

Testimony in support of LD 1911 -An Act to Automatically Seal Criminal History Record
Information for Certain Crimes

To the esteemed members of the Judiciary Committee,

My name is Nicole Lund, CADC and I am here in support of LD1911. A criminal record continues to punish a person long after they have successfully repaid their debt to society. A criminal record can severely limit a person's access to employment, education, housing, civic engagement, and public assistance. Digital access to criminal records has made it easy for employers and landlords to discriminate viable candidates based solely on a prior criminal conviction. Similarly, lenders and educational institutions use this information to disqualify applicants. Spouses and children whose parents have criminal records are punished by also being denied access to these resources. This contributes to the generational pattern of criminality. Record sealing allows people an opportunity to develop the social capital that deters them from future law violations, improve outcomes for their family, and contribute to the economy.

Research shows that people who remain crime-free for a certain period are no more likely to commit a crime than anyone else in the general population. In fact, individuals with sealed criminal records commit fewer crimes than the general adult population(Lo, 2020). Clean Slate policies recognize this reality while maintaining the necessary checks and balances to ensure fairness and security. Research also shows that recidivism rates for sealing recipients are extremely low. Recidivism rates are drastically lower in states with Clean Slate policies (Smith, 2023).

Clean slate policies hold strategic value in advancing public safety goals while reducing the strain on an overburdened criminal justice system. Records in Maine would be sealed rather than destroyed and remain available to law enforcement and legitimate purposes such as

background checks when legally required for specific employment such as childcare. This aspect of the bill acts as a safeguard to ensure safety for the community.

The biggest barriers to a person's recovery are related to an inability to get their physiological needs met. When a person is struggling to find housing, job insecurity, and feed themselves due to stigma related to substance use and other mental health issues that have led them to be system impacted, they are significantly more likely to reoffend. Clean slate legislation would allow a person an opportunity for a fresh start once they have paid their debt for harm they have caused. By continuing to punish a person for the remainder of their life, their chances for recovery and successful reintegration is seriously diminished.

Thank you for your time and consideration. I urge you to vote "ought to pass" on LD1911.

Sincerely,

Nicole R Lund, CADC

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References:

Smith, Christi M. The Pathway to Prosperity: How Clean Slate Legislation Enhances Public Safety and Stimulates the Economy. R Street Policy Study. March 23, 2023.

Lo, Kenneth. Expunging and Sealing Criminal Records. Center For American Progress. April 23, 2020