The Advocate's Guide to Automatic Record Sealing

Essential knowledge for crafting policy government can implement

Updated October 2025

CODE *for* AMERICA

Table of contents

Introduction

Welcome to the Advocate's Guide to Automatic Record Sealing, developed by the Clear My Record team at Code for America. Code for America's Clear My Record program designed this resource to help advocates integrate actionable technical best practices into automatic record sealing (otherwise known as "Clean Slate") policy. Prioritizing effective implementation from the very beginning ensures government can actually seal records and eliminate obstacles to employment, housing, education, and other essential aspects of people's lives.

At Code for America, we believe record sealing should be automatic, government-driven, and provided to people as soon as they become eligible for it. Our work is rooted in the notion that making automatic record sealing a routine government service is the most effective way to remove barriers caused by a criminal record.

Over the past seven years of our engagement in automatic record sealing policy design, Code for America has come to understand that automatic record sealing policies are fruitful only when they are implementable. Code for America has provided policy design and implementation support in more than 20 states, working directly with government, policymakers, and advocates to develop a deep understanding of what influences a policy's *technical feasibility,* or the likelihood that government ultimately makes its automatic record sealing policy a reality.

Collaboration with The Clean Slate Initiative

Code for America works closely with The Clean Slate Initiative to support campaigns in successfully passing and implementing automatic record sealing policies. The best practices included in this guide are strategically aligned with The Clean Slate Initiative's vision for Clean Slate policies. Our collaboration, in deep partnership with state coalitions, is a collective effort that aims to strengthen a policy's impact and success.

What's included

Using this guide, advocates can find the essential information needed to ensure their policy is technically feasible. Whether someone is new to policy work or an experienced advocate, this resource offers best practices for designing **automatic record sealing policies that government can effectively implement.**

It's important to note that this is not a guide to best practices for political strategy. This guide focuses on technical feasibility, which is as important as political feasibility, because after a bill passes, automatic record sealing policies must be implemented by real-world government agencies. This guide therefore aims to make this crucial—but often overlooked—aspect of policy design accessible and actionable for advocates.

KEY SECTIONS

1. Learn the fundamentals of automatic record sealing

These sections are a launchpad, providing a solid foundation to understand key concepts.

- What is automatic record sealing?
- What is a "technically feasible" policy, and why is it important?

2. Explore how automatic record sealing actually works

Refer to these sections for a deep dive into the mechanics of automatic record sealing—where records are kept, who's in charge, and how it all comes together.

- Criminal records
- The main steps to automatic record sealing
- State agencies involved in automatic record sealing

3. Ensure a policy hits the mark

This section is a starting blueprint for crafting a technically feasible policy, filled with expert tips on eligibility criteria and process, and proven strategies to integrate them.

- Eligibility criteria best practices
- Process best practices

4. Learn how to operationalize the guide

This section explains how to make the most of the guide by providing a step-by-step approach to reviewing your bill alongside best practices.

- How To Operationalize This Guide
- Policy Review Worksheet

5. Seek support from Code for America

Discover how Code for America can be an ally, offering tools and strategies to boost the chances of getting a policy passed and put into action.

- How Code for America supports advocates in passing implementable policies in collaboration with The Clean Slate Initiative

Foundational knowledge

Before diving into the best practices, let's go over the fundamentals of automatic record sealing, implementation feasibility, and the government agencies that will be carrying out automatic record sealing.

What is automatic record sealing?

In a nutshell, the term "automatic record sealing" means that government initiates and completes the record sealing process.

Most states have some type of process to remove criminal records from public view, often called *sealing* or *expungement*. In this guide, *record sealing* is used as a catch-all term. What distinguishes *automatic* record sealing is that government seals eligible criminal records without requiring an individual to file a petition.

Automatic record sealing has a lot of associated terminology. Sometimes there are multiple terms for the same idea, but other terms might be used interchangeably, even if there are important distinctions. Key terms advocates will encounter include:

***Government-initiated* and *state-initiated* record sealing**

Automatic record sealing is also commonly called "government-initiated" or "state-initiated" record sealing. These terms are all synonyms that refer to record sealing policies that do not require petitions.

***Clean Slate* record sealing policies**

Many advocates use this term to describe automatic record sealing policies that make a broad range of records eligible to be sealed.

