

**Data Trusts: An Ethical Pathway to Protect
the Human Rights of People Living with Criminal Convictions
Impacted by Background Screening?**

Fri. April 10, 2020, 12:00 - 1:30 pm | Fainsod L-324

Fri. April 24, 2020, 12:00 - 1:30 pm | Wexner-102

Fri. April 30, 2020, 12:00 - 1:30 pm | Carr Center Conference Room R-229

The Carr Center for Human Rights Policy invites you to join a study group on the urgent need to establish a human rights framework in criminal justice reform, which addresses mass incarceration in America.

Between 70 and 100 million Americans (1-in-3¹) are currently living with a criminal record and this number is expected to continue to rise to over 100 million by the year 2030. Once an individual comes in contact with the U.S. criminal justice system, they begin to develop an arrest and/or conviction record that will remain tied to their digital identity. However, because the economy of digital identity management for individuals with records has been emergent in its development -- and directly impacts access to financial services, employment, housing and education -- today's system is not effectively designed for maximal societal nor individual benefit. As a result, by adding additional sanctions/barriers beyond the original conviction, the volume of people with records experiencing collateral consequences has the potential to reach nearly a third of the US population. When we look to a future where decision-making is powered by artificial intelligence, poverty loops will continue to rise for this demographic.

This study group will examine the ethics of data and AI on people living with criminal records to inform the creation of a criminal justice data trust designed to protect public safety and empower individuals. A data trust is an entity created by a group of people who assign their data assets or data rights to a trustee, who will then hold and govern that data on behalf of a group of beneficiaries for a specific purpose. The beneficiaries could be those who handed the data to the trust, or anyone else, including society at large. Significantly, the trustee has a fiduciary responsibility to look out for the interests of the designated beneficiary.

The study group will be led Carr Center Technology and Human Rights Fellows Teresa Hodge and Laurin Leonard at the Carr Center for Human Rights Policy alongside Zoe Schlag, a leading

¹ The Sentencing Project "Poverty and Opportunity Profile: Americans with Criminal Records"
<https://www.sentencingproject.org/wp-content/uploads/2015/11/Americans-with-Criminal-Records-Poverty-and-Opportunity-Profile.pdf>

national impact investor in the tech industry. They will be workshopping research for a white paper.

- Session 1: Ethics, Morality and Criminal Justice Algorithms
- Session 2: The Macro and Micro Implications of AI on People Living with Criminal Records
- Session 3: A Criminal Justice Data Trust: Legal frameworks and governance structures that protect public safety and empower individuals
- Session 4: A Criminal Justice Data Trust: Navigating Consent