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House Committee on the Judiciary

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Testimony in Support of HB 7053

To Chairman Bob Craven and Members of the Committee:

My name is Jesse Kelley, and I am the Senior Policy Strategist at The Clean Slate Initiative - a national non-profit whose mission is to work alongside states to streamline the record-clearing process. While we primarily advocate for automatically clearing records, expanding eligibility is essential in offering meaningful second chances. Therefore, I am writing on behalf of The Clean Slate Initiative to express our support for House Bill 7053, which aims to address and rectify the impact of records on individuals and communities.

HB 7053 proposes a significant measure that allows individuals with felony convictions to expunge up to six misdemeanor offenses from their criminal records. The proposed legislation promotes fairness and equity and aligns with the principles of redemption and second chances.

As of 2019, about 300,000 people in Rhode Island, or 33% of the adult population, have some form of a record. The vast majority - about 148,000 - of those with records have a misdemeanor conviction.<sup>1</sup> The Clean Slate Initiative applauds the proposed expansion of eligibility, specifically focusing on increasing the availability of second chances for individuals with multiple convictions.

The bill maintains the statutory requirement of a five to ten-year waiting period, depending on the conviction type, during which an individual must remain crime-free

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<sup>1</sup> These estimates were produced from available public data sources. Learn more about our research methodology at <https://www.cleanslateinitiative.org/research-data>

before becoming eligible for expungement. Waiting periods allow individuals to demonstrate a genuine commitment to rehabilitation and reintegration into society. Research indicates that the risk of recidivism significantly decreases as individuals maintain a clean record over time. Specifically, when a person remains crime-free for five to seven years, they reach a “point of redemption” and are no more likely than anyone else in the community to commit a crime.<sup>2</sup>

After a significant period of demonstrated rehabilitation, expunging misdemeanor offenses benefits the individual by removing barriers to employment, housing, and other opportunities and enhancing community safety by promoting successful reintegration.

The challenges associated with the petition-based expungement process are complex and costly, and we remain steadfast in our advocacy for a state-initiated system where records are cleared automatically upon meeting the eligibility criteria. Such a system would streamline the expungement process, reduce bureaucratic hurdles, and ensure equitable access to justice for all individuals seeking redemption.

However, at the same time, we recognize that Rhode Island HB 7053 represents a significant and progressive step forward in expanding expungement eligibility. By providing a pathway for individuals to expunge misdemeanor offenses after a demonstrated rehabilitation period, this bill offers tangible opportunities for those impacted by the justice system. Therefore, while we continue to push for systemic improvements, we firmly support the passage of HB 7053 as a crucial measure toward a fairer and more compassionate criminal legal system.

Thank you for your time and consideration. I am available to answer any questions or provide additional information as needed.

Sincerely,

Jesse Kelley

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<sup>2</sup> Alfred Blumstein and Kiminori Nakamura. “Extension of Current Estimates of Redemption Times” November 2012. <https://www.ojp.gov/pdffiles1/nij/grants/240100.pdf>