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# Michigan Clean Slate

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| **Category:** | Digital Services Government to Citizen |
| **State:** | Michigan |
| **Project Start:** | 2021 |
| **Project End:** | Ongoing |
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## Executive Summary

In October 2020, Public Act 193 of 2020 was signed into law. This act included a package of bills known as the "*Clean Slate*" package. Upon effect, this bill package makes Michigan a nationwide leader in criminal history expungement reform. The goal of the package being to assist eligible citizens by reducing barriers to employment and housing for citizens with a criminal record. The *Clean Slate* package mandated that a new automatic process be implemented to "Set Aside" eligible offenses for individuals who have not committed further crimes without requiring an individual to file an application. To meet the requirements of the law, an automated system was required to exchange data amongst multiple Michigan Executive Branch Departments, the Michigan Legislature, local law enforcement agencies, and local court offices. This data exchange was required both to determine an individual's eligibility and to report required actions to other systems where Criminal History Records are maintained.

The Information System development required to enact the *Clean Slate* legislation was ultimately done with in-house staff and required a great deal of communication between both the Executive and Judicial branches of government. Interaction between multiple computer systems was required in ways that was not anticipated when the systems were designed. At the onset, a Lean Process Improvement effort was performed to clearly identify the interactions and processes that would be needed, and extensive testing by all stakeholders was required to ensure success of the effort. Project Managers were employed for each of the impacted departments and a Program Manager was used to coordinate inter-department development efforts as well as coordinate communications.

The project to implement the *Clean Slate* legislation was successfully completed on time and within budget resulting in over 100,000 felony records and over 1 million misdemeanor records set-aside, and a total of over 250,000 individuals conviction free. The impacts of this effort are continuous as the criminal convictions of eligible Michigan Citizens are evaluated automatically and hundreds of citizens are impacted positively every day.

## Idea

### Opportunity

The Michigan *Clean Slate* bill package was signed into law in October of 2020, aiming at expunging qualifying criminal convictions and providing individuals with a new opportunity to clear their past criminal convictions from their records. This would be achieved by performing a *"Set Aside"* of eligible convictions, meaning that a publicly available Criminal History (background check) would no longer return in a records check. The resulting impact would help citizens with qualifying prior convictions overcome barriers to employment, housing, and other opportunities that may arise due to their criminal history. To achieve this previously, citizens would be required to submit applications to have eligible convictions *Set Aside.* Under the *Clean Slate* legislation, convictions under the identified criteria would be *Set Aside* automatically, not requiring any action from the impacted citizen. This activity would also eliminate the need for Michigan State Police staff members to manually process and evaluate each application under these identified criteria.

The legislative package included a funding package of $19M to support activities for: Attorney General (AG), Michigan Department of Corrections (MDOC), Judiciary/State Court Administrative Office (SCAO), and Michigan State Police (MSP). While each of these areas has their own technical and business teams

involved, they all needed to partner to be successful. While a myriad of technical solutions were evaluated, including the addition of new 'rules engine' systems and technology platforms, the MSP ultimately decided to allow their technical teams to add additional functionality to their existing information systems. MDOC also decided to leverage their technical teams to build the interactive services between MSP and MDOC to perform the required data exchanges. The solutions from both technical teams incorporated strategic attention to: Cybersecurity and Risk Management; Digital Government (with intention on Human Centered Design for any activities requiring additional analysis or processing by the business teams); Workforce (to reduce the need for manual activities in favor of automated activities); Legacy Modernization (for modern data exchange activities); Data and Information Management (for cataloging and integration); and Customer Relationship Management (for continued cross-collaboration with our agency partners and multiple technical teams).

The *Automatic Set Aside Program* addresses the need to implement an automated system to determine the eligibility of convictions that can be *Set Aside* as outlined in Legislation enacted in the State of Michigan Public Acts (six bills that amend MCL 780.621-624) collectively known as the *Clean Slate* package by April 11, 2023, coinciding with the conclusion of the first phase of the project.

## Implementation

### Roadmap

Michigan State Police initiated and coordinated a Lean Process Improvement effort in collaboration with Attorney General, Michigan Department of Corrections and Michigan Judiciary which completed in March 2021, leaving two years to complete all technical and business activities to begin automatically setting aside convictions.

The project management approach was largely waterfall, while technical teams worked in agile sprints with their business partners to prioritize and deploy the incremental functionality within each impacted state department. Key milestones were identified, including the deployment of the web service for data exchange with MDOC and efforts to ensure the first run against the entirety of the Criminal History Records system could run both successfully and timely.