The Clean Slate Initiative has a list of required criteria for a policy to be considered "Clean Slate."

Automation* and *automated

Although these terms often are used interchangeably with "automatic," it's important to note that they have different meanings in this context. "Automatic" refers to the outcome for people who receive relief without having to file petitions. "Automation" refers to the *technical process* by which the government uses technology to reduce manual work so that thousands of records can be sealed efficiently. Likewise, "automated" describes aspects of a record sealing process in which technology replaces much of the manual work. With that in mind, *automatic* record sealing processes should incorporate as much *automation* as possible so that governments can seal records efficiently.

What is a "technically feasible" policy, and why is it important?

A technically feasible policy is one that government can actually implement. When a policy is technically feasible, government has the data, systems infrastructure, and resources needed to follow the steps laid out in the policy, with as little manual intervention as possible. A technically feasible policy poses minimal perceived challenges for implementing agencies and therefore is more likely to gain government approval.

While government agencies will still have to work to implement a technically feasible policy (i.e. planning, decision-making, and building technology), setting them up for technical success from the beginning means any changes they ultimately must make are clear and doable.

Creating a technically feasible automatic record sealing policy always requires new language that will differ from a state's petition-based statute. *Petition-based eligibility* often includes criteria that simply don't work at the scale needed for automatic record sealing because someone must look up the data points manually (worse yet, these data points might not even exist in a complete, standardized manner).

Likewise, a *petition-based process* will include steps that don't make sense in a streamlined, petition-less process. Even small changes can have enormous implications for feasibility, and the recommendations in this guide are crafted with technical feasibility front and center.

"A technically feasible policy is one that government can actually implement. [...] Creating a technically feasible automatic record sealing policy always requires new language that will differ from a state's petition-based statute."

Criminal records

What is a criminal record?

A criminal record contains information about a person's interactions with the criminal legal system. This includes contact with law enforcement agencies and courts and may include information like arrests, charges, detentions, convictions, and more. The vast majority of criminal records in the United States exist at the state (versus federal) level.

The goal of automatic record sealing is to shield from public view criminal records a state typically would maintain and share publicly or with background checkers. Doing so enables individuals to pass routine background checks and gain access to employment, housing, and other opportunities that were previously unavailable due to a criminal record.

In most states, publicly accessible records are computerized criminal history reports and court records.

Computerized criminal history reports

A computerized criminal history report (CCHR, or sometimes *RAP sheet* or *CORI report*) is a statewide record of an individual's interactions with the criminal legal system.

Maintained by a state-level repository, these primarily fingerprint-based records are updated using information provided by police, prosecutors, corrections departments, courts, and other state actors.

Individuals can access their own CCHRs, but public availability varies by state. In some states, an individual can pay a fee to obtain someone else's CCHR. Law enforcement, certain public employees, and licensing agencies can access CCHRs.

Court records

Court records include information about how a case progresses in court—from charges to arraignment, verdict, and sentencing. Criminal courts maintain these case records within their jurisdictions, with some states utilizing a centralized data system.

Most court records are publicly available, often online, though some may require in-person access. They are commonly used for commercial background checks and may be sold in bulk.

Handling paper and electronic records

Although criminal records may exist in both paper and electronic form, they differ when it comes to their utility for automation. Electronic records are easier to search, update, and share across agencies. They allow necessary steps in the record sealing process—including bulk identification of eligible records, data exchange between agencies, and real-time updates to public access—to happen at scale.

Paper records, by contrast, often predate digital systems and require manual handling, which limits scalability and efficiency. While paper records can't easily support automation, they can still be shielded from public view through strong internal protocols and case-by-case review of public requests.

Government agencies should use electronic records for their core automatic record sealing processes and maintain non-disclosure safeguards for eligible paper records.

The main steps of automatic record sealing

An automatic record sealing process will always differ from a state's petition-based process. The current petition-based eligibility criteria and process will *always* need at least *some* changes—even if minor— to allow an automatic record sealing policy to work at the necessary scale, ensure technical feasibility, remove unnecessary manual steps, and streamline government processes.

While state processes for automatic record sealing vary, there are three core steps the government must complete before a person can benefit from the process.

