

## **Students' criminal records can be troublesome**

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Go to a party, drink excessively and take off at a run when the cops arrive.

This could be a page out of any unofficial college handbook. However, times might be changing as the repercussions of students' run-ins with the law are becoming more long-term.

Students are now finding that relatively minor legal offenses they commit during their undergraduate years are no longer simple smudges on their records, they're becoming nagging stains.

Mike Gambrel, a senior elementary education major at the University of Nebraska-Lincoln, knows these troubles all too well. During his freshman year, Gambrel was caught smoking marijuana in his dorm room, but the charges were later dropped after he completed pretrial diversion.

However, Gambrel had one more encounter with the campus police, which turned the spot on his record into a bigger smudge.

In November 2009, at the age of 20, Gambrel was drinking off campus on a Nebraska football game day. Upon returning to campus, a university officer noticed him stumble and questioned him. Gambrel was issued two citations: minor in possession of alcohol by consumption and minor misrepresenting age (with the use of a fake ID claiming he was over the age of 21).

Because he was no longer a first-time offender in Lancaster County, diversion wasn't an option this time. In return for his guilty plea to the minor in possession charge, the minor misrepresenting age charge was dropped, Gambrel said.

But with a charge now on his record, Gambrel may face challenges, especially now as he is applying for student teaching positions this week.

Larry Routh, director of UNL's Career Services, said the seriousness of a mark on an applicant's criminal history is dependent on both the nature of the job and the nature of the offense.

"It really is highly individualized," he said.

For example, procuring alcohol for a minor is considered a Class 1 misdemeanor (the most serious and carries the harshest penalties among misdemeanors). And that is not something you want to carry with you, said Shelley Stall, director of Student Legal Services at UNL.

“It looks really bad on your record, particularly if you’re in Teacher’s College or you’re interested in coaching, working with kids on any level,” she said. “Graduate school programs really don’t want to see that on your record and neither do employers. So it’s a thing to avoid.”

And being in the Teacher’s College himself, Gambrel recognizes the challenges he may face as he begins applying for student teaching positions.

“The director of the (College of Education and Human Sciences) spoke with us recently – those of us who are going to be student teaching soon – and he explained that a few years ago, some student didn’t disclose something, a charge that they’d done diversion for, because they felt they didn’t need to,” he said. “The school that they got hired on with ended up doing a background check, and that turned up, and the dude lost his job because of that.”

Employers typically perform some sort of background check on applicants, a practice that Routh has noticed increase dramatically, both formally and informally.

Formally, more technology is available to employers to look into job candidates, mainly in the number of online background checks, he said. And informally, employers increasing rely on social media.

“I don’t have any doubt that more employers are checking Facebook and social media sites,” he said.

Stall agrees the Internet is a changing force in the way employers hire and how much dirt they can dig up on candidates.

“What’s really happening here is technology has changed, and it’s still changing,” she said. “And so you may go through an expungement process in court where the judge issues an order erasing it, but if an employer can still find it online somewhere, what is that really worth?”

Because of this uncertainty, Stall recommends students go online and pay to have a background check run so they know what employers might find.

In the end, however, there is no complete nationwide criminal history check, according to the Lincoln Police Department website. So if students still are not sure if an incident will show up, honesty is always the best policy.

“What we tell students is it’s best to err on the side of honesty and give the whole story,” Stall said, “because the way you can really get in trouble and the way you can get fired from a job or maybe have an offer rescinded to let you into an academic program would be if you lied on an application.”

Routh agreed.

“There are sins of omission that are unforgivable,” he said. “You can’t leave those things out. It has to be a time to fess up to those things.”

While Gambrel won’t be able to completely erase the mark on his record, he’s optimistic about his chances for the future.

“Immediately after I did get the charges in November of last year, I did meet with somebody just to see what that all meant; could I still teach, for that matter?” Gambrel said. “And he said, ‘Yeah, just don’t get another charge,’ or else it’s bad news bears.”

“It’s good that I got in trouble,” he said, “because since then, it’s made me a more moderate person. It was just from that date, Nov. 21, I just stopped doing illegal things, and I don’t do things as crazily these days.

“I try to avoid trouble.”