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The unified voice for Maine's community behavioral health providers

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Testimony in Support of LD 848
An Act to Expunge Certain Nonviolent Drug Crimes

Sponsored by Representative Billy Bob Faulkingham

4.27.2023

Good morning, Senator Carney, Representative Moonen, and esteemed members of the Joint Standing Committee on Judiciary. I am Malory Shaughnessy, a Westbrook resident, and the Executive Director of the Alliance for Addiction and Mental Health Services. The Alliance is the statewide association representing the majority of Maine's safety net community-based mental health and substance use treatment providers. The Alliance advocates for the implementation of sound policies and evidence-based practices that serve to enhance the quality and effectiveness of our behavioral health care system. We thank Representative Faulkingham and the co-sponsors for bringing this bill forward.

On behalf of the Alliance, I am here today to speak in favor of LD 848, "An Act to Expunge Certain Nonviolent Drug Crimes." This bill allows a person convicted of violating the Maine Revised Statutes, Title 17 A, section 1107-A to petition the court where the person was convicted to expunge all records of the crime 5 years after the completion of the person's sentence. The proposal does not allow for expungement of records for persons who have subsequent convictions or pending criminal charges. The Alliance recognizes that there will likely be debate around expungement v. expunging or sealing, so we are testifying in support of second chances generally, and expungement and/or sealing of records specifically. Expunging or sealing drug crime records refers to the process of restricting access to criminal records related to drug offenses. This can have significant benefits for individuals who have been convicted of drug crimes, as well as for society as a whole and that is why the Alliance strongly supports this proposal.

Firstly, expunging or sealing drug crime records can help individuals move on from their past mistakes and start afresh. A criminal record can have a lasting impact on an individual's ability to find employment, housing, and education. By expunging or sealing drug crime records, individuals can have a fair chance at rebuilding their lives without the stigma and discrimination associated with a criminal record.

Secondly, expunging or sealing drug crime records can reduce recidivism rates. Without access to employment, housing, and education, individuals convicted of drug crimes are more likely to reoffend. By giving them a second chance, we can reduce the likelihood of future criminal behavior and promote rehabilitation.

Thirdly, expunging or sealing drug crime records can benefit our entire state by reducing the burden on the criminal justice system. With fewer individuals reoffending, we can reduce the number of people in prison and the associated costs of incarceration.

In conclusion, expunging or sealing drug crime records can have significant benefits for individuals who have been convicted of drug crimes, as well as for our state. It can help promote rehabilitation, reduce recidivism, and reduce the burden on the criminal justice system. Recovery is possible and second chances are critical to move forward. It is for all these reasons that I urge committee members to vote ought to pass on LD 848. Thank you.