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

Good afternoon Senator Carney, Representative Moonen, and members of the Committee on Judiciary:

I am Representative Billy Bob Faulkingham, and I am here today to present my bill LD 848, “An Act to Expunge Certain Nonviolent Drug Crimes”.

Although I have long supported expungement of drug possession crimes, and voted for a few in the past, I have sponsored this bill today because I got a call from a local drug counselor about this issue. He explained to me how many people who made mistakes when they were young have been seriously handicapped later in life by those poor decisions.

The crimes outlined in this bill are simple drug possession crimes. I’ve included a sheet with those crimes for you to see.

This bill is very simple. It’s short enough that will briefly go over it.

**Expungement of records of nonviolent crimes**

1. Drug possession crimes. A person convicted of violating Title 17-A, section 1107-A may petition the court in which the conviction was recorded to expunge the record of the conviction after a period of 5 years from the completion of the sentence. The court shall order all records of the conviction expunged if the defendant has not been convicted of a crime in this State or any other jurisdiction since the conviction subject to the petition and has no formal charging instrument for a crime pending in this State or any other jurisdiction.

2. State Bureau of Identification. Following receipt of a court order for expungement under subsection 1, the Department of Public Safety, Bureau of State Police, State Bureau of Identification shall make the necessary arrangements with the identification division of the Federal Bureau of Investigation to have all references to the expunged crime deleted from the Federal Bureau of Investigation's identification record and any state materials returned to the contributing agency.

As you can see, this bill only deals with people who have had minor drug possession violations, and have had a clean record for 5 years. This bill rewards people who have changed course and paid their debt to society. Drug possession is a victimless crime. If there is no victim, there is no crime.

Well, actually it may be worse. The victim of drug possession is the addict. It seems cruel to punish them with a life sentence of shame, humiliation, and loss of employment for a mistake. We shouldn't criminalize addiction, especially with a punishment that lasts a lifetime.

Please help people get their life on track by expunging non-violent drug crimes by voting OTP on this bill.

Thank you for your time and consideration. I will answer any questions you may have.

Respectfully,  
Billy Bob Faulkingham  
State Representative