Step 1	Step 2	Step 3
The initiating agency identifies eligible records.	The initiating agency notifies relevant record-keeping agencies about which records are eligible.	Relevant record-keeping agencies update their records to reflect record sealing.

Step 1

The initiating agency identifies eligible records

The first step in automatic record sealing is identifying which records qualify for sealing. This is the duty of the initiating agency—the agency that holds the most complete and centralized criminal record data. In most states, this is either the state criminal history repository or the administrative office of the courts.

Rather than reviewing records one by one, automation makes this process scalable. The initiating agency uses technology to apply the law's eligibility criteria to records in the agency's database, and then generates a bulk list of records that qualify for sealing.

It's important to note that the initiating agency and the agency where the petition process begins may be two separate entities. The initiating agency typically is simply whichever agency has the most comprehensive set of data.

Step 2

The initiating agency notifies relevant record-keeping agencies about which records are eligible

The initiating agency informs other record-keeping agencies which records are eligible. This involves electronically transmitting information across agencies and using predefined data points to link those records. Automation allows this to happen at the scale needed to transmit thousands of records. However, in some cases, the necessary infrastructure for seamless data sharing may not exist, requiring coordination between agencies to build out the capability for large-scale data exchange.

Step 3

Relevant record-keeping agencies update their records to reflect record sealing

The relevant record-keeping agencies are then responsible for sealing confirmed eligible records. In some cases—particularly when an agency's data isn't accessed by background check companies or the public—no further action may be necessary. However, those agencies should still establish internal procedures to prevent any future public disclosure of such records.

> **To fully realize the benefits of record sealing, impacted individuals must know that their records are being sealed automatically.** They must have an easy process to verify if and how their records have been impacted so they can make informed decisions based on their updated status. To support this, there should be accessible mechanisms in place that allow individuals to easily obtain and understand their own records, empowering them to take advantage of new opportunities that record sealing offers.

State agencies involved in automatic record sealing

State criminal legal system agencies play key roles in designing technically feasible policies and implementing automatic record sealing. Code for America works with these agencies to understand their systems and address technical challenges that may hinder the adoption of automatic record sealing policies. See the last section of this guide for more information. Two types of agencies are key actors in automatic record sealing processes: courts and criminal history repositories.

Courts

In most states, criminal courts operate at multiple levels and jurisdictions, such as county courts, municipal courts, courts that handle specific offense levels, and more. All of them maintain data about cases that progress through criminal court proceedings, such as charging, arraignment, verdicts, and sentencing. In an automatic record sealing system, all criminal courts must update their case records when they are eligible for sealing. In some states, courts may also be required to create record sealing orders, either to comply with state law or to mandate that other agencies seal their records.

Centralized court systems

In some states, all jurisdictions are connected through a centralized court system, where a single case management system is used to track cases and maintain records statewide. This unified system serves as the central access point for all court data across the state, regardless of the jurisdiction.

In states with such centralized court systems, the administrative office of the courts is often the most suitable agency to determine records eligible for relief. Given their comprehensive access to statewide case data, they can efficiently identify who qualifies for record sealing. Once eligibility is determined, the administrative office can then transmit this information to other relevant legal system agencies, including the criminal history repository, to ensure that records are updated accordingly.

Decentralized court systems

In other states, court systems are decentralized, meaning each court operates its own independent case management system without a connection to other courts or a statewide data system. While automatic record sealing is still possible in states with decentralized courts, an automatic process should not begin with decentralized courts because it is too technically and logistically complex for separate courts to determine which records are eligible due to the lack of centralized data. In such cases, the responsibility for initiating the automatic record sealing process must shift to the criminal history repository, since it is the only agency with access to centralized criminal history data.

Criminal history repository

The criminal history repository is the database, or the agency that maintains the database, that contains the official state-wide computerized criminal history reports (CCHR) for people who have been arrested by law enforcement agencies. Repositories usually rely on fingerprints to link separate records back to the same person, which allows them to generate CCHRs when requested. Repositories receive criminal history information from most—if not all—major criminal legal system entities in the state, although only certain data points get reported by those other entities, and sometimes this reporting has gaps. (For example, repositories often don’t receive data regarding completion of a sentence.)

