



Congress of the United States  
House of Representatives  
Washington, DC 20515

The Honorable Jerrold Nadler  
Chairman House Judiciary Committee  
2141 Rayburn House Office Building  
Washington, D.C. 20515  
202-225-3951

Dear Chairman Nadler,

It is clear that our criminal justice system is in need of desperate reform. It's more focused on mass incarceration than rehabilitating those who have completed their prison sentence. We all know by now that the War on Drugs played a heavy role in the development of our modern criminal justice system. The results of this transformation that worked against many Americans is startling - over 100 million Americans, one in three, have some kind of arrest record. Worse still, one in two children have a parent with a criminal record. We know that minor records or arrests can create lifetime barriers. Nine in ten employers, four in five landlords, and three in five colleges use background checks. Those checks will bring up even minor and nonviolent records and arrests. What were nonviolent mistakes – often many years in the past – now have become a life sentence. Put simply, this is not just about criminal justice reform—it is also about our economic viability as a country and government efficiency.

Public correctional agencies like prisons, jails, and those that oversee parole and probation, costs Americans over \$80 billion a year. Reducing unjust and unnecessary incarceration would give states and localities more resources to improve education, infrastructure, and even address the opioid crisis.

Perhaps more startling is that recent estimates suggest the societal barriers associated with criminal records costs our economy \$87 billion annually. Fundamentally, criminal records not only hinder access to essential services and education, but they take away from a justice involved individual, the dignity to be productive.

But there is another way and it **builds on the incredible achievements of the First Step Act**, which we passed last Congress in a bipartisan manner. My legislation with Congressman Guy Reschenthaler, a member of the Judiciary Committee and a former judge, would be a necessary next step to achieving the kind of reform Americans need.

**H.R. 2348, the Clean Slate Act, is about providing a second chance to nonviolent offenders, who have completed their sentence so they can return back to society and live a healthy, productive, and meaningful life.**

Our bill would:

- Automatically seal an individual's federal criminal record if they have been convicted of simple drug possession or any federal nonviolent offense involving marijuana.
- After two years, it would allow for individuals to re-petition the court if their initial request was denied.
- It authorizes district courts to appoint a public defender to help indigent petitioners file and successfully seal their records.
- Crucially, our bill would automatically seal arrest records if an individual was not charged, exonerated, or acquitted.
- Our bill would also protect employers from liabilities due to misconduct that may relate to a sealed criminal record.
- A law enforcement agency or a court may access a sealed record of a covered individual in the possession of the agency or court, or another law enforcement agency or court.

The fundamental purpose of this bill is to break down barriers to employment, housing, education and essential services. While communities of color have been disproportionately impacted, every community has been negatively affected by the mass incarceration crisis. We must address the human cost of our broken criminal justice system.

My bill doesn't exist in a vacuum. Clean slate proposals have been garnering broad bipartisan support at the state level across the country. The arguments for passing second chance initiatives resonates with the American people and increasingly states are passing their own clean slate laws. Currently, one state, Pennsylvania, has passed clean slate legislation, and four other states are considering similar bills. We have an opportunity to help lead a national movement with this bill and ensure justice is brought to all Americans.

Congressman Guy Reschenthaler and I, alongside the Center for American Progress and FreedomWorks are working to get this done.

It is for these reasons I asked my colleagues on the House Judiciary Committee to support and consider my bill to give our fellow citizens a Clean Slate.

Thank You.