



# Clean Slate Toolkit

Unlocking Opportunity Through  
Automated Record-Clearing

## Following decades of overcriminalization in the United States,

between 70 million and 100 million—or 1 in 3—Americans now have some type of criminal record.<sup>1</sup> While felony convictions carry perhaps the greatest stigma, even a minor record can be a [life sentence to poverty](#) in the digital era, with nearly 9 in 10 employers,<sup>2</sup> 4 in 5 landlords,<sup>3</sup> and 3 in 5 colleges<sup>4</sup> now using background checks to screen applicants' criminal records.

The barriers associated with a record can have ripple effects for generations: [Nearly half](#) of U.S. children now have at least one parent with a criminal record, with negative consequences for children's cognitive development, school performance, and even employment outcomes in adulthood.<sup>5</sup>

As a result, most states allow people to petition for expungement or sealing of at least certain types of records. Record-clearing can be life-changing: [Preliminary research](#) from the University of Michigan finds that a year after a record is cleared, people are 11 percent more likely to be employed and are earning 22 percent higher wages.<sup>6</sup>

Unfortunately, under the current petition-based system, only a tiny fraction of people eligible for expungement or sealing ever obtain the relief they need—a problem known as the second chance gap. Navigating the complex record-clearing process can prove extremely challenging, often requiring expensive legal assistance and court fees—making it impossible for millions to move on with their lives.

Fortunately, a new policy known as “clean slate” offers a solution: automatic record-clearing once someone remains crime-free for a set period of time.

### Clean slate is a win-win for everyone:

- **Justice-involved people and their families** will be able to earn a decent living, obtain stable housing, and access the education and training they need to get ahead.
- **The criminal justice system** will not be burdened with the transactional costs of record-clearing petitions, reducing a burdensome workload for the country's overtaxed courts.
- **States will save taxpayer dollars** as a result of reduced incarceration, as the path to re-entry is smoothed.
- **The economy will benefit** as qualified job seekers are able to re-enter the labor force.
- **Communities will be safer** due to lower recidivism rates as more justice-involved people are able to move on with their lives and provide for their families.



That’s why states across the country are taking action to enact clean slate policies, which have the potential to transform tens of millions of lives by helping justice-involved individuals get the second chance they have earned. And at a time when it seems Americans can’t agree on anything, clean slate has rare bipartisan support, with 70 percent of Americans, across party lines, in favor of the policy.<sup>7</sup>

This toolkit includes the following ways to join the campaign and take action:

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**“I never dreamed that a mistake I made when I was 18 years old would follow me for the rest of my life.** But until recently, my decades-old record kept me from getting a full-time job in the field I’d gone to school to work in.”<sup>8</sup>

*- Tyrone Peake, father from Philadelphia*

# Talking points

## For millions of Americans, a criminal record is a life sentence to poverty

- Following decades of overcriminalization, between [70 million and 100 million](#) Americans—1 in 3—now have some type of criminal record.
- But in the digital era, with nearly [9 in 10 employers, 4 in 5 landlords, and 3 in 5 colleges](#) now using background checks, any record—no matter how old or minor—can put employment, housing, education, and other basics permanently out of reach.
- As the use of background checks has grown, so has the number of laws and restrictions limiting access to jobs, occupational licensing, credit, housing, education, and other basics. People with records potentially face some [50,000 such restrictions](#).
- A criminal record reduces a job seeker’s chance of getting a callback or job offer by nearly 50 percent.<sup>9</sup>
- Formerly incarcerated people are nearly 10 times more likely than the general public to experience homelessness.<sup>10</sup>
- If not for mass incarceration and the barriers associated with having a criminal record, the nation’s poverty rate would have dropped by 20 percent between 1980 and 2004.<sup>11</sup>

## Criminal records are a family sentence

- Nearly [half](#) of American children now have at least one parent with a criminal record.
- The barriers associated with a parent’s record can result in long-lasting family economic instability and severely limit a child’s life chances, hampering children’s:
  - Cognitive development
  - School performance
  - Educational attainment
  - Employment and earnings in adulthood



