Removing Barriers to Employment through Automatic Record Clearing

CHALLENGE

Arrest or conviction records remain a barrier to employment even though many records eligible to be cleared are not.

An estimated 70 million people in the U.S. have an arrest or conviction record, which can limit opportunities for employment, education, and housing. Many states have created opportunities for people to clear, expunge, or seal crimes committed as a juvenile and for most misdemeanors, though some records remain accessible to law enforcement. However, applications to expunge records are extremely low due to lack of information about the process, cost, and complexity. One study found that 25 to 30 million of Americans with an arrest or conviction record are eligible for expungement or sealing but have not done so, while another report found a mere six and a half percent take-up rate for expungement. Research also shows that employers reject applicants with arrest or conviction histories at significantly higher rates than those without such histories. Disclosing a record can reduce the likelihood of callbacks and job offers from potential employers by almost half. Individuals with records also face significant barriers to jobs requiring a professional license, even if they are otherwise qualified. When people are able to clear their records, their earnings rise by about 20 percent.

SOLUTIONS

Automatic record clearing for eligible offenses can streamline the process and boost employment.

JPMorgan Chase supports federal and state efforts to enact and implement automatic record clearing to streamline the process and make it easier for individuals to move on from their records. A number of states and localities have enacted laws to automate record clearing for certain offenses, including using technology to identify records, automatically clear records, and notify individuals of the record clearing. Pennsylvania, Utah, and California have enacted clean slate laws and a number of additional states are now seeking to advance automatic record clearing policies of their own, including Delaware, Illinois, Michigan, New Jersey, and New York.

JPMorgan Chase supports bipartisan federal legislation introduced in the U.S. House of Representatives, the Clean Slate Act, which would provide for the automatic sealing of certain nonviolent arrest or conviction records one year after an individual has fulfilled their requirements by the justice system.
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