



FAITH & FREEDOM COALITION

**Testimony
Before the Pennsylvania House of Representatives
House Judiciary Committee**

Public Hearing on HB 1826, Clean Slate Expansion

**Testimony by
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Thank you, Chairman Kauffman, Democratic Chair Briggs and Members of the Judiciary Committee for the opportunity to testify today. My name is Patrick Purtil, and I am Director of Legislative Affairs for the Faith & Freedom Coalition.

On behalf of our 2.5 million members and supporters nationwide and the nearly 100,000 members of the Pennsylvania Faith & Freedom Coalition, thank you for considering H.B. 1826, a bill to expand Pennsylvania's successful Clean Slate Act. I urge you to quickly and favorably report it out of the Judiciary Committee for consideration by the full House. A vote for this bill will help reduce recidivism, increase employment thereby strengthening families and communities, and provide a pathway to redemption for those who want to reform their lives.

Crime should be punished. But punishment should not be forever. People who have paid their debt to society for low-level or non-violent offenses and who have reformed their lives deserve to be given a second chance and fully welcomed back into society. This is precisely the goal of the criminal justice system. We want people to pay their debts and to amend their lives. Those who do, should be rewarded, and restored to society—for their good, their families' good, and in the best interest of our communities.

Pennsylvania has been the national leader on this front. While many states have statutes that permit criminal record sealing by petitioning the court, Pennsylvania was the first state to recognize that system was cumbersome, expensive, and simply not working. In 2018, you enacted the nation's first Clean Slate law to automatically seal low-level and non-violent criminal cases after the person was crime-free for ten years. This automated process ensured those eligible got cleared without burdening the courts, law enforcement or prosecutorial resources.

As of today, more than 40 million cases have been sealed. I am pleased to be able to say that Faith & Freedom Coalition and its members actively supported passage of the original bill—visiting the Capitol in large groups over several years and contacting their Representatives and Senators.

The law has been such a success that other states are following your example. At least six other states have followed Pennsylvania and adopted Clean Slate legislation including, Utah (2019), Michigan (2020), Connecticut (2020), Delaware (2021), Oklahoma (2022), and Colorado (2022). I expect this number to continue to grow in the next few years.

With HB 1826, you have a chance to build on your success and take the next logical step. HB 1826 would do three things. First, it would expand automated sealing to certain drug felonies after 10 years. Second, it would expand petition sealing by courts for some non-violent felonies after 10 years. Third, it would shorten the waiting period for misdemeanors and summary convictions from ten years to 7 years and 5 years respectively.

While these expansions are substantive, HB 1826 ensures they remain targeted to the crimes and timeframes that research has demonstrated to be safe and effective. For example:

- Drug conviction eligibility depends on the minimum sentence imposed by the judge and drug convictions will not be eligible for sealing if the minimum sentence imposed was 30 months of prison or more. The minimum sentence imposed by the judge is an excellent proxy for the seriousness of the offense.
- Drug trafficking offenses are ineligible for automated sealing.
- Serious violent, sexual, and gun-related crimes are still excluded from automated sealing.
- Law enforcement can still see the sealed records.
- For the expanded list of felony offenses, they are only sealed if a judge agrees after hearing from the prosecutor and only if all restitution has been paid.
- And, the shortened timeframes for misdemeanors and summary convictions are supported by research performed by Carnegie Mellon University and funded by the U.S. Department of Justice's National Institute of Justice.

HB 1826 is carefully drafted to target those persons who have demonstrated over a long period of time that they are crime-free. The goal is to help them attain employment and secure housing. This bill is so important because nearly one in three Americans now have some type of criminal record which reduces a job seeker's chance of getting a callback or job offer by nearly 50 percent and makes it much harder to find housing. All this is at a time when the Bureau of Labor Statistics' nonfarm payrolls report is consistently reporting low unemployment rates and that businesses, especially small and family-owned businesses, are having a very difficult time filling job openings.

Providing individuals with a second chance at redemption—and an opportunity to earn an honest living and provide for their families—is core to our values.

Thank you for your consideration.

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