The repository must maintain an accurate and updated record of criminal history, and in an automatic record sealing process, it may include the most comprehensive criminal history information available. As such, it may be the most suitable entity to select as the initiating agency when developing an automatic record sealing policy. This is especially true if the state has a decentralized court system in which each county or jurisdiction operates a court system that is not linked to other courts across the state.

Other actors

While the repository and courts have the largest roles in an automatic record sealing, other actors may include:

- **Prosecutors**, who may have a discretionary ability to review and object to record sealing in specific circumstances.
- **Other criminal record-keeping actors** like corrections, probation, and police departments, or others who may, depending on state policy, be required to update their records to reflect record sealing.
- **Background check companies**, which are one of the primary ways people access criminal history information. They play a critical role in ensuring that sealed records are not improperly reported to the public, such as employers or landlords. Under the Fair Credit Reporting Act (FCRA), these companies are required to conduct real-time research for each background check to ensure the information they provide is current and accurate. By following these standards, background check companies help ensure that sealed records do not appear in reports, and ultimately, that individuals truly benefit from record sealing.

Technical best practices

While Code for America is dedicated to collaborating with advocates to improve the technical feasibility of automatic record sealing policies, the purpose of this guide is to help advocates independently identify and incorporate technical best practices into bill drafts as soon as they start working on a policy.

These best practices were developed based on years of experience and observation of what policy choices influence technical feasibility across multiple states. By incorporating these practices, advocates can ensure that policies are as feasible as possible and are likely to align with the existing technology and data availability of their state's agencies.

Upon incorporation of these best practices, Code for America, in collaboration with The Clean Slate Initiative and state advocates, can continue meeting with state agencies to develop state-specific recommendations that further increase a policy's technical feasibility. Outlined below are best practices for designing criteria that determine which records are eligible for automatic record sealing and process steps that enable agencies to efficiently and effectively shield these records from public view.

As a reminder, this is not a guide to best practices for political strategy. The best practices presented here focus on increasing technical feasibility.

Eligibility criteria best practices

The first step of every automatic record sealing policy is determining which records are eligible for sealing. As hundreds of thousands or millions of records typically are under consideration, the process requires automation—not manual work—to operate at that scale. This means the government will need to develop an algorithm—a set of rules—based on the eligibility criteria in a policy so that it can sort through all of its available data and produce a list of eligible records.

To automate record eligibility determination, government must be able to understand all the criteria that make a person's record eligible and locate all the data points that confirm whether the record meets the criteria.

This data may be stored somewhere in a state's criminal legal system, but the ease of automated eligibility determination is contingent upon two factors: *where it's stored* and *how comprehensively it's stored*.

An algorithm won’t be able to identify eligible records if the necessary data doesn’t exist, has gaps, or cannot be easily accessed by the initiating agency.

In cases where government agencies can’t use technology to assess eligibility, they might need to resort to manual intervention, which is time-consuming, inefficient, and expensive—and a factor that may elicit government resistance to a poorly crafted automatic record sealing policy.

Best practice 1

Clearly define eligibility criteria and ensure it aligns with accessible electronic data.

Eligibility rules based on vague descriptions, unclear legal definitions, or information not stored in a usable electronic format will require agencies to spend significant time manually clarifying criteria. Ultimately, this may hinder timely implementation.

Best practice 2

Use electronic records to determine eligibility.

Initiating agencies should determine eligibility for automatic record sealing using the electronic records within their systems, which allows for automation to happen efficiently and at scale. Protocols may be developed to shield eligible paper records from public view, but paper records should not be used as sources for eligibility determinations given the need to manually locate and review them.

Best practice 3

Explore alternatives to “sentence completion” as an eligibility criterion, especially as the starting point for waiting periods.

"Sentence completion" could refer to many data points, including completing probation, parole, prison time, paying fines, or restitution. These varied data points are often hard to access or verify for the initiating agency, especially if they’re lumped into one broad, non-specific category. One alternative option would be to verify which sentence completion criteria are available to the initiating agency and specify within policy that only those available should be used. This best practice especially applies to calculating waiting periods, since petition processes often base them on the date a sentence was completed. Because offense statutes usually have maximum sentences, adding the maximum sentence length to the date of final disposition or sentencing is an alternative option to waiting periods and would avoid the problems posed by limited sentence completion data.

Best practice 4

Avoid checks on incarceration status as a component of eligibility.

