



May 11, 2022

Via E-Mail Delivery

Senator Warren Limmer, Chair
Judiciary & Public Safety Conference Committee
Minnesota Senate Building, Room 3221
Saint Paul, MN 55155

Representative Carlos Mariani, Chair
Judiciary & Public Safety Conference Committee
559 State Office Building
Saint Paul, MN 55155

Dear Chair Limmer and Chair Mariani:

On behalf of the Justice Action Network, the nation's largest bipartisan criminal justice reform organization, I write to support the Clean Slate Act under consideration by the Judiciary & Public Safety Conference Committee. The Clean Slate Act was included in the House Judiciary & Public Safety Supplemental Budget bill.

This is a bipartisan issue championed as good policy by legislative leaders from both sides of the aisle in states across the country. Moreover, the changes made to the Clean Slate Act during the legislative interim and the committee process applies lessons we've learned from early adopter states like Pennsylvania and Utah. The new language reduces the number of qualifying offenses for automatic expungement while also ensuring that the process is automated. Stakeholders have worked closely with the Bureau of Criminal Apprehension (BCA) to refocus the scope of expungements while at the same time ensuring there is an automatic process for certain offenses

The legislation provides important guardrails to protect the public. An expunged record of conviction may be viewed by law enforcement and opened as part of a criminal background check required for an occupation, job, or license. The Minnesota Department of Human Services would continue to have access to records for the purpose of background studies. Lastly, the revised language further restricts the number of offenses available for automatic expungement and specifically excludes all felony and criminal sexual conduction convictions, among other ineligible offenses.

Research shows cumbersome petition-based systems that do not automatically trigger expungement fail to provide needed relief: a 2019 study in Michigan found just 6.5 percent of eligible people obtained expungement within five years of eligibility. To address these shortcomings, since 2018, at least five states have enacted an automatic expungement system – Pennsylvania, Utah, Michigan, Connecticut and Delaware – with more states currently considering similar bills.

Please feel free to contact our organization's Minnesota government relations contacts, Chas Anderson at chas@parkstreetpublic.com or Melissa Reed at melissa@parkstreetpublic.com, if you have any questions.

Sincerely,

Jenna Bottler
Deputy Director, Justice Action Network

C: Senator Dave Osmeck, President of the Senate
Senator Andrew Mathews, Chair, Senate Civil Law & Data Practices Committee
Senator Ron Latz, Lead, Senate Judiciary & Public Safety Finance & Policy Committee
Senator Karla Bigham
Senator Roger Chamberlain
Representative Jamie Becker-Finn, Chair, House Judiciary Finance & Civil Law Committee
Representative Brian Johnson, Lead, House Public Safety & Criminal Justice Reform Finance and Policy Committee
Representative Cedrick Frazier, Vice Chair, House Public Safety & Criminal Justice Reform Finance and Policy Committee
Representative Kelly Moller, Vice Chair, House Judiciary Finance & Civil Law Committee
Representative Jamie Long