PA Clean Slate: Introduction and Overview

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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 criterial 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?

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