## Enabling people with records to earn a clean slate is a win-win for families, communities, and the economy as a whole

- People with criminal records who have remained crime-free for four to seven years are [no more likely](#) than the general population to commit a new crime.
- A clean slate helps people move on with their lives and get back to work. [Research](#) from the University of Michigan finds that people are 11 percent more likely to be employed and are earning 22 percent higher wages one year after a record has been cleared.
- Millions of justice-involved people are eligible to have their records cleared through expungement or sealing. But the vast majority don't ever get relief, because they can't afford a lawyer, pay the court fees, or figure out how to navigate the complex court petition process. Many are not even aware it's an option.
- Clean slate uses technology to streamline the existing record-clearing process so more people with records can get the second chances they've earned. Clean slate automatically seals or expunges qualifying records for people who remain crime-free for a set period of time, taking the burden of filing a court petition off the individual and lessening the strain on the courts.
- Enabling people with records to earn a clean slate will smooth the path to re-entry, reducing the likelihood of recidivism. That means safer communities, fewer people behind bars, and fewer taxpayer dollars wasted on unnecessary incarceration.
- Clean slate policies will help more justice-involved people get back to work, benefiting the entire national economy, which loses as much as [\\$87 billion in gross domestic product](#) every year simply by shutting workers with criminal records out of the labor market.<sup>12</sup>

## Clean slate is something everyone can agree on, with overwhelming support across the political spectrum

- Clean slate has overwhelming support on both sides of the aisle. [Seventy percent](#) of Americans support clean slate policies—including 66 percent of Republicans and 75 percent of Democrats.<sup>13</sup>
- Pennsylvania's bipartisan Clean Slate Act, which was signed into law in June 2018, passed with [81 percent support](#) among Pennsylvanians<sup>14</sup> and the support of a diverse coalition that brought together the left and the right, as well as directly impacted communities, business, law enforcement, and even the [Philadelphia Eagles](#)



# Frequently asked questions

## What is clean slate?

The clean slate policy model empowers states to automatically seal or expunge qualifying criminal records for people who remain crime-free for a set period of time. Clean slate helps people get the second chance they've earned by streamlining petition-based record-clearing—a costly and time-intensive process that prevents the vast majority of eligible people from ever obtaining needed relief.

## What happens once a record is sealed or expunged?

A criminal record that has been sealed or expunged will no longer show up on background checks used by nearly [9 in 10 of employers](#), [4 in 5 landlords](#), and [3 in 5 colleges](#). Terminology often differs from state to state, but expunged records are generally destroyed, and records that have been sealed remain visible to law enforcement agencies, though hidden from public view. Record-clearing can be life-changing, removing barriers to employment, housing, education, and more, so people can move on with their lives. [Research](#) from the University of Michigan, for example, finds that people are 11 percent more likely to be employed and are earning 22 percent higher wages one year after a record is cleared.

## Who needs a clean slate—and why?

Nationwide, between 70 million and 100 million Americans—1 in 3—have some kind of criminal record. Any record—even a decades-old misdemeanor or an arrest that never led to conviction—can make it nearly impossible to get into college, find a job, or secure a place to live. This does not hurt only people with records, but children and families as well. [Nearly half](#) of American children now have at least one parent with a criminal record, which can severely limit a child's life chances, hampering cognitive development, school performance, and even employment and earnings in adulthood. Enabling justice-involved individuals to earn a clean slate will make it possible to move on with their lives, provide for their families, and have a fair shot at the second chance they have earned.



## Why do we need automatic record-clearing?

### What's wrong with the current system?

States generally allow for certain criminal records to be sealed or expunged, but under the current petition-based system, only a tiny fraction of eligible individuals ever successfully get their records cleared. Many do not even know it's an option. And nearly all eligible individuals have to proactively file a petition in court—a process that can be both expensive and time-intensive. Petitioners generally have to hire a lawyer and take time off work to appear in court, often racking up thousands of dollars in legal bills and court costs. And the courts have to process each petition one by one, straining valuable judicial resources.

Clean slate streamlines the process with the help of technology, making record-clearing automatic once someone has remained crime-free for a set period of time. Through clean slate, states automatically seal or expunge eligible records by computer query, meaning that everyone who qualifies for record-clearing gets the clean slate they've earned—regardless of whether they can afford a lawyer and expensive court fees and without having to navigate a complex court process.

