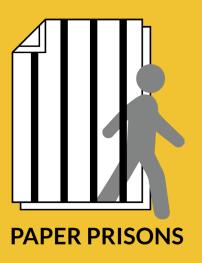
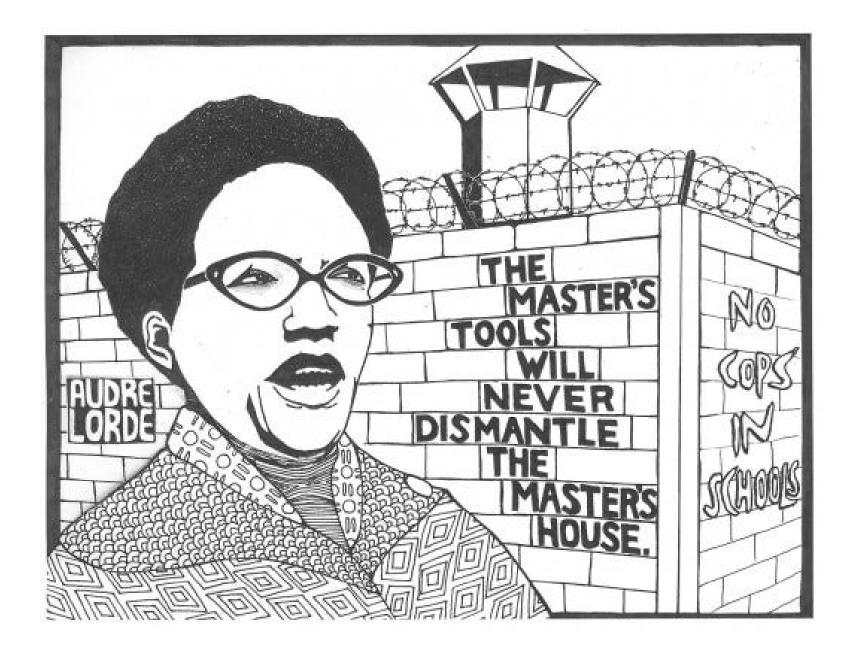
# **Automated Expungement and Notification**

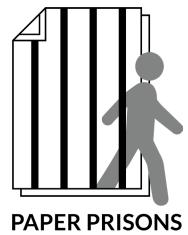
Jake Rhodes and Colleen V. Chien
Santa Clara County Public Defender
Berkeley Law School
Paper Prisons Initiative
cchien@berkeley.edu



# How GenAI can Address the Access to Justice Gap in Expungement

Professor Colleen Chien, with help from Miriam Kim, Kelly Tsu, Yangxier Sui, and Audrey Im UC Berkeley School of Law cchien@berkeley.edu | X: @colleen\_chien





The Paper Prisons Initiative conducts rigorous research to address the "second chance gap" between eligibility and delivery of relief from the criminal justice system.



PAPER PRISONS

- 1 in 3 adults has a criminal record.
- Many could clear their records under the existing expungement law
- But lack of awareness, bureaucratic hurdles have led less than 10% of those eligible for relief to receive it.
- An estimated 20-30M Americans remain held back by red tape, not steel bars, in terms of access to expungement.

Other realms of research: RJA (and forthcoming RJA tool), Drivers License Suspension (and reinstatement)

#### **Today's Demo:**

- Going from CA Expungement Eligibility to
  - Expungement App
  - Chatbot
  - English/Spanish

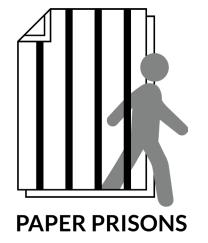


#### Using automation and AI to build empathy, change laws

- Using website tools, ChatGPT, Claude

#### **Bots and things**

Generative AI & Legal Aid: Results from a Field Study and 100 Use Cases to Bridge the Access to Justice Gap



