

# FELONIES. COLLATERAL CONSEQUENCES RESULTING FROM FELONY CONVICTIONS AND WITHHOLD-OF-ADJUDICATIONS

The purpose of this bench card is to highlight major collateral consequences, which may impose unexpected but substantial additional punishments, enduring long after the court-imposed sentence is completed.

## GENERAL

A withhold-of-adjudication may serve as a felony conviction for federal purposes, under specific Florida statutes, and in other states.

**Sentencing.** A withhold is counted in calculating federal sentencing guidelines.

**Immigration.** A withhold is a conviction for immigration purposes.

**Sex offenders.** A withhold requires registration as a sexual offender or predator for certain offenses.

Credit for time served is a felony conviction.

## LIVING

Consequences of a felony conviction or withhold-of-adjudication:

**Subsidized housing.** Defendants may not qualify to live in affordable or subsidized housing.

**Private housing.** Defendants may be unable to obtain rental housing from private landlords.

**Eviction.** Defendants and their entire families may be evicted from rental housing, especially affordable or subsidized housing.

**Assistance.** Defendants may no longer qualify under state and federal programs for housing, food, medical, home loan, or cash assistance.

**Driving.** Defendants may have their driving privileges suspended.

**Immigration.** Defendants may be unable to adjust their immigration status and may face deportation.

## EMPLOYMENT

Consequences of a felony conviction or withhold-of-adjudication:

**General.** Defendants may be required to report their status on applications and may be unable to obtain private or public employment.

**Government.** Defendants may be unable to work for state, county, school system, or municipal agencies, including law enforcement, corrections, airports, seaports, or agencies working with children or the elderly.

**Licenses.** Defendants may lose or be unable to obtain professional licenses, even when unrelated to charges, or with respect to certain licenses, must self report within 30 days.

**Associations.** Defendants may be barred from memberships necessary for employment, such as the Florida Bar, real estate associations, and medical boards.

**Business.** Defendants may be unable to obtain business loans from the Small Business Administration.

## EDUCATION

Consequences of a felony conviction or withhold-of-adjudication:

**Admission.** Defendants may be denied or delayed admittance into private or public universities or colleges.

**Financial aid.** Defendants may not qualify for state or federal financial aid, such as grants, loans, and work assistance.

**Housing.** Defendants may be denied or removed from student housing.

**Discipline.** Defendants may be expelled, suspended, or subjected to academic discipline.

## CIVIL RIGHTS

Consequences of a felony conviction:

**Jury service.** Defendants lose their right to be a juror.

**Firearms.** Defendants lose their right to bear arms.

**Public office.** Defendants lose their right to hold public office.

**Voting.** Defendants lose their right to vote, unless and until restored.

To learn more about collateral consequences, visit [pdmiami.com](http://pdmiami.com).