### Where is clean slate happening?

In June 2018, Pennsylvania became the first state in the nation to enact clean slate legislation, through the bipartisan Clean Slate Act. Now, clean slate is catching on in states across the country, including Michigan, Colorado, South Carolina, and more.<sup>15</sup> And bipartisan clean slate legislation to automatically clear certain federal records was introduced in Congress in August 2018.<sup>16</sup>

### Who supports clean slate?

At a time when it seems Americans can't agree on anything, clean slate is an area of rare bipartisan agreement, earning widespread support across the political spectrum, including [75 percent of Democrats and 65 percent of Republicans](#). Pennsylvania's Clean Slate Act was truly the product of a strange bedfellows coalition, including a Republican-controlled Legislature, a Democratic governor, advocates on the left and the right, as well as directly affected communities, business, law enforcement, and even the [Philadelphia Eagles](#). And now, national leaders from a range of diverse perspectives—from the Center for American Progress to Koch Industries—are coming together to support clean slate policies.<sup>17</sup>



## Who benefits from clean slate?

Clean slate is a win-win for all of us:

- **Justice-involved individuals and their families** will benefit, as they are able to earn a decent living, obtain stable housing, and access the education and training they need to get ahead.
- **The criminal justice system** will not be burdened with the transactional costs of record-clearing petitions, reducing a burdensome workload for the country's overtaxed courts.
- **States will save taxpayer dollars** as a result of reduced incarceration as the path to re-entry is smoothed.
- **The economy will benefit** as qualified job seekers are able to re-enter the labor force.
- **Communities will be safer** due to lower recidivism rates as more justice-involved people are able to move on with their lives and provide for their families.

**“It’s been almost 10 years since I paid my debt to society, but I’m still being punished.**

My whole family is still being punished. All I want is to be able to move on and to support my family so that my kids have a chance at a better life. ... As policymakers debate fixing the criminal justice system, I hope they hear my story. People like me should be able to earn a clean slate once we've paid our debt to society so we can support our families.”<sup>18</sup>

*- Ms. Matos, mother from Philadelphia*



# Sample op-ed: It's time for a clean slate

The nation's failed experiment with overcriminalization has left between 70 million and 100 million Americans with some kind of criminal record. In the digital era, nearly 9 in 10 employers, 4 in 5 landlords, and 3 in 5 colleges use [criminal background checks](#). As a result, even a minor brush with law enforcement—such as an arrest without a conviction—can turn into a scarlet letter that haunts you for the rest of your life.

This doesn't just hurt people held back by criminal records; it has ripple effects for children, families, and entire communities. Today, [nearly half](#) of American children have at least one parent with a criminal record. The barriers that come with a parent's record can severely limit a child's life chances, hampering brain development, performance in the classroom, and even how much they earn later in life.

It doesn't have to be this way.

A new policy known as “clean slate” would allow people with criminal records to earn the second chance they deserve. Clean slate automatically seals or expunges certain records once people have proven their rehabilitation by remaining crime-free for a set period of time.

If this sounds like common sense to you, you're in good company. Seventy percent of Americans are in favor of clean slate policies, with support reaching all along the political spectrum. At a time when it seems political leaders don't agree on anything, this is an area with rare bipartisan agreement. It's a simple idea: Once someone has paid their debt to society, they deserve the chance to move on with their life, provide for their family, and contribute to their community.

« Insert a couple sentences with your personal story, if you have one, about how having a criminal record has affected you, your family, or your community.



Enabling people with records to earn a clean slate can be life-changing. [Research](#) from the University of Michigan, for example, finds that a year after getting a record cleared, people are 11 percent more likely to have a job and are earning wages that are more than 20 percent higher than beforehand.

Enabling people to earn a decent living also reduces the likelihood that they will commit another crime. That means safer communities, fewer people behind bars, and fewer taxpayer dollars wasted on unnecessary incarceration.

It will also benefit our economy, which loses a whopping [\\$87 billion in gross domestic product](#) every year from shutting workers with records out of the labor market. And it will reduce a burdensome workload on our state's courts, which currently must process huge numbers of record-clearing petitions one by one.

That's why in June 2018, Pennsylvania's Republican-controlled Legislature teamed up with its Democratic governor to enact clean slate legislation. It's also why several other states, including Michigan, South Carolina, and Colorado, are advancing clean slate initiatives of their own—and why bipartisan clean slate legislation was recently introduced in the U.S. Congress.

A criminal record shouldn't be a life sentence to poverty.