#### Starting Point: Expungement Eligibility Flow from SLO public defender

Client may be eligible for a MANDATORY dismissal

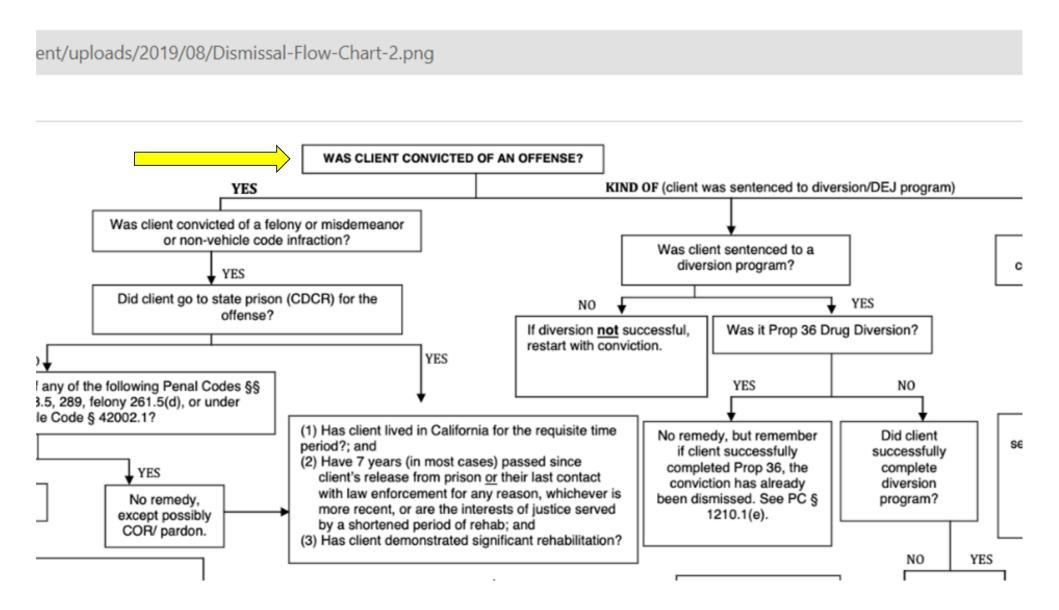
pursuant to P.C. §1203.4

complete the term of

probation/ sentence?

WAS CLIENT CONVICTED OF AN OFFENSE? KIND OF (client was sentenced to diversion/DEJ program) YES Was client convicted of a felony or misdemeanor or non-vehicle code infraction? Was client sentenced to a Was client arrested or detained but not diversion program? convicted of any charges relating to offense? YES Did client go to state prison (CDCR) for the NO offense? Was client factually If diversion not successful, Was it Prop 36 Drug Diversion? innocent of the charges? restart with conviction. NO -YES NO Was client convicted of any of the following Penal Codes §§ YES NO 286, 288, 288a, 288.5, 289, felony 261.5(d), or under Vehicle Code § 42002.1? No remedy. May be eligible for (1) Has client lived in California for the requisite time No remedy, but remember Did client **BUT** \*\* sealing of arrest record period?: and if client successfully successfully (2) Have 7 years (in most cases) passed since pursuant to completed Prop 36, the complete NO . YES client's release from prison or their last contact P.C. § 851.8 \*\* conviction has already diversion with law enforcement for any reason, whichever is Was offense a felony? No remedy, been dismissed. See PC § program? more recent, or are the interests of justice served 1210.1(e). except possibly by a shortened period of rehab: and COR/ pardon. (3) Has client demonstrated significant rehabilitation? YES NO NO YES Client may need to Is offense a wobbler, i.e., the YES meet these Client may be eligible to seal records of If client was Was client sentenced to a term of statutory sentence calls for "prison requirements. See offense pursuant to P.C. § 851.90 (drug traditional probation (court or formal)? ultimately or jail" or a "prison or a fine"? Client may be eligible for a COR chart convicted, go diversion) or PC § 851.87 (other). \*\* Certificate of Rehabilitation back to the top pursuant to P.C. §4852.15, YES YES . which will become an automatic application for a WHEN YES Offense cannot Is Client currently on court or governor's pardon. May be eligible be reduced but supervised probation on any for a reduction can be case in any county? \*\*Remember, most of a felony to a dismissed. misdemeanor employers cannot legally ask YES NO pursuant to PC Was client sentenced job applicants about arrests §17(b). The NO probation? under Realignment offense is not leading to conviction and Client may be (PC § 1170(h))? If likely also Client must be off probation before Was client convicted of a "serious" successful completion of a eligible for yes, 1 year posteligible for eligible for any §1203.4 dismissal Vehicle Code violation, as listed sentence, client may diversion program. dismissal pursuant dismissal-Check for §1203.3 (early under VC §12810? to P.C. §1203.4a be eligible for PC § follow termination of probation) eligibility See Labor Code § 432.7. 1203.41 dismissal questions for that remedy. YES Note that client Has client paid off Client may be eligible for a Client may be eligible for a DISCRETIONARY may petition fines, fees and DISCRETIONARY dismissal pursuant to dismissal pursuant to P.C. §1203.4; check if for § 17(b) restitution AND did P.C. §1203.4 client has paid all fines, fees, and restitution even while on client successfully and completed any court-ordered classes. probation.

