

B24-0063 - Second Chance Amendment Act of 2022

RESTORE ACT PROVISIONS	INCLUDED IN COMMITTEE PRINT?	DESCRIPTION
A clear, consistent scheme for eligibility that is easily understandable without the assistance of an attorney.	YES	The Committee Print largely adopts the RESTORE Act's clear, consistent structure.
Automatic sealing for non-convictions, with eligibility for expungement upon a motion.	NO	<ul style="list-style-type: none"> The Committee Print includes a long list of non-convictions ineligible for automatic sealing, including non-violent drug offenses. The Committee Print does not allow expungement of non-convictions unless a person affirmatively proves their actual innocence.
Automatic expungement for decriminalized offenses and offenses held to be unconstitutional.	YES	The Committee Print includes automatic expungement for citations, arrests, charges, and convictions for decriminalized, legalized, and unconstitutional offenses.
Eligibility for all convictions to be sealed after shorter, simplified waiting periods.	NO	<ul style="list-style-type: none"> The Committee Print includes a long list of offenses that can never be sealed, eliminating judicial discretion and removing all incentives for people convicted of those crimes. The Committee Print includes some of the longest waiting periods for record sealing in the United States. The Committee Print calculates waiting periods based on information unknown to the Clerk of Court (e.g., completion of supervision), making it time-consuming for the Court to determine filing date eligibility.
Completion of automatic sealing and expungement within 30 days of case disposition; all judicial decisions to seal or expunge issued within 180 days of motion.	NO	<ul style="list-style-type: none"> The Committee Print allows 90-days for automatic sealing and expungement. The Committee Print does not address the longstanding problem of motions remaining undecided by the court for many months or years after a hearing.

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For more information on the RESTORE Act's provisions, visit restore.dcjusticelab.org