



THE
AMERICAN
CONSERVATIVE
UNION

May 25, 2020

The Honorable Gary Smith
Chairman
Senate Judiciary Committee B
P.O. Box 94183
Baton Rouge, LA 70804

The Honorable Franklin J. Foil
Chairman
Senate Judiciary Committee C
P.O. Box 94183
Baton Rouge, LA 70804

Via Electronic Delivery

Dear Chairmen Smith and Foil:

President Trump has made criminal justice reform a key element of his domestic policy agenda. Whether it was the passage of the first significant criminal justice reform legislation in a generation (the *First Step Act*), his work on ensuring re-entry opportunities for the formerly incarcerated, or efforts to mitigate COVID-19 in federal prisons, the President has proven himself a reformer. Indeed, President Trump talked about his criminal justice beliefs in his State of the Union message, noting: "America is a nation that believes in redemption."

However, redemption and re-entry are exponentially more difficult for those with criminal convictions of any type. It is no surprise that Louisiana has a 34% recidivism rate when considering that people with records are often precluded from employment, housing, and education.

Research and data show that having a good job and stable housing are two main keys for ex-offenders to stay on the straight and narrow. A solution to that Gordian Knot are so-called Clean Slate policies. Already enacted in Pennsylvania and Utah (two states not known for being soft on crime), Clean Slate allows for automated record

sealing/expungement, but only for those convicted of low-level (non-violent and non-sexual) offenses who have been crime free for a significant period of time.

Clean Slate policies give those who have made a mistake an opportunity to succeed in the economy and life and not look back. By enacting these kinds of evidenced-based approaches, we can cut recidivism and slow the revolving door in and out of Louisiana's prisons. Ultimately, doing so will result in less recidivism, less crime, and fewer filled prison cells, while providing opportunities for ex-offenders to rejoin society as law-abiding and contributing citizens.

We understand that modest legislation is pending in your Committees that would begin to address the lifelong consequences of a criminal conviction. Specifically:

- HCR29 would create the Clean Slate Task Force;
- HB 510 would permit the state's central repository to share de-identified data for the purpose of examination pursuant to the mandate of the Clean Slate Task Force;
- HB 178 would extend the eligibility for expungements to individuals who receive alternatives to incarceration, such as recovery treatment programs;
- HB 179 would remove the requirement of proof of continuous employment for at least ten years to qualify for certain types of expungement; and
- HB 241 would remove some limitations on expungement.

Each of these bills was approved either unanimously or by overwhelming margins in the House of Representatives. The underlying principles they represent are sound public policy.

Last year, Republicans and Democrats in Congress put partisanship aside to pass the *First Step Act*. When signing the bill into law, President Trump explained: "America believes in the power of redemption. America is a nation that believes in second chances, and third chances...and I don't know, I guess even fourth chances."

Our hope is that Louisiana follows in the President's footsteps to provide second chances – and opportunities for redemption – to those who have made mistakes and are working hard on their path to success. Thank you for your consideration of this matter. Should you have any questions, please feel free to contact me at: (202) 347-9388 x 150.

Sincerely,



David H. Safavian
General Counsel

cc: Members of Judiciary B Committee
Members of Judiciary C Committee