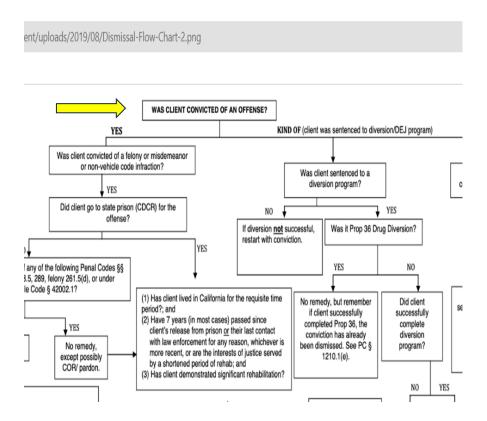
#### Starting Point: Expungement Eligibility Flow



# Eligibility Flow —> Online Tool



#### Eligibility Flow —> Online Tool





#### Eligibility for Conviction Dismissal or Reduction

Were you convicted of an offense?	I was sentenced to diversion/DEJ program	
Yes		
O #=	Wiere you convicted of a felony or misdemeanor or non-vehicle code infraction?	
○ No	(e) Yos	
I was sentenced to diversion/DEJ program	○ No	
Vere you convicted of a felory or misdemeanor or non-vehicle code intraction	Did you go to state prison (the California Department of Corrections and Rehabilitation) for the offense?	
Yes	○ Yee	
○ No	No     No	
	Were you convicted of any of the following offenses?	
Old you go to state prison (the California Department of Corrections and Rehall offense?	Sodomy (Penal Code section 286)	
0.	Lewd act upon a child (Penal Code section 288)	
Yes	<ul> <li>Onal copulation upon a child (Penal Cods section 288s)</li> </ul>	
○ No. •	Continuous sexual abuse of a child with force (Penal Code section 288.5)	
	Sexual penetration by force (Penal Code section 289)	
Continue	Rape (Penal Code section 261)     False to to the and with the improvement (liability Code section 2000) 11	
	<ul> <li>Failure to stop and submit to inspection (Vehicle Code section 42002.1)</li> </ul>	
	Yes	
	<b>⊚</b> №	
	Was your offense a felony?	
	○ Yes	
	No     No	
	You may be eligible for dismissel. Please proceed to the next page to check your eligibility for dismissel. Contact your public defender to take further action.	