It's time [XX] helped our neighbors with criminal records earn a clean slate.

◀◀ Insert your state

**“I made mistakes. Most of us have. The only difference is that my mistakes are on record.** On my record. But years after admitting to my mistakes, taking full responsibility for them, and getting my life together, those mistakes are still following me around. More than a decade after paying my dues, I shouldn't have to continue to face roadblocks in providing for my family and being part of society. My mistakes shouldn't be a life sentence.”<sup>19</sup>

- Ronald Lewis, building engineer and father from Philadelphia



# Sample letters to the editor

## Letter from a person with a record

To the editor:

I have [#] children, [OPTIONAL: INSERT FIRST NAMES AND AGES], and I work as a [INSERT YOUR OCCUPATION, IF WORKING], but I've lost count of how many doors have been shut in my face because of a criminal record from [#] years ago. [SPECIFY IN ONE TO TWO SENTENCES WHAT YOU HAVE EXPERIENCED]. It shouldn't be this hard to start over. And a mistake from the past shouldn't define you for the rest of your life. The Clean Slate Act would give [INSERT NAME FOR STATE RESIDENTS, FOR EXAMPLE, PENNSYLVANIANS] like me with minor criminal records a fair shot at finding a decent job, providing for our families, and becoming productive members of our communities. A criminal record shouldn't be a life sentence to poverty. Studies have [found](#) that people with criminal records who have stayed crime-free for four to seven years are no more likely to commit a crime in the future than anyone else. It's time [INSERT YOUR STATE] allowed me and others who've paid our debt to society to earn the clean slate we deserve.

## Letter from an employer or business

To the editor:

As a member of the [INSERT YOUR STATE] business community, I can tell you that the Clean Slate Act would be a game-changer for [INSERT YOUR STATE]'s workers and our local economy. Like many employers in the area, I'm facing a shortage of skilled workers, which gets worse by the day. By helping workers with criminal records earn a clean slate once they've remained crime-free, qualified job seekers will be able to get back to work. Employment losses due to criminal records cost our country up to \$87 billion in lost gross domestic product annually. By helping our neighbors become productive members of our community, we have the chance to supercharge [INSERT YOUR STATE]'s economic growth, as people currently held back by a record are able to get off the sidelines and back to work. Enabling people to find work also reduces the likelihood that they will commit another crime. That means safer communities, fewer people behind bars, and fewer taxpayer dollars wasted on unnecessary incarceration. I urge [INSERT YOUR STATE] to support the Clean Slate Act to better our state for everyone.



## Letter from a service provider

To the editor:

As a [TYPE OF SERVICE PROVIDER], I spend my days helping people with criminal records seeking to rebuild their lives. I can tell you from firsthand experience that even a minor, decades-old record can be a life sentence to poverty—standing in the way of employment, housing, and basically everything a person needs to get back on their feet. This makes zero sense. When people are able to find a decent job and stable housing, they're able to move on with their lives, provide for their families, and become productive members of society. Research has found that a year after getting a record cleared, people are 11 percent more likely to have a job and are earning wages that are more than 20 percent higher. On the flip side, when people don't get a second chance, they end up back behind bars. That's why I support the Clean Slate Act. We should be making sure justice-involved individuals have a meaningful shot at a second chance—instead of setting them up for failure.

**“I am proud to sign this legislation** that will make it easier for those who have interacted with the justice system to reduce the stigma they face when looking for employment and housing. I'm especially pleased that Pennsylvania is the first state to pass clean slate and that it passed in an overwhelmingly bipartisan manner.”<sup>20</sup>

*- Pennsylvania Gov. Tom Wolf (D)*



# Sample social media and shareable graphics

## Tweets

Use these sample tweets to join the conversation about #CleanSlate. Consider pairing your tweets with social media graphics or linking to [www.cleanslatecampaign.org](http://www.cleanslatecampaign.org).

Even a minor brush with the law can create a lifetime of barriers to opportunity. It's time to give people with criminal records a **#CleanSlate**

It's time to rethink the way we treat criminal records. Automated record-clearing policies would give millions of people the **#CleanSlate** they deserve.

A criminal record can be a life sentence to joblessness. **#CleanSlate** policies help people move on with their lives and get back to work once they've paid their debt to society.