### Stakeholders

While Michigan State Police was the project owner, stakeholder engagement included membership from: the Office of Attorney General, Michigan Department of Corrections, State Court Administrative Office, State of Michigan Courts, local courts, local law enforcement, the Michigan Legislature, the Executive Office of the Governor, Lieutenant Governor's Office, and the IT Solution Providers for multiple Court Administration systems used throughout the State of Michigan. Regular updates to these groups were essential, with bi-weekly virtual meetings to share status and allow opportunities for input.



**Michigan Clean Slate**
Setting Aside Convictions without Application

## Driving for Success

The technical teams along with Subject Matter Experts for MSP Criminal History identified and performed extensive situational testing of the appropriate logic for the rules engine. With each additional round of testing, the project team was able to ensure the system would operate as intended. However, one challenge arose upon the extended project teams. To perform the automated Set Asides under the *Clean Slate* legislation, data from MDOC's offender management systems is required. When intending to perform testing within the non-production environments for both MSP systems and MDOC systems, it became clear quickly that the data would not match for testing as each department had very different methods and schedules for the grooming and use of testing data in the non-production environments. This precluded full testing in these non-production environments. Another challenge identified highlighted that the legacy MDOC systems did not restrict manual data entry to match the expected format. While identified in the final months of testing prior to April 2023, MDOC business team members were able to work through their existing process and execute the necessary data fixes across thousands of records over the entire history of their information system datasets with long-lasting retention schedules.

Despite the hurdles presented, the teams moved forward and prepared an implementation plan which allowed for staging bulk loads of information requests to the MDOC systems and the results to be returned to the MSP systems. The partnership and collaboration over the extended teams, while stressful in some moments, enabled further development of the trust between the business teams and the technical teams. This relationship continues to flourish and mature as the project teams have moved into further phases of the program.

The project went live in April 2023 as expected and has been running successfully since. As some additional enhancements to the overall citizen experience, including the creation of the Michigan [Clean Slate MCL Search (state.mi.us)](state.mi.us), enabling citizens to search by conviction code or description to clarify if their convection(s) is/are eligible for Automatic Set Aside when the other criteria are met. All efforts thus far have remained on-time and within budget.

The technical architecture of this project is distinct and noteworthy, because while it was known that technically the teams could implement integrations between the systems, now it has been proven. The teams came together to collaboratively identify how these integrations would occur; their partnership built web services which can be called upon as needed to exchange data. In the recent past, these integrations leveraged legacy integration methods operating in batch jobs.

## Impact

### Success and Measures

Automatic Set Asides in support of the Michigan Clean Slate legislation went live, on-schedule on April 11th 2023. On day one:

- 1,077,788 Misdemeanor convictions were Set Aside
- 105,078 Felony convictions were Set Aside

The resulted in the following impacts for Michigan citizens:

- 842,593 distinct citizens benefited with at least one conviction Set Aside
- 252,417 citizens were conviction-free on their Criminal History Record

While these numbers are impressive, the ongoing impact adds even more value to the hard work and dedication of the project teams and their respective State of Michigan departments. The following results are the daily averages:

- 2,504 Misdemeanor convictions Set Aside
- 102 Felony convictions were Set Aside
- 314 distinct citizens benefit with at least one conviction Set Aside
- 177 citizens become conviction-free on their Criminal History Record

These benefits to Michigan citizens occur largely without any effort by MSP staff members. This use of technology to perform the heavy lift, allows MSP staff members to focus their efforts on other tasks enabling them to further focus on the Mission of the MSP, "Provide the highest quality law enforcement and public safety services throughout Michigan." (Mission Statement (michigan.gov)).

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*"I am grateful to our partners in law enforcement and the legislature who have worked diligently alongside us to make expungements more accessible to the Michigan public. These efforts will undoubtedly lead to a stronger state."*
*-Attorney General Dana Nessel*
*(Attorney General: AG Nessel Releases Video with Information on New Automatic Expungement Program (michigan.gov))*

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### What's Next

By leveraging existing systems within MSP to perform the rules engine activities, MSP was able to maximize on their existing investments of Information Systems and the talented individuals who support them, both on the business and technical teams. Furthermore, MSP has been able to prioritize additional enhancements scheduled to be released over the next Fiscal Year. Some of these enhancements include: improvements to the web service for interacting with MDOC as well as with SCAO, the local courts, and local law enforcement & additional tracking, reporting, and visualizations for the ongoing impacts of the Clean Slate Legislation.