



April 6, 2022

Via E-Mail Delivery

Representative Carlos Mariani, Chair
559 State Office Building
75 Rev. Dr. Martin Luther King Jr. Blvd
Saint Paul, MN 55155

Representative Brian Johnson, Republican Lead
335 State Office Building
75 Rev. Dr. Martin Luther King Jr. Blvd.
Saint Paul, MN 55155

Dear Chair Mariani and Lead Johnson:

On behalf of the Justice Action Network, the nation's largest bipartisan criminal justice reform organization, thank you for including HF 1152, the Clean Slate Act, as part of the HF 4608, the House Public Safety and Judiciary Finance Omnibus bill.

The changes made to the Clean Slate Act during the legislative interim and the committee process applies lessons we've learned from the early adopter states of Pennsylvania, Michigan, 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 government relations Chas Anderson at chas@parkstreetpublic.com or Melissa Reed at melissa@parkstreetpublic.com if you have any questions.

Sincerely,

Jenna Bottler
Deputy Director, the Justice Action Network

C: Members, House Judiciary Finance and Civil Law Committee