

**Testimony in support of LD 259
to the Judiciary Committee**

February 12, 2025

Senator Carney, Representative Kuhn, and distinguished members of the Committee:

My name is Sarah Johnson and I am a resident of Sanford.

I am writing in support of LD259, An Act to Establish the Criminal Records Review Commission in Statute.

The indefinite burden of a long past criminal record in no way supports the rehabilitative process.

I am a former volunteer educator in the carceral system in Maine and was an educator in the New Mexico prison system from 2018-2022. If I was building a team I would hire any of my former students before some other business was fortunate enough to hire them. People re-enter their communities with an outstanding education and vocational and personal / soft skills that they have worked harder to attain in a stressful and chaotic environment than most of us could process.

Loyalty, teamwork and a great desire to contribute and care for their families drives them. Then we put up a brick wall with keeping their historical records in the forefront, as if they describe the present at all.

Public access to criminal records implies that the past record defines the integrity of a person today.

They say nothing about the rehabilitative work the person has done, educational, technical or vocational achievements that may have been earned or volunteer programs they may have participated in. Access to criminal records supports the stigma that implies that a person may be more likely to commit a crime than another community member, which research shows is not true. Rather than public access to criminal records, there should be access to work and achievements while a person is incarcerated. We should educate ourselves about research showing that formerly incarcerated people tend to be loyal employees and more likely to stay longer at a job. We are harming Maine's economy, families and communities by allowing access to criminal records with all burdens and barriers they perpetuate.

A criminal record is a punishment creating long term barriers to employment, housing, education and support systems. Denying individuals the opportunity to succeed harms family and community as well. It perpetuates a cycle of poverty, crime, and reliance on government assistance. This is bad for individuals and expensive for communities and taxpayers.

Data in 2023 from the Sorenson Impact Institute and reported on by Forbes ([Driving Impact And Equity Through Criminal Record Expungement](#)) and other media outlets show that up to 79% of people with accessible criminal records are denied housing, and individuals earn on average \$7,000 less than people without records. They posted research finding that 63% of people without the burden of accessible criminal records are more likely to get a job interview, and wages will increase up to 22% within a year after clearance.

For employers, people with records represent an untapped pool of skilled and loyal workers, especially in this tight labor market. [Research shows](#) that hiring people with criminal records leads to higher retention rates. Survey data shows that [85% of HR professionals](#) report that individuals with criminal records perform as well as or better than employees without records.

The harm caused by these barriers have generational effects of negative impacts on families and children. A prior analysis by the Center for American Progress states overwhelming statistics on how many children now have at least one parent with a criminal record. They describe how economic barriers of a parent's record harm children with what child development experts call an "adverse childhood experience," jeopardizing children's cognitive development, school performance, educational attainment, and even their earnings and employment in adulthood. Their research shows that a parent's record has an impact on their child's future earnings and opportunities, leading to the perpetuation of that poverty across generations. This is a barrier to fairness and the opportunity to build family generational health and wealth.

All of the data described above boils down to the fact that public access to criminal records does not reduce recidivism, it increases it. It does not support public safety or enhance the economy, it harms both.

Beyond all the data is the question of who we are and who we want to be. If we believe in second chances and want to support our formerly incarcerated neighbors and their families, why are we simultaneously anchoring them with an indefinite sentence? Removing this burden will be a benefit to all Mainers as increased opportunities and growth for individuals extends to family and community.

This is NOT an issue that can not be resolved at 1 time with 1 bill, which is why I fully support the establishment of the Criminal Records Review Commission in Statute. The Review Commission will research and analyze data relating to public safety, develop criteria and eligibility for sealing or vacating records, and evolve these procedures as they are most beneficial to the community.

Recently I have been meeting with community business leaders around York County. During one meeting a woman emotionally shared that years ago she was reluctant at best to hire a formerly incarcerated person, but she did it. She went on to describe what a wonderful decision it turned out to be on many levels. She hired an excellent employee, who remains a close friend. Everyone in the

room felt the emotion of her excitement at being able to help someone care for their family simply because they needed to hire an employee. Watching the thoughtful reactions around the room, I thought about LD 259.

Just like that business owner, the Criminal Records Review Commission is about seeing who people are now, appreciating their accomplishments, rehabilitation, responsibility and growth.

I hope you will support this bill.

Thank you for your time and consideration.

Sarah Johnson
Sanford, Maine.