Data in Departments of Corrections (DOC) systems may not be easily accessible by courts or repositories, making it challenging for an initiating agency to determine if someone is currently incarcerated. Instead, use other available data points, such as sentencing information like disposition or sentencing date, sentence length, or maximum sentence, etc.

Best practice 5

Avoid eligibility criteria that refer to a specific registry or special license.

Requiring the initiating agency to verify someone's status on external registries or licenses can lead to challenges, especially if those systems aren't linked or if data isn't easily shared. Instead of requiring an agency to check someone's registration status directly, a policy should rely on indicators within the offense statute that mandate registration. This approach achieves the same outcome without the need to gather external data. A similar approach can be applied to special licenses like commercial driver's licenses (CDLs). Instead of excluding CDL holders from record sealing due to certain offenses, the policy could disqualify offenses that affect CDL eligibility. Alternatively, a policy could allow sealed records to be accessed specifically for CDL licensing purposes.

Best practice 6

Do not require out-of-state record checks for eligibility.

Many current petition-based policies require that someone has no intervening convictions or pending charges in order to be eligible for record sealing. Critically, a policy should specify that such checks are required only for in-state records that are accessible to the initiating agency. Currently, it is not possible to access comprehensive criminal history data across state lines without doing individual, manual checks.

Best practice 7

Don't make unpaid fines, fees, or restitution disqualifiers to eligibility.

Often, fines, fees, and restitution data is managed across multiple systems, or not tracked at all, introducing a potentially complex and resource-intensive process to determine eligibility. Policies can stipulate that automatic record sealing does not waive a person's responsibility to pay fines, fees, and restitution; those outstanding payments are simply not barriers to eligibility.

Process best practices

Following eligibility determination, the second step in automatic record sealing is for the initiating agency to inform relevant record-keeping agencies which records are eligible for sealing. Then the final step is for these agencies to update their records to reflect the sealing, shielding eligible records from public view. Automatic record sealing processes are far more streamlined than petition-based processes and are able to use technology to facilitate large-scale implementation. While not *all* details of a new process need to be explicit within a policy, it is important for a policy to include clearly defined guidance for relevant government agencies, including roles, responsibilities, and timelines, designed to support and align with technical feasibility.

Best practice 1: Specify the main initiating agency that will determine eligibility

The agency with the best centralized set of data relevant to eligibility criteria should be the initiating agency, the agency primarily responsible for determining eligibility.

In states with a centralized court system, the administrative office of the courts often will be the best initiating agency. In states with a decentralized court system, the best initiating agency is the state's criminal history repository. Note that the best initiating agency for a state might not be the same as where the petition process starts.

Best practice 2: Specify who needs to send and receive notice of eligibility

Eliminate unnecessary inter-agency notifications.

Identify the agencies that need to be notified of what records are eligible for sealing. This most likely doesn't need to be all holders of criminal records, but should include agencies that will need to shield records from public view, or are closest to background checkers. For instance, every local police department might not need to be notified about eligible records, but courts should be notified given their need to shield records and their position as a main source for many background checkers. Requiring more inter-agency notification than absolutely necessary often yields a more complex and potentially challenging technical process.

Best practice 3: Specify who must shield records from public view

Specify—and consider limiting—agencies that need to update records within their systems to reflect record sealing.

The petition process may require many agencies to update records, but in an automatic process, having certain agencies simply receive notice of record sealing may be sufficient. Still, it is imperative to instruct these agencies to keep their records referenced in the notice confidential. For example, upon receipt of a request for an arrest record, a local police department could simply confirm automatic sealing of the record in question rather than having to review all of its records to seal the eligible ones.

Best practice 4: Prioritize updating electronic records

Record-keeping agencies should not focus on manually updating paper records.

An automatic record sealing process should eliminate *proactive* requirements related to the handling of paper files (such as physically segregating, redacting, or destroying them) since these manual steps are not scalable and undermine automation.

Implementation efforts should prioritize updating electronic records. However, once an electronic record is sealed, the same legal protections should apply to all versions of that record, including any paper records that still exist.

When paper records remain in use, record keeping agencies should establish internal protocols to ensure they are not accessible through public searches, background checks, or commercial databases.

For example, an agency can remove public access to an electronic record, and then handle physical requests on a case-by-case basis—verifying whether a document is tied to a sealed electronic record before releasing it.

