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WHY CONSERVATIVES SHOULD SUPPORT CLEAN SLATE INITIATIVES

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SUMMARY

- Clean slate initiatives automate and expand the clearing of criminal justice records.
- They uphold pillars of conservatism: human dignity, public safety, family values and limited, effective government.
- They promote human dignity by lessening the stigma of criminal records while curbing crime rates.
- They help protect future life opportunities for the children of justice-involved individuals.
- They limit government and save taxpayer dollars by automating record clearance.

BACKGROUND

Between [70 million to 110 million individuals](#), or close to one in three Americans, have a criminal record. Even [a minor record](#) that is decades old can hinder employment, housing and education. And it can prevent an individual from fully reintegrating into society, even after they have served their sentence. A small number of individuals currently qualify for expungement—the process of making a record inaccessible to the public. However, most individuals are unable to clear their records under the current legal regime.

[“Clean Slate” initiatives](#) seek to mitigate this harm by automatically clearing records and expanding eligibility for expungement for those who’ve made a mistake in the past but deserve a second chance. This practice is supported by conservative policy priorities: namely, human dignity, public safety, family values and limited, effective government. Thus, conservatives should not just support clean slate initiatives—they should be ardent champions for the cause.

HOW CLEAN SLATE CAN FURTHER CONSERVATIVE PRINCIPLES

Promotes Human Dignity. Conservatives believe that all lives have value and that [there is dignity in work](#). Work often provides a sense of identity and fulfillment, and it can offer a path to redemption for those with criminal records. Unfortunately, with the rise of technology and background checks, criminal records often prevent individuals from securing employment. As many as [9 out of 10 employers run a background check](#) before offering someone a job, and research suggests a felony record can reduce the call-back rate for jobs [by 50 percent](#). Even a simple arrest record can harm someone’s reputation and ability to find work. By automating and expanding record clearance, policymakers allow individuals who are unemployed or underemployed to regain the dignity of work and support their families. Clean slate initiatives help ensure that we recognize the humanity of those who are justice-involved and reintegrate them back into our communities.

Preserves Public Safety. It is critical to the interests of conservatives, the state and survivors of crime that individuals are held accountable in a manner that helps ensure the harm caused does not occur again. One might assume that preserving a person’s past might deter future crime. But stigmatizing individuals with criminal records after they have already been punished actually works counter to public safety. Individuals with cleared records are more likely to be employed—and [when individuals are employed, they are less likely to commit crime](#).

Additionally, the effectiveness of using a criminal record to assess an individual’s likelihood of committing a future crime quickly fades upon their return to the community. Once individuals [have been crime free for a few years](#), they have reached what researchers call the [“point of redemption.”](#) This means they are no more likely than anyone in the general population to commit a crime. Keeping a record of their past mistakes thus has little public utility. By supporting clean slate initiatives, conservatives can ensure criminal records are removed when they no longer serve public safety interests.

Ensures Healthy Families. Nearly [half of all children](#) have a parent with a criminal record. Unfortunately, justice involvement often has a destabilizing effect on the social fabric of the family. Criminal records can

cause harm to children and families who have already suffered upheaval in their young lives. Barriers to public and private housing because of a criminal record, as well as a lowered earning potential and unemployment, can lead to homelessness and poverty for the whole family. One [estimate](#) suggests our nation's poverty rate would have dropped by 20 percent over the past several decades if not for the barriers caused by incarceration and criminal records

Additionally, a criminal record can have negative “trickle-down” effects for children, as even a minor record can create [financial and emotional stressors](#). This can harm children's [school performance](#) and [cognitive development](#). A clean slate eases the process of securing housing and employment, leading to children having a better chance of living in healthy, financially stable families. Indeed, once an individual has received an expungement, research suggests his or her income rises by [an average of 25 percent](#).

Creates Limited, Effective Government. By definition, a limited, effective government is one that protects the life and liberty of its citizens and fosters interstate commerce without creating excessive regulations, interference or taxes. Based on this standard, our current expungement process is the antithesis of limited, effective government: Expungements often require an attorney's assistance and extensive paperwork, and they impose a heavy burden on the court system. Additionally, eligibility for expungement is far too limited, with continued record keeping presenting government overreach in many cases. Indeed, criminal records can engender far-reaching economic effects: The Center for Economic and Policy Research has estimated that underemployment of the formerly incarcerated cost the United States economy about [\\$78 billion to \\$87 billion in gross domestic product in 2014](#). And many states also [ban people with certain kinds of records from getting occupational licenses](#), essentially permission slips from the government to practice some of the most coveted careers.

Clean slate initiatives can reverse some of these issues by automating expungement and thus eliminating the rampant inefficiency of the current process. Often, this automation comes with short-term costs related to infrastructure, but in the long run it is fiscally prudent and preserves court system resources for areas where they are truly needed. By clearing more records, clean slate initiatives can circumvent harmful, government-enacted barriers to economic participation.

ACTION ITEMS

Support Automatic Record Clearance. Automating record clearance is a commonsense policy that utilizes technology and innovation to remove a critical barrier to reentry. By making this process automatic, it ensures individuals of lesser means have an equal opportunity to benefit from expungement policies, while preventing the unnecessary use of court resources for manual expungements.

Expand Opportunities for Expungement. Expungements should be expanded: Research demonstrates more offenses can be safely expunged and [waiting times](#) can be reduced while maintaining public safety. Government is neither effective nor limited when individuals are forced to bear the burden of a criminal record decades after an offense.

Collect Data and Study Results. The central goal of clean slate initiatives is to promote second chances. Data should be collected on whether clean slate initiatives are accomplishing their intended aims: namely, increasing individuals' ability to secure employment, housing and education, while promoting public safety and stable families.

CONTACT US

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