

Davis Introduces Bill To Assist States In Automating Record-Sealing And Expungement Processes

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WASHINGTON D.C. - U.S. Representative Rodney Davis (R-IL) has introduced the Fresh Start Act of 2021, bipartisan, bicameral legislation to increase funding for automated record-sealing and expungement processes as another tool in criminal justice reform. "Individuals who have served their time shouldn't have to face barriers when they're trying to rebuild their lives," said Rep. Davis. "That's why I'm proud to introduce the Fresh Start Act with colleagues from both sides of the aisle - because the federal government can serve as an important partner with states as they try to reform

their criminal justice systems and improve their record-sealing and expungement processes.”Between 70 million and 100 million Americans have criminal records that appear in routine background checks, preventing many individuals from obtaining jobs, housing, and educational opportunities. Millions of these individuals are eligible to have their records sealed or expunged, but the complex, and often cost-prohibitive, process makes it almost impossible for these Americans to receive a second chance at life. [H.R. 5651](#), the Fresh Start Act, allows states that have record-sealing or expungement laws in place to apply for a federal grant to help improve their automated record infrastructure. There are several offenses that are not eligible for record-sealing or expungement, including, but not limited to: driving offenses, such as DUI or reckless driving, domestic battery, violation of an order of protection, sexual offenses, such as any offense that requires registration under the Sex Offender Registration Act, and others. You can find the full list of both eligible and ineligible offenses from the Illinois Supreme Court [here](#) (page 4).Not all offenses eligible for record-sealing or expungement are eligible for automatic record-sealing or automatic expungement. In many cases, a court-initiated petition process is still required. You can read a 1/4/21 Capitol News Illinois article describing the distinction between these processes as they relate to marijuana arrests [here](#).Rep. David Trone (D-MD) and Senator Chris Van Hollen (D-MD) are the primary sponsors of the legislation in the House and Senate, respectively. Also introducing this legislation in the House are Reps. Lisa Blunt Rochester (D-DE), Dan Crenshaw (R-TX), Guy Reschenthaler (R-PA), Mary Gay Scanlon (D-PA), Stephanie Bice (R-OK), Madeleine Dean (D-PA), Victoria Spartz (R-IN), and Cori Bush (D-MO).The Fresh Start Act is supported by the American Civil Liberties Union, American Conservative Union, American Parole and Probation Association, Brennan Center for Justice, Center for American Progress, Community Legal Services of Philadelphia, Dreams Corp JUSTICE, Due Process Institute, Justice Action Network, National Association of Criminal Defense Lawyers, R St Institute, Right on Crime, Successful Reentry, and Tzedek Association.You can find additional background on the legislation [here](#).