Agencies that actively need to modify their records should focus on those that serve as primary sources for background checks. In most states, courts and repositories serve as sources.

Best practice 5: Provide clear timelines and cadences

Establish clear, reasonable timelines for agencies to act.

The implementation process should include a reasonable effective date and timeframes for each agency's involvement in the record sealing process. This promotes accountability and facilitates inter-agency coordination. As an example, policies could require ongoing eligibility reviews on at least a quarterly basis, if not a monthly one. Records that are initially determined to be ineligible could re-enter the review queue at regular intervals as they may become eligible over time.

Direct communication with implementing agencies will yield comfortable, state-specific timelines.

Best practice 6: Provide a way for individuals to learn how their records will be impacted

Government should create a process for ensuring impacted individuals know about their sealed records.

Government agencies should provide free, easy to understand, on-demand, up-to-date information about a person's current record**.**

Best practice 7: Include auditing and reporting mechanisms

Incorporate auditing to ensure that processes are conducted accurately and reporting requirements to provide visibility into sealing activities.

Automatic record sealing policies are more reliable when there are clear systems for auditing and reporting. Auditing verifies that records are being sealed correctly and in line with the law. Reporting creates transparency, allowing policymakers, advocates, and the public to see whether implementation is on track and producing intended results.

Government agencies should:

- Report progress made toward implementation, including internal milestones and how they ladder up to overall implementation deadlines
- Report on progress collaborating with relevant stakeholders.
- Report on implementation challenges, along with plans for solving them in a timely manner
- Report on the outcomes of automatic sealing processes, including the total number of records sealed (with any objections and their reasons), as well as summary demographics.

What if all of these best practices can't be incorporated into a policy?

These best practices have been designed based on commonalities across states that explored, passed, and implemented automatic record sealing policies, and they should be the starting point for advocates pursuing technical feasibility in any state. That said, each state has unique political considerations and technical landscapes that may affect how particular best practices can be incorporated into an automatic record sealing policy. Code for America can help advocates figure out how to integrate these technical best practices or explore alternative approaches that align with their state's specific needs and conditions.

Summary of best practices

Eligibility criteria

- Clearly define eligibility criteria and ensure it aligns with accessible electronic data.
- Use electronic records to determine eligibility.
- Explore alternatives to “sentence completion” as an eligibility criterion, especially as the starting point for waiting periods.
- Avoid checks on incarceration status as a component of eligibility.
- Avoid eligibility criteria that refer to a specific registry or special license.
- Do not require out-of-state record checks for eligibility.
- Don’t make unpaid fines, fees, or restitution disqualifiers to eligibility.

Process criteria

- Specify the main initiating agency that will determine eligibility.
- Specify who needs to send and receive notice of eligibility.
- Specify—and consider limiting—agencies that need to update records within their systems to reflect record sealing.
- Prioritize updating electronic records.
- Establish clear, reasonable timelines for agencies to act.
- Create a process for ensuring impacted individuals know about their sealed records.
- Incorporate auditing to ensure that processes are conducted accurately and reporting requirements to provide visibility into sealing activities.

How to operationalize this guide

To maximize the impact of this guide, advocates should embed technical best practices into their policies from the very beginning. This should not be an afterthought but a core part of the policy design process.

Using the Policy Review Worksheet, advocates can systematically compare draft policies against these standards, noting alignment and identifying gaps. This critical review helps determine where the bill aligns with best practices and where adjustments are needed to ensure technical feasibility.

Step-by-step approach to reviewing your bill:

1. **Read and analyze the guide in full.**
   Build a strong foundation by understanding the principles that make policies technically sound. This knowledge will sharpen your review process and improve your policy design.
2. **Review your bill with the policy review worksheet.**
   Examine each section of your draft policy side-by-side with the guide's best practices. Use the worksheet to evaluate eligibility criteria and process design, marking Yes, No, or Partial. Document observations, gaps, and proposed revisions. This structured approach creates a clear roadmap for improvement.
3. **Think critically about alignment.**
   Assess whether the bill's language, structure, and criteria truly reflect technical feasibility.

When in doubt, refer to the Technical Best Practices section of the guide.

