CLEAN SLATE
AUTOMATIC RECORD RELIEF
SUPPORT HB 1737 AND SB 499

TEXAS NEEDS CLEAN SLATE RECORD CLEARING:
ELIMINATE RED TAPE & GIVE TEXANS A SECOND CHANCE

More than 9 million Texans have some type of criminal record that can trigger a net of legal prohibitions and diminished opportunity that have little to do with public safety. Barriers that make it difficult to find gainful employment, secure stable housing, or support a family make it harder to escape the cycle of crime and can be a lifetime burden extending far beyond any sentence imposed.

THE CURRENT SYSTEM FAILS TO DELIVER ITS PROMISE

Under current law, first-time, non-serious misdemeanors resulting in deferred adjudication community supervision are eligible for presumptive record sealing (officially called an Order of Nondisclosure). In other words, if a person meets the eligibility criteria, the court is required to grant the sealing. However, despite being entitled to relief under this provision, people continue to face barriers to access. A person seeking this remedy is still required to provide evidence to the court proving their eligibility, which can be difficult to complete without legal assistance, and pay a fee. **These obstacles are keeping Texans from a fair shot at redemption and access to opportunities to support themselves and their families.**

THE SOLUTION: AN AUTOMATIC RECORD SEALING PROCESS

This bill will automate record sealing for Texans with first-time, nonviolent misdemeanor offenses after they successfully complete supervision and their charge is dismissed (already presumptively eligible for nondisclosure relief). This process will use technology to automatically identify eligible records so that the person seeking to clear their record will no longer have to initiate the process or pay any fees.

➤ Unlike expunction, record sealing will not destroy the record. This remedy strikes the right balance between maintaining the information for law enforcement, licensing and other limited uses while clearing a path for people to successfully find employment, housing, and stability.

➤ Research shows that people who receive record relief not only experience improvements in economic outcomes, but also pose little public-safety risk — within 5 years, only 2.6% of recipients of record relief were rearrested and less than 1% were reconvicted for violent crimes.

➤ States including Utah, Oklahoma, and Colorado have recently enacted Clean Slate laws so that bureaucratic hurdles don't stand in the way of getting back to work.