#### Starting Point: Expungement Eligibility Flow from SLO public defender

Client may be eligible for a MANDATORY dismissal

pursuant to P.C. §1203.4

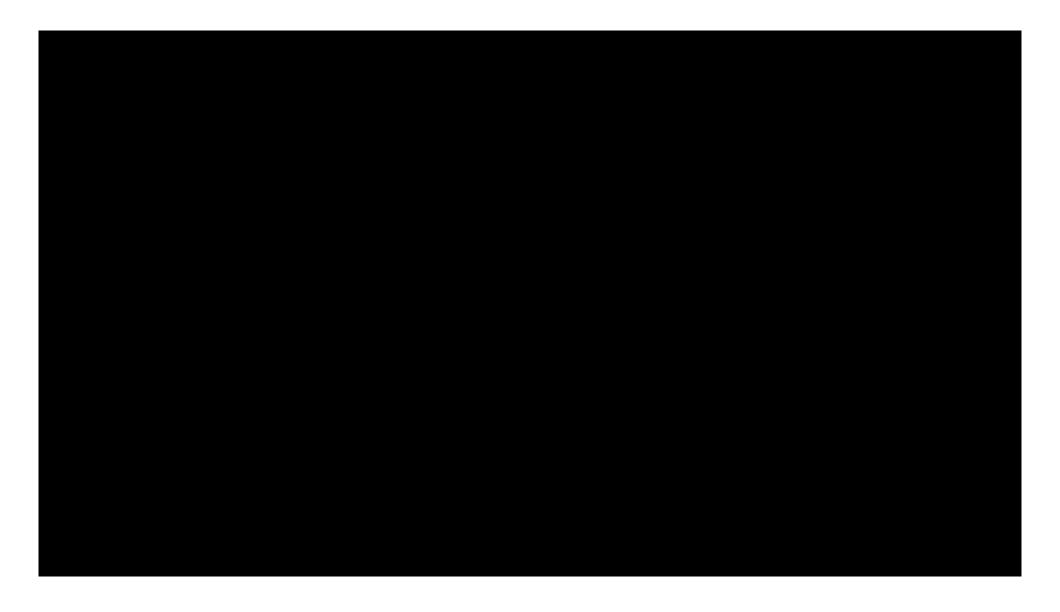
complete the term of

probation/ sentence?

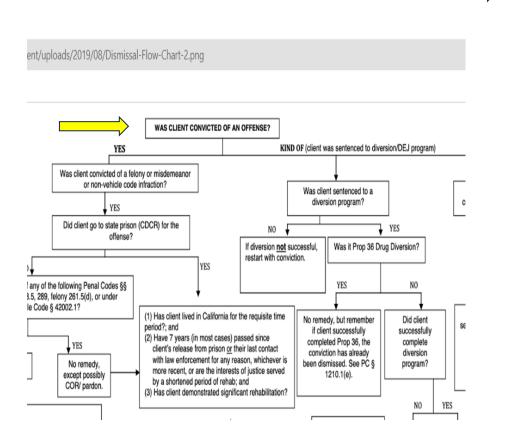
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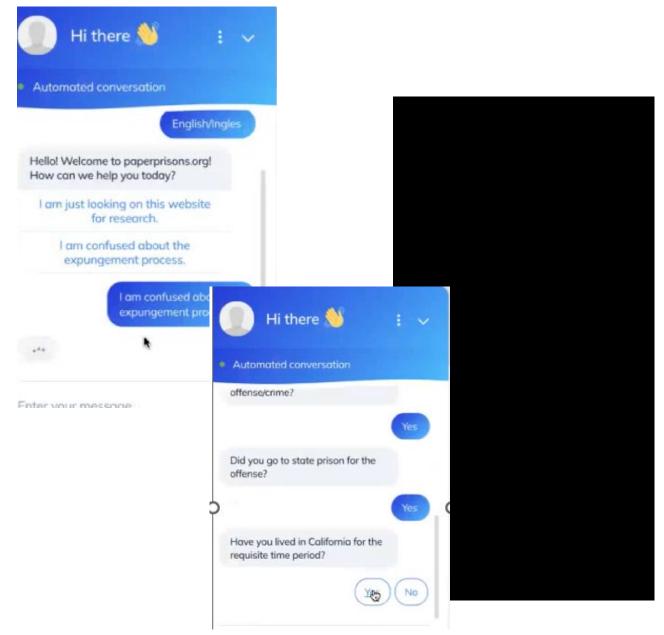
# Eligibility Flow -> Chatbot Tool (English)