Are you seeking further support in developing a technically feasible automatic record sealing policy? Reach out to us at clearmyrecord@codeforamerica.org to explore how we can work together.

Automatic Record Sealing Policy Review Worksheet

Best Practices	Eligibility Criteria Questions	Yes	No	Partial	Notes / Action Items
Clearly define eligibility criteria and ensure it aligns with accessible electronic data.	Do the eligibility criteria clearly align with accessible electronic data?	☐	☐	☐	
Use electronic records to determine eligibility.	Does the policy direct the initiating agency to use electronic records to determine eligibility?	☐	☐	☐	
Explore alternatives to “sentence completion” as an eligibility criterion, especially as the starting point for waiting periods.	Does the bill avoid using “sentence completion” as a vague eligibility criterion?	☐	☐	☐	
Avoid checks on incarceration status as a component of eligibility.	Does the policy avoid requiring checks of incarceration status?	☐	☐	☐	
Avoid eligibility criteria that refer to a specific registry or special license.	Does the bill avoid eligibility criteria that require checking external registries or special licenses?	☐	☐	☐	
Do not require out-of-state record checks for eligibility.	Does the policy avoid requiring out-of-state record checks? Does the policy use vague language like “any jurisdiction"?	☐	☐	☐	
Don’t make fines, fees, or restitution disqualifiers to eligibility.	Does the bill ensure that unpaid fines, fees, or restitution are not disqualifiers for eligibility?	☐	☐	☐	

Automatic Record Sealing Policy Review Worksheet

Best Practices	Process Design Questions	Yes	No	Partial	Notes / Action Items
Specify the main initiating agency that will determine eligibility.	Does the bill clearly specify the main initiating agency responsible for determining eligibility?	☐	☐	☐	
Specify who needs to send and receive notice of eligibility	Does the policy clearly specify which agencies need to send and receive notice of eligibility?	☐	☐	☐	
Specify—and consider limiting—agencies that need to update records within their systems to reflect record sealing.	Does the bill clearly define which agencies must shield records from public view?	☐	☐	☐	
Focus on updating electronic records rather than paper records	Does the policy direct record-keeping agencies to prioritize updating electronic records rather than manually updating paper records?	☐	☐	☐	
Establish clear, reasonable timelines for agencies to act	Does the policy establish clear and reasonable timelines and cadences for agencies to act?	☐	☐	☐	
Create a process for ensuring impacted individuals know about their sealed records.	Does the policy ensure that individuals can freely and easily access clear, up-to-date information about their current record on demand?	☐	☐	☐	
Incorporate auditing to ensure that processes are conducted accurately and reporting requirements to provide visibility into sealing activities.	Does the policy include auditing and reporting requirements that ensure accuracy, transparency, and the ability to monitor and improve implementation?	☐	☐	☐	

How Code for America supports advocates in designing implementable policies in collaboration with The Clean Slate Initiative

As soon as a campaign starts, Code for America works directly with advocates, The Clean Slate Initiative, and the government agencies responsible for sealing records to provide support that goes beyond the best practices contained in this guide. Our role throughout a campaign—from when the first draft of Clean Slate legislation takes shape, all the way through a bill's journey in the legislature—is to help surface and solve technical implementation problems before they happen, shaping policy based on our technical expertise and input from government agencies involved in record sealing. The goal of this collaboration is to maximize the chances for successful bill passage and ultimately create the conditions for successful implementation.

Our services

- We review bill concepts, outlines, and drafts before and throughout the legislative session to provide tailored technical recommendations for a policy's eligibility criteria and new record sealing processes.
- We meet with criminal legal system agencies to assess the technical and data needs of an automatic record sealing policy.
- We review proposed bill amendments, identify technical challenges within them, and then propose solutions to any identified challenges.
- We help evaluate external stakeholders' feedback about a policy through a technical lens.
- We prepare technical talking points about a policy for advocates to use during the legislative session, including hearings.
- We provide demos to government agencies showing technical solutions to possible implementation challenges.

Are you involved in a Clean Slate campaign and/or looking for advice on specific, technical questions? Please contact us at clearmyrecord@codeforamerica.org with any questions.

We work on Clean Slate campaigns in collaboration with The Clean Slate Initiative. Interested in starting your own campaign? Please contact campaigns@cleanslateinitiative.org to learn more.