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Testimony of Senator Eric Brakey

Presenting L.D. 1550, An Act to Authorize the Expungement of Records of Nonviolent Crimes

Before the Judiciary Committee

Thursday, April 27, 2023

Senator Carney, Representative Moonen, and members of the Joint Standing Committee on Judiciary: I am Senator Eric Brakey, representing the people of Auburn, New Gloucester, Poland, and Durham. I am before you today to present L.D. 1550, *An Act to Authorize the Expungement of Records of Nonviolent Crimes*.

We have all made mistakes. I bet we all know constituents who made a mistake as a young adults, faced a conviction, served their time, and learned their lesson, but decades later, they still struggle as that conviction follows them for the rest of their lives — a scarlet letter that impacts their ability to hold a job and secure housing.

Informed by Christian ethics that values redemption, our society values second chances. The legislation before you today is authored in that spirit. As written, L.D. 1550 would afford people with Class C, D, and E offenses on their record the opportunity to petition the court that convicted them — five years after the completion of their sentence — to have their record expunged and a clean slate granted.

It is important to note there are exceptions to this. In order to qualify, the individual must not have any subsequent convictions or pending criminal charges. Further, crimes that involve domestic violence, bribery or corruption, or the victimization of a minor or an individual 65 years of age or older would not qualify under this proposal.

This legislation is modeled upon bipartisan criminal justice reform, signed into Kentucky law in 2016 by the former Republican Governor, Matt Bevin. Urging the importance of these reforms for his state, Governor Bevin said, “It is critical that there is an opportunity for redemption, that there is an opportunity for second chances, because America is a land that was founded on these principles.”

Thank you all for your time and consideration.