

PA Clean Slate: Introduction and Overview

Sharon M. Dietrich

Community Legal Services of Philadelphia

sdietrich@clsphila.org

July 14, 2021



What is Clean Slate?

“Clean Slate” – noun, verb

- *Noun:* The process of identifying and sealing criminal cases by automation, without request or action of the former defendants; contrasts sealing initiated by court petition.
- *Verb:* To seal criminal cases by automation.



Where Did Clean Slate Come From?

- CLS created the concept.
 - Desire to meet seemingly infinite need.
 - We thought it was feasible.
- Concept presented in CAP paper, 2014.
- Justice Action Network and we launched campaign, 2016.
Bipartisanship has been a feature of Clean Slate campaigns.
- Broad coalition: Right/left, Chambers, PDDA.
- Enacted in 2018 (first in country).



Goals for Clean Slate

- For directly impacted people: close the clean slate gap and maximize sealing.
- For business: increase the applicant pool by reducing “liability” presented by records.
- For good government advocates: take advantage of efficiencies of automation.



PA Clean Slate 1.0 (Act 56 of 2018)

- Identify and seal through automation:
 - Non-convictions (including offenses in partial non-convictions).
 - Many non-violent misdemeanors after 10 crime-free years, measured from date of conviction.
 - Summary offenses after 10 years.
- These modest criteria reflect PA record clearing eligibility, not limitations on the automation model.



Clean Slate 2.0 (Act 83 of 2020)

- Eliminates the barrier of unpaid financials (except restitution).
- Automatic expungement of full acquittals.
- Automatic sealing of pardoned cases.



Clean Slate 3.0?

- Bill to be introduced shortly.
- Goals:
 - Automated sealing of drug felonies after 10 years.
 - Shortens waiting periods for other offenses.



More Apropos: Tech Environment

- PA may have had the “easiest” technological environment.
 - Centralized court system;
 - Use of SIDs.
 - History of data exchange with PSP.
- However, later bills are showing that the easiest path is not the only path. Michigan: the central repository will initiate the process.



IMHO, Roles of the PSP and AOPC

- Established technological feasibility for the proposed legislation (this was key!).
- Helped shape the legislative proposal with feedback.
- Implementation, including steps to further maximize sealing (i.e., automated entry of grades missing from Philadelphia cases).



To Date

- 36+ million cases sealed!
- Resounding stakeholder satisfaction.
- No disasters.



Questions?

Sharon M. Dietrich

sdietrich@clsphila.org