Any criminal record—even an arrest that never led to conviction—can stand in the way of employment. It's time to give people a **#CleanSlate** so they can get back to work.

Criminal records can be a family sentence. Giving parents a **#CleanSlate** helps kids and families succeed, too.

A criminal record shouldn't follow you for life. That's why states are taking action to help people with records get a **#CleanSlate**.

With a **#CleanSlate** people with criminal records can get back to work. That's a win for the entire national economy.

People with criminal records who have paid their debt to society deserve a **#CleanSlate** so they can move on with their lives, get back to work, and provide for their families.

Only a tiny fraction of eligible people ever get their criminal records cleared. Many don't know they're eligible, can't afford a lawyer, or get lost in red tape. A new bipartisan idea called **#CleanSlate** could change this.

At a time when it seems Americans don't agree on anything, **#CleanSlate** is something we can all support.

A criminal record shouldn't haunt someone forever. It's time we give people the **#CleanSlate** they deserve once they remain crime-free.

After decades of mass incarceration and overcriminalization, 1 in 3 Americans now has some type of criminal record. It's time to give people a **#CleanSlate**.





## Download these graphics and more

[Click here](#) for a full set of social media graphics and other resources.

**1 in 3** Americans has a criminal record.

Any criminal record—even an arrest that never led to conviction—can be a lifelong barrier to opportunity.

Clean Slate Source: [ClearTheRecordCampaign.org](#)

**9 in 10** employers use background checks in hiring.

Applicants with a record are half as likely to get a callback or a job offer.

Clean Slate Source: [ClearTheRecordCampaign.org](#)

**1 in 2** children has a parent with a criminal record.

Having a parent with a record can hamper kids' brain development, school performance, and even future earnings.

Clean Slate Source: [ClearTheRecordCampaign.org](#)

Shutting people with criminal records out of the labor market costs the U.S. economy as much as

**\$87 billion a year**

Clean Slate Source: [ClearTheRecordCampaign.org](#)

People with criminal records are half as likely as other job seekers to get a callback or job offer from an employer.

Clean Slate Source: [ClearTheRecordCampaign.org](#)

People with criminal records face nearly

**50,000**

legal restrictions to accessing basics such as jobs, housing, education, credit, and more.

Clean Slate Source: [ClearTheRecordCampaign.org](#)

**Clean slate is a win-win:**

- ✓ Removes barriers to work
- ✓ Helps keep families together
- ✓ Keeps communities safer
- ✓ Saves taxpayer dollars

Clean Slate Source: [ClearTheRecordCampaign.org](#)

**70%** of Americans across party lines support clean slate policies.

Clean Slate Source: [ClearTheRecordCampaign.org](#)

# What people are saying about Pennsylvania's bipartisan Clean Slate Act

**“Nearly 3 million Pennsylvanians have a criminal record.** Adopting Clean Slate legislation will break down the barriers that prevent people with a record from landing a good job and help those people who serve their time and remain crime free get a real second chance at rebuilding their lives.”<sup>21</sup>

- Pennsylvania Sen. Anthony Williams (D-8),  
lead Pennsylvania Senate sponsor

“Our economy is stronger when people who want to find a job and work hard have the opportunity to do so. The Clean Slate bill will create opportunities for people who have learned from their mistakes and want to contribute to our workforce. Businesses across Pennsylvania will have access to a greater number of talented workers.”<sup>22</sup>

- Gene Barr, president and CEO of the  
Pennsylvania Chamber of Business and Industry

**“Pennsylvania's Clean Slate bill gives a second chance to those who turn away from crime,** and ensures this opportunity is afforded to all Pennsylvanians, regardless of their economic circumstance. ... This legislation will help thousands of people with records return to the workforce and provide for their families. And ultimately, it will make Pennsylvania a safer, more prosperous place to live.”<sup>23</sup>

- Holly Harris, executive director  
of the Justice Action Network

**“In most cases, being incarcerated does nothing more than prepare you to be incarcerated again.**

... That's why I've been advocating for the state [L] egislature to pass the Clean Slate Act ... the first legislation of its kind to use technology to automatically seal certain low-level, nonviolent criminal records from public view.”<sup>24</sup>

