

TO: Chair Beebe-Center
Chair Hasenfus
Members of the Joint Standing Committee on Criminal Justice and Public Safety

DATE: January 12, 2025

RE: LD 1916, An Act to Automatically Seal Criminal History Record Information for Class D and Class E Crimes Relating to Marijuana Possession and Cultivation

To the distinguished members of the Joint Standing Committee on Judiciary,

My name is Shawn Jiminez, and I am a resident of West Gardiner. Previously, I served as the Co-Chair of Advocacy for Columbia University's Criminal Justice Coalition, spearheading campaigns to support those interacting with the justice system in New York City. I currently support youth at Long Creek Youth Development Center, and learners who are incarcerated across the country with College Guild. I am writing today to testify in support of LD 1916.

As a firm believer in legal accessibility, I believe it is imperative that financial and administrative barriers are reduced in the criminal legal system. Working as a legal assistant at a law firm in Southern Maine shed light on the shared burdens that come with filing paperwork within the court system. While the option to petition for sealing is currently available, the process could require legal assistance. This instills an unnecessary financial burden on low-income Mainers. Given the current back-logged nature of legal aid organizations, the automatic sealing process would provide an opportunity for individuals to gain mobility in a faster, more efficient manner.

I urge the Committee to consider automatically sealing the criminal history record information for individuals convicted of marijuana-related crimes. Maine enacted LD 2236 in 2024, enabling individuals to file post-judgement motions for the sealing of criminal history record information tied to the aforementioned crimes. Emphasizing the racialized nature of these convictions, in which Black individuals in Maine faced increasingly-disproportionate marijuana possession arrests from 2010-2018 even following legalization¹, it is the just action to include these convictions in the automatic sealing process. The Legislature has a responsibility to address these inequities within the criminal legal system. California, Colorado, Connecticut, Delaware, D.C., Minnesota, New Jersey, and Virginia all currently uphold specific automatic clearing processes for marijuana-related convictions.²

Thank you for the opportunity to voice my thoughts and suggestions. Your consideration of these matters and solutions is very much appreciated.

Best,

Shawn

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<https://www.aclu.org/news/criminal-law-reform/a-tale-of-two-countries-rationally-targeted-arrests-in-the-era-of-marijuana-reform>

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<https://ccresourcecenter.org/state-restoration-profiles/50-state-comparison-judicial-expungement-sealing-and-set-aside-2-2/>