# English Flow → Spanish Flow



#### **Finished Chatbot**





# **Today's Demo:**

# Going from CA Expungement Eligibility to

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- Chatbot
- English/Spanish

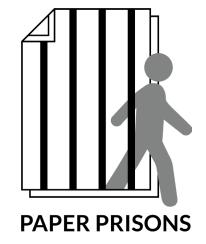
Using ChatGPT, Claude, Tidio, and Gavel.io

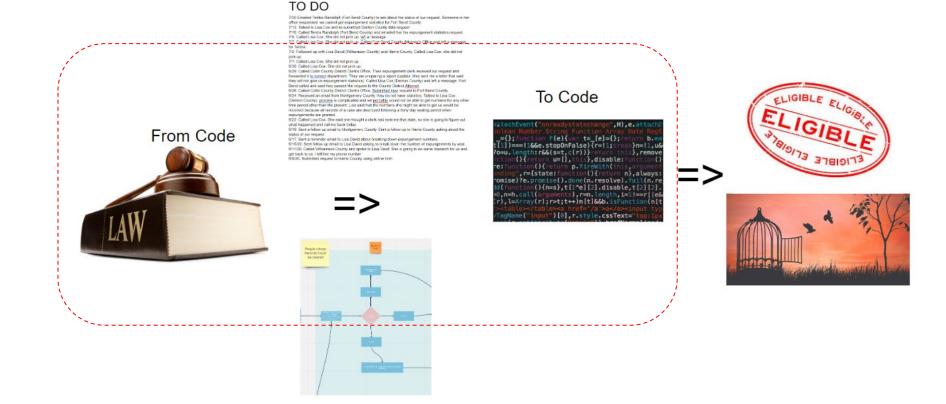
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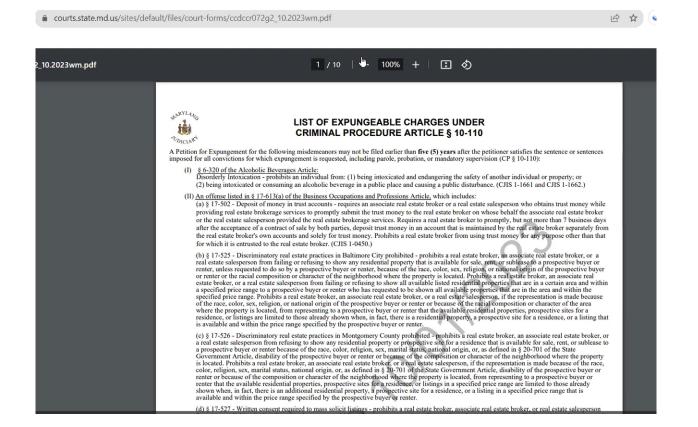


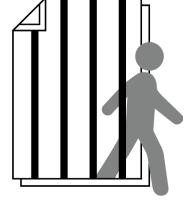
# Paper Prisons supports Clean Slate automation Law change by sizing the second chance gap between eligibility and delivery of expungement



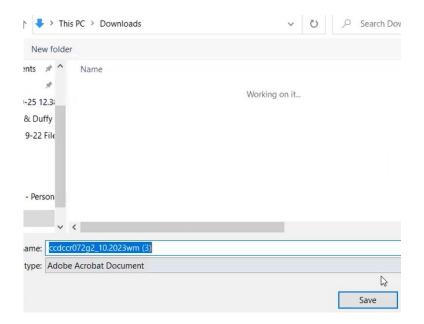


### From Legal code -> Technical Code



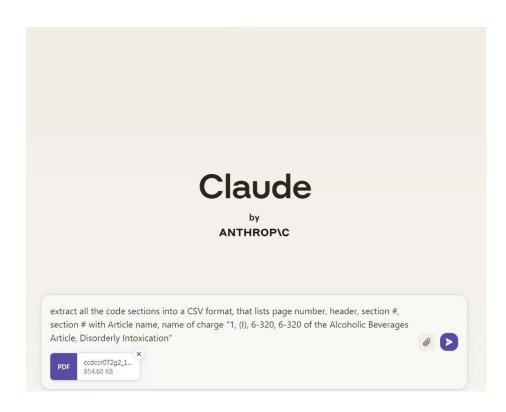


#### **PAPER PRISONS**



# From Legal code -> Technical Code





Extracting Expungement Eligibility Code Sections into CSV Format >



extract all the code sections into a CSV format, that lists page number, header, section #, section # with Article name, name of charge "1, (I), 6-320, 6-320 of the Alcoholic Beverages Article, Disorderly Intoxication"



