is widespread and affects other aspects of life in addition to employment opportunity.

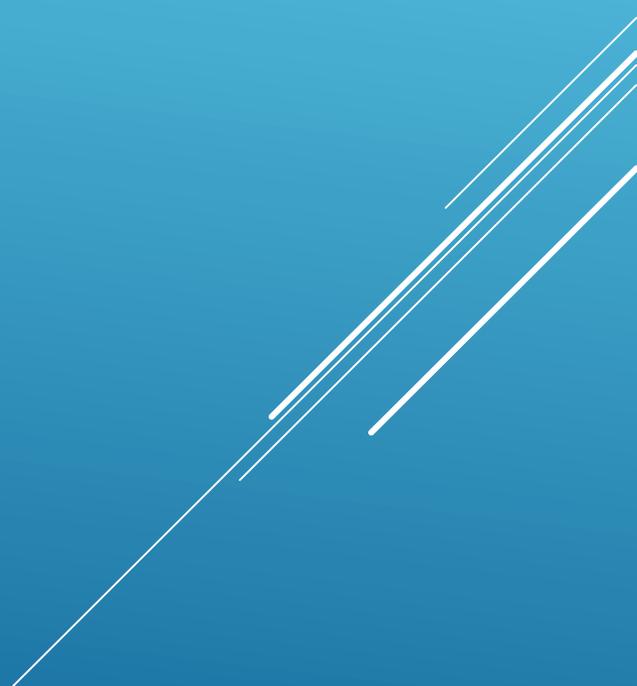
[www.bantheboxcampaign.org](http://www.bantheboxcampaign.org)

# Questions? Comments?

NO PART OF THIS PRESENTATION OR THE INFORMATION IN IT,  
CAN BE REPRODUCED OR USED WITH PERMISSION OF TONY TRODELLA

**You have been a wonderful audience. Please tip your servers and do your surveys.**

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Please be sure to fill out the session  
evaluation at:

[neacrao.org/feedback/](https://neacrao.org/feedback/)

Thank you!

