

# CLEAN SLATE LAWS: PATHWAYS TO EQUITY AND JUSTICE FOR BLACK COMMUNITIES IN AMERICA

*A Clean Slate Policy Short by: Sam Sinyangwe and Jesse Kelley*

Clean Slate laws can be a powerful tool for providing automatic record relief to millions of people who have completed their sentence and remained crime-free for a specified waiting period. [Twelve states have passed Clean Slate laws](#), making as many as 14 million people eligible to fully clear their records.

**We estimate more than 2 million Black adults - 1 in every 15 Black adults nationwide - could have their records fully cleared in those 12 states.**

**In the legal system, the impact of records is not equally distributed, and Black communities bear a disproportionate burden.** The far-reaching consequences that records can have on the lives of Black individuals and the barriers they face in employment, education, and social integration impact their families and communities.

However, the introduction of Clean Slate laws, which automatically seal eligible records, offers hope. The Clean Slate Initiative has compiled data to examine the vast number of individuals who have records broken down by race within the states. Using this model, Clean Slate legislation can be crafted to maximize racial equity on a state-by-state basis.<sup>1</sup> **Ensuring greater equity in record clearance can reshape individual destinies and contribute to a more just society.**

Due to longstanding systemic inequities, Black people continue to be arrested at higher rates than other groups and punished more severely within the legal system. **Today, we estimate that one in every three adults and as many as**

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<sup>1</sup> The Clean Slate Initiative plans to launch our data model in 2024. The interactive model will show information about how many people in each state have a record, a demographic breakdown of who has a record, and how including certain offense types in automatic clearing can positively impact the most number of people possible.

**half of all Black adults in the U.S. have an arrest or conviction record.** These records block millions of people in America and their families from being able to find housing and make ends meet. In most states, people are forced to navigate an arcane bureaucracy and pay a fee to file a petition to clear their records. Studies find less than 10% of people with a record end up completing this process.

The true impact of Clean Slate will be realized in the work ahead. **If the remaining 38 states enact baseline Clean Slate laws, 1 in every 5 Black adults nationwide would be eligible for a fully cleaned slate.** These laws can have a profound impact on people's lives when structured to be inclusive of the communities most impacted by the legal system. **Offering a fresh start to a significant portion of the Black adult population could break the cycle of systemic disadvantage and open up new opportunities for employment, housing, and community engagement.**

Significant impact can be achieved by enacting laws that allow individuals to expunge both misdemeanor and non-violent felony convictions, providing comprehensive record relief to an estimated two-thirds of all adults with a record — potentially affecting as many as 1 in every 3 Black adults nationwide.

**By contrast, laws with more narrow eligibility guidelines – for example, limiting the number of misdemeanor convictions that can be cleared and excluding felonies from eligibility – can exacerbate racial inequities and exclude more than three-quarters of all Black people with a record.** Therefore, it is imperative that eligibility for record clearance be broader to truly address systemic injustices and ensure equitable access to opportunities for all individuals.

**Expanding the eligibility criteria to include both misdemeanor and felony non-violent convictions acknowledges the interconnectedness of individual lives within communities and the systemic issues that predate the legislation.** Unfair sentencing, often plagued by racial bias, disproportionately affects marginalized communities, highlighting the urgent need for reform. Implementing automatic record sealing offers a plausible solution toward equity by mitigating the lifelong consequences faced by individuals whom biased sentencing practices have unjustly targeted.

Understanding and addressing the relationships within communities between individuals with records and those without is crucial for building a more compassionate and just society. It requires collaboration, empathy, and a commitment to breaking down barriers that contribute to the challenges individuals and their families face in the aftermath of legal involvement. As such, **our data demonstrates that the most effective way to bolster equity and build community is to extend record relief to certain felony offenses.**

The holistic approach of inclusive Clean Slate laws recognizes the collective well-being that arises when individuals are given a chance to succeed. **Clean Slate is about helping people move beyond their past mistakes — and that's especially important for Black Americans who are so often trapped in a cycle of perpetual punishment by our legal system.**

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