

Estimates of the Colorado Records Relief under Colorado’s 2022 Proposed Clean Slate Bill

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Individuals with records who meet the eligibility requirements of CRS §§ 24-72-705 and 24-72-706 (see *The Colorado Second Chance Sealing Gap*,² hereinafter “Full Report”) are required to petition to courts to seal their records. In 2021, Colorado enacted HB 21-1214 (CRS § 13-3-117) to automatically seal a subset of those records, e.g., drug convictions, that further meet certain conditions starting January 1, 2022. SB 22-099 (currently in session), proposes to expand CRS § 13-3-117, making any records automatically sealable if they meet the eligibility criteria of CRS §§ 24-72-705, 24-72-706, and 13-3-117.

In the table below we report our estimates of the share and number of people who 1) are eligible for sealing through petitions-based relief who have not yet received it, 2) would automatically receive relief, under HB 21-1214 and SB 22-099, i.e., without petition, and the aggregate annual earnings loss associated with these populations who are not currently receiving relief. In addition, we estimate the share of people who are generally ineligible for sealing under either petitions or automated sealing, due to their convictions falling under the Victim Rights Act.

Summary statistics	<i>Eligible for relief through petition</i>	<i>Eligible for relief through Clean Slate Proposal³</i>
People in Colorado with convictions	<i>1.3M</i>	
People eligible to clear at least one conviction records	<i>873K (68%)</i>	<i>800K (62%)</i>
People eligible to clear all conviction records	<i>453K (35%)</i>	<i>352K (27%)</i>
People with any record ⁴	<i>2M</i>	
People eligible to clear at least one records	<i>1.4M (70%)</i>	<i>1M (49%)</i>
People eligible to clear all records	<i>435K (27%)</i>	<i>352K (22%)</i>

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² Available at <https://www.paperprisons.org/states/CO.html> (“Full Report”).

³ S.B. 22-099 (Pre-Amended, Feb. 25, 2022), 73rd General Assembly (Colo. 2022), available at https://leg.colorado.gov/sites/default/files/documents/2022A/bills/2022a_099sjud_01.pdf (“Clean Slate Proposal”).

⁴ For sources and citations, see the Full Report. This number includes people with uncharged arrests.

Estimated aggregate annual earnings loss associated with people in the gap	\$ 4.45B	\$ 4B
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Summary statistics	Ineligible for relief
VRA charges (convictions and non-convictions) out of total criminal records in our sample	5%
People with VRA charges out of total people with any records	~23%
VRA convictions out of total convictions	4%
People with VRA convictions out of total people with convictions	1%
People with <i>only</i> VRA convictions out of total people with convictions	2%

AUTOMATED RECORD SEALING: [CRS § 13-3-117](#) (enacted as [HB21-1214](#))

1. Drug convictions in [article 18 of title 18](#) that are eligible for sealing will be automatically sealed, by Feb 1, 2024, IF:
 - a. 7 years have passed since disposition of drug petty offenses and misdemeanors.
 - b. 10 years have passed since disposition of level 3 or 4 drug felonies.
2. Automatic sealing for arrests ([CRS § 24-72-704\(2\)](#))
 - a. Arrest records with no charges filed must be sealed within 60 days after a year has passed, starting Jan 2022.

PROPOSED SCOPE OF CLEAN SLATE AUTOMATED SEALING ([SB22-099](#), proposed)

3. Expansion of automated record sealing in [CRS § 13-3-117](#). All convictions, except for crimes as defined in VRA ([24-4.1-302](#)) and [24-72-706\(2\)](#), are eligible, IF:
 - a. 4 years have passed since the disposition of civil infractions defined in [SB21-271](#).
 - b. 7 years have passed since the disposition of misdemeanors and petty offenses with no intervening convictions, starting in 2024.
 - c. 10 years have passed since the end of the sentence for felonies with no intervening convictions, starting in 2025.