This workshop was held at the 2019 Equal Justice Conference in Louisville, Kentucky.

Title:

Using Rigorous Evaluation for Resource Allocation

Presenters:
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Having a criminal record constitutes an impediment to stable housing and employment and is a barrier to the finalization of a successful reentry strategy. Does expungement stabilize housing and employment while reducing in recidivism? Should oversubscribed legal services providers dedicate their scarce resources to assistance in obtaining expungements
Developing a Rigorous Evaluation Project to Determine Efficient and Effective Resource Allocation
Introductions and Contacts

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Introductions
Who we are and why we are talking with you today

Expungement Law and Theory
Interactive discussion of expungement law in the study site (Kansas), barriers criminal records may produce (this is what we’re studying), and concepts of economic justice associated with record-clearing.

The Study
What are we studying and why? How does this contribute to resource allocation in legal services offices?

Randomized Control Trial (RCT):
What is it? When is it ethical to conduct? What should I be thinking about when planning for an RCT?

Questions and Debrief
Discussion and clarifications
Why Kansas?

Let's compare expungement laws:

3 years from completion of sentence for:

D and E felony, misdemeanors, traffic infraction, low level drug crimes

5 years from completion of sentence for:

Other felony, Drug crimes, driving with suspended license, 1st DUI

There is a list of crimes that can’t be expunged
RESULT

If a conviction or arrest is expunged,...

“When the court has ordered an arrest record, conviction or diversion expunged...petitioner shall be treated as not having been arrested, convicted or diverted of the crime ...” (K.S.A. 21-6614(i))

1. The records or files of the offense are treated as if it never occurred.

It can only be uncovered in certain circumstances
2018 process for helping with expungements

Full representation

85 clients

Online forms (no option for limited scope review)

345 people completed the forms

Private attorney clinics

715 expungements filed
Private attorney clinics are great resource

But geographically limited
Demand is great!

1,015 people applied for help with an expungement during the same time frame, with no outreach other than our online presence.

11,500 viewed unique viewers on our webpage on expungement.
Do-It-Yourself Expungement Kit

Notice

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The Final Stage Reentry Project: An RCT of Expungement and its Effect on Recidivism, Housing, and Employment

A Proposal to the National Institute of Justice
Example: Expungement for Successful Reentry

1. Request Legal Aid
2. Expungement Eligibility Assessment
3. Prioritizing, based on capacity
   - Full Scope Legal Assistance
   - No Assistance
Expungement for Successful Reentry Study Design

1. Request Legal Aid
2. Expungement Eligibility Assessment
3. Random Assignment
4. Full Scope Legal Assistance
5. Self-Help Materials

Compare outcomes
Studying Resource Allocation
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Let's go!
Rigorous Evaluation of Interventions
i.e., not anecdotal evidence
I've got a good feeling about this.
MY SPIDER SENSE TELLS ME SOMETHING IS WRONG!
Your anecdotal evidence is adorbs! I'm going to stick it to the side of my science refrigerator.
I must buy this anti-aging powder, Nina says it's very effective!

Anecdotal Evidence is information based on nonfactual data.
New treatment

Group 1

Group 2

Sample population

Outcome

Outcome

Control treatment
Beyond Legal Outcomes

- Employment
- Housing stability
- Family Stability
- Procedural Justice
- Health
The Ethics of RCTs

**Scarcity:**
There is not enough of a resource to go around thus requiring a decision on who gets the resource and who doesn’t.

**Equipoise (We Don’t Know):**
There is no definitive answer as to whether this resource causes the outcomes we expect.

**The Study Makes Things Better:**
Because you are doing the study, you are adding a resource that is over and above the status quo as it exists now.
ADVISORY OPINION
AO-2019-001

SUBJECT: Recipients’ Participation in Research Studies
DATE: April 23, 2019

QUESTIONS PRESENTED

I. Whether the Legal Services Corporation (LSC) Act or LSC’s regulations prohibit recipients from participating in research studies.

II. Whether the LSC Act or LSC’s regulations prohibit a recipient from participating in a research study if the participation is required as a condition of receiving services.
Debrief & Questions
Developing a Rigorous Evaluation Project to Determine Efficient and Effective Resource Allocation

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