- Malcolm Jenkins, safety for the Philadelphia Eagles

“If a person made a relatively minor mistake when they were younger, there's no reason they must carry around a criminal record as he or she builds a better life. This legislation can help thousands of Philadelphians combat the collateral consequences that can be the result of even the most minor justice system involvement. **This is a common sense reform, and I am thrilled to see it become reality.**”<sup>25</sup>

- Philadelphia Mayor Jim Kenney (D)

“Clean Slate is another example of how we as a commonwealth can chart a new course that effectively addresses the reintegration of our neighbors into society after they have found themselves on the wrong side of the law. Clean Slate will remove one of the many barriers to employment that our citizens face and hopefully assist thousands of Pennsylvanians to reenter the workforce.”<sup>26</sup>

- Pennsylvania Rep. Jordan Harris (D-186),  
lead Pennsylvania House sponsor

**“People should not have to navigate a complex bureaucracy** just to enjoy rights granted to them by the law. Automatically sealing records would remove a layer of red tape that currently prevents people from enjoying those rights. The [Clean Slate Act] will create a straightforward system for people who earn a second chance to clear their record. I am excited for Pennsylvania to seize this opportunity by embracing bold reform that will provide a clean slate to individuals without forcing them to jump through unnecessary legal hoops.”<sup>27</sup>

- Pennsylvania Sen. Guy Reschenthaler (R-37), lead Pennsylvania Senate sponsor



“By enabling people with low-level nonviolent convictions to automatically earn a clean slate after they remain crime-free, **Pennsylvania stands to make a sizable dent in its poverty rate**, to increase labor force participation, and to save taxpayer dollars through reduced incarceration costs—all while boosting public safety.”<sup>28</sup>

– Neera Tanden, president and CEO of the Center for American Progress

“Always the laboratories of policy innovation, states such as [Pennsylvania] have been able to craft, with input from across the political spectrum, legislation that has overwhelming support. Pennsylvania’s Clean Slate Act is a prime example of this. ... The current process for petitioning to have a record sealed is cumbersome and backlogged, wasting resources while unnecessarily disabling many former nonviolent misdemeanor offenders from access to employment, education, and stability that are critical to continued success in society. Reversing this by sealing records automatically of those qualified individuals who have remained crime-free for a predetermined period of time is quite simply a no-brainer.”<sup>29</sup>

– Jason Pye, vice president of legislative affairs at FreedomWorks

“I’m honored to have authored this law, which had almost unanimous support of both Republicans and Democrats in both chambers of the General Assembly. **People who have been convicted of or pleaded guilty to minor misdemeanors many years ago deserve a second chance.** They have shown that they have reformed their lives, and this barrier to employment and housing needs to be removed.”<sup>30</sup>

– Pennsylvania Rep. Sheryl Delozier (R-88), lead Pennsylvania House sponsor

“Over the last several decades, the commonwealth has created a destructive system of mass incarceration that has wrecked lives. **A criminal record of any kind can create hurdles to employment, housing, education, and other basics of daily life** for a person. In Pennsylvania, people are sentenced to excessive prison terms, and the punishment continues after they leave prison and try to get their lives back on track. We are grateful that the state House understands the need to lower barriers to re-entry and that [the Clean Slate Act] is getting closer to becoming law.”<sup>31</sup>

– Reggie Shuford, executive director of the American Civil Liberties Union of Pennsylvania

“Sensible, data-driven justice reforms, such as ‘Clean Slate,’ are a proven pathway to create a more robust and skilled workforce. **We can’t afford to turn away hard-working Pennsylvanians** and deny them a fair shot at a good job and a promising future. And our employers need access to a full, competitive labor pool. ... The ‘Clean Slate’ reforms will help to provide a new start to those who have effectively demonstrated that their past mistakes do not define them.”<sup>32</sup>

– Matt Smith, president of the Greater Pittsburgh Chamber of Commerce, and Darrin Kelly, president of the Allegheny County Labor Council

**“Pennsylvania is better off when we prevent people from returning to prison.** Our communities are safer, and we reduce the amount of money the state spends incarcerating people. Helping people find work is one of the best ways we can accomplish that goal. For Pennsylvanians who earn it, the opportunity for a clean slate will help people find good jobs and reduce the chances that they commit future crimes.”<sup>33</sup>

– John T. Adams, president of the Pennsylvania District Attorneys Association and district attorney of Berks County

## Acknowledgments

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## Endnotes

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