Here is the list of code sections from the document extracted into a CSV format:

Page, Header, Code Section, Code Section with Article, Charge Name 1,(I),6-320,6-320 of the Alcoholic Beverages Article, Disorderly Intoxication 1,(I),17-502,(a) § 17-502 - Deposit of money in trust accounts, Deposit of money in trust accounts

1,(I),17-525,(b) § 17-525 - Discriminatory real estate practices in Baltimore City prohibited, Discriminatory real estate practices in Baltimore City prohibited 1,(I),17-526,(c) § 17-526 - Discriminatory real estate practices in Montgomery County prohibited, Discriminatory real estate practices in Montgomery County prohibited 1,(I),17-527,(d) § 17-527 - Written consent required to mass solicit listings, Written consent required to mass solicit listings

1,(I),17-530,(e) § 17-530 - Disclosure of representation, dual agency,Disclosure of representation, dual agency

1,(I),17-532,(f) § 17-532 - Duties and obligations of real estate licensees,Duties and obligations of real estate licensees

1,(I),17-601,(g) § 17-601 - License required to provide brokerage services,License

# Leveraging Tech and Automation (not just AI) is a big part of Paper Prisons' work

#### Racial Justice Act Tool (under development)

- Will allow public defenders and others to access the data they need to determine whether or not there are racial disparities

#### **Empathy Hackathons**

- Chatbot for a reentry provider to triage calls from prison
- Salesforce migration

#### Diary Tool

- Used to build empathy for people living with records





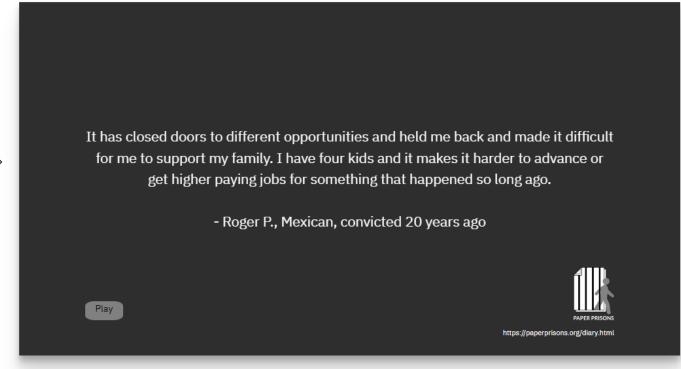
#### Paper Prisons Diary



We asked people with clearable criminal records how having a criminal record has impacted their lives.

Here is what they said:

This rotating carousel presents the testimonies of people about the impact of living with a record, to build empathy.



These are some of the nearly 1,000 responses we got to this question, as well as many others, all of the subject of a forthcoming Paper Prisons paper. Subscribe below for updates.

This tool was created by Navid Shaghagi, Ju Park, Colleen Chien, and student assistants. It is maintained by Max Calcoen.

www.paperprisons.org/diary



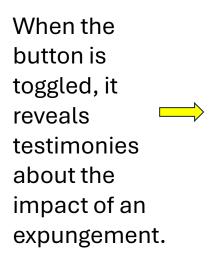


#### **Paper Prisons Diary**



We asked people how getting an expungement has changed their lives.

Here is what they said:











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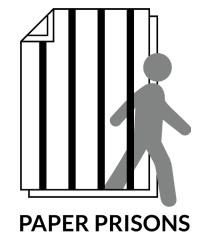


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# Bots and things

Generative AI & Legal Aid: Results from a Field Study and 100 Use Cases to Bridge the Access to Justice Gap



Pre-Trial Bots			



www.paperprisons.org | Colleen V. Chien, America's Paper Prisons, Mich L. Rev (2020)

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PAPER PRISONS