



April 10, 2017

Support S. 827
The Record Expungement Designed to Enhance Employment Act

Dear Senator:

On behalf of The Leadership Conference on Civil and Human Rights, a coalition charged by its diverse membership of more than 200 national organizations committed to promoting and protecting the civil and human rights of all persons in the United States, we urge you to support S. 827, the Record Expungement Designed to Enhance Employment Act (REDEEM Act). This bipartisan legislation would implement critically needed reforms to the justice system and would facilitate successful reentry for the almost one in three adults living with a criminal record in the United States.¹

Each year, nearly 700,000 people are released from American prisons, and an estimated 9 million are released from jails.² Once released, these individuals face a myriad of barriers to successfully re-entering society and rebuilding their lives. They are excluded from essential employment, housing, and education benefits and often lack access to other vital resources that are available to those without a record. Unfortunately, because of the historical legacy of racism and the persistence of institutional discrimination within the justice system, people of color are over represented amongst the population that is formerly incarcerated. What we have today is a patchwork system of inconsistent and unfair laws that discriminates against and disenfranchises individuals with criminal records, further marginalizing them from society and preventing their success.

The REDEEM Act would facilitate a successful reentry process for those who were formerly incarcerated by dismantling several of the unfair barriers they face post-incarceration in the areas of education, employment, voting, housing, and public assistance. In part, this critical, bipartisan legislation would:

- **Create an opportunity for individuals who were formerly incarcerated to seal records of nonviolent offenses.** Under the REDEEM Act, individuals who qualify can petition the court to seal their records one year after completing their term of incarceration or probation.
- **Require the court to automatically seal and expunge certain juvenile records.** Under the REDEEM Act, the court would be required to automatically seal any nonviolent offenses committed by a juvenile after the age of 15 and automatically expunge the records of any nonviolent offenses committed before the age of 15.
- **Provide incentives for states that raise the age of adult criminal responsibility to 18 years old.** Through amendments to the Omnibus Crime Control and Safe Streets Act of 1968, the REDEEM Act incentivizes states to set 18 years old as the floor for establishing original jurisdiction in the state's adult criminal courts.

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- ***Strictly curtail the use of room confinement for juveniles in detention.*** Under the REDEEM Act, the confinement of juveniles to their rooms would be limited to situations where they pose a serious and immediate risk of physical harm to themselves or others. The use of room confinement for other reasons, including for discipline, punishment, retaliation, staffing shortages, or administrative convenience, would be strictly prohibited for juveniles.
- ***Remove lifetime bans on eligibility for SNAP and TANF benefits for certain offenders.*** Under the REDEEM Act, certain individuals who were convicted of nonviolent drug use or possession, and some individuals convicted of distribution, could become eligible for Supplemental Nutrition Assistance Program (SNAP) and Temporary Assistance for Needy Families (TANF) benefits.
- ***Enhance accuracy and privacy protections within the FBI's background check system.*** Under the REDEEM Act, the FBI would be required to verify that a record is complete and accurate before turning it over to any requesting entity. The FBI would also be prohibited from distributing information regarding arrests that are over two years old and did not contain a final disposition.

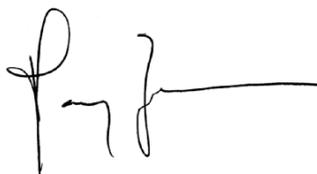
Through these critical reforms, the REDEEM Act would help facilitate successful reentry and reduce recidivism rates for individuals who have served their time and returned to their families, communities, and careers. It is past time that Congress restores individual rights to formerly incarcerated individuals who have paid their debt to society. Urgent congressional action is needed to fix our broken criminal justice system and the racial and socio-economic injustices that affect formerly incarcerated individuals. For these reasons, we strongly urge you to support the passage of S. 827, the REDEEM Act.

Thank you for your consideration of this critical legislation. If you have any questions, please feel free to contact Sakira Cook, Counsel, at (202) 263-2894 or cook@civilrights.org.

Sincerely,



Wade Henderson
President & CEO



Nancy Zirkin
Executive Vice President

¹ See McGinty, Jo Craven. "How Many Americans Have a Police Record? Probably More than You Think." *The Wall Street Journal*. Aug. 7, 2015. <https://www.wsj.com/articles/how-many-americans-have-a-police-record-probably-more-than-you-think-1438939802>.

² See "Facts and Trends." *The Council of State Governments National Reentry Resource Center*. <http://csgjusticecenter.org/nrrc/facts-and-trends/>.