



# BOB CASEY

FIGHTING *for* PENNSYLVANIA FAMILIES

## **The Clean Slate Act of 2024 – S. 5266**

*U.S. Senator Bob Casey (D-PA) and Senator Rand Paul (R-KY)*

Throughout the Nation, more than 70 million Americans—or 1 in 3 adults—have some form of a criminal record. This creates barriers for individuals in every facet of life, with nearly 9 in 10 employers, 4 in 5 landlords and 3 in 5 colleges now utilizing background checks. Even an individual with a minor record can face upwards of 40,000 collateral consequences due to an increasing number of laws that limit access to employment, entrepreneurship, occupational licenses, credit, housing, education and other opportunities.

The Clean Slate Act aims to reduce barriers to opportunity by automatically sealing records for certain low-level, non-violent federal crimes after the individual successfully completes the terms of their sentence. More specifically, the Clean Slate Act:

- Automatically seals an individual’s federal criminal record one year after their completed sentence if they have been convicted of simple drug possession or a covered nonviolent offense involving marijuana;
- Automatically seals arrest records and other related records for individuals who have been acquitted, exonerated or never had charges filed against them;
- Establishes new procedures to allow individuals to petition to seal records for nonviolent offenses that are not automatically sealed;
- Permits law enforcement to access sealed records for public safety reasons, including investigatory purposes and background checks for firearms; and
- Protects employers from liability for any claim arising out of the misconduct of an employee if the misconduct relates to a sealed criminal record.

The Clean Slate Act does not apply to any individuals convicted of a sex offense or violent crimes.

Many, if not most, states allow for individuals to petition for the expungement or sealing of certain criminal records, but the petition process can be overly burdensome and often requires legal assistance and court fees. The result is that many people who are eligible to have their records cleared never obtain the relief they are entitled to under law. In 2018, Pennsylvania became the first state in the Nation to pass clean slate legislation, and since then, 11 states have followed suit.