



**Testimony Submitted to the Joint Committee on the Judiciary
In Support of H.1531/ S.980
An Act to relative to expungement of juvenile and young adult records
By Nancy Bettinger and Lucy Costa, LWVMA Criminal Justice Reform Specialists
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The League of Women Voters of Massachusetts represents 47 local Leagues across the state, from Cape Cod to the Berkshires. We urge you to support H.1531/S.980 and to report it favorably out of committee. This bill aims to remove barriers encountered by people with juvenile records when they are seeking housing, education and employment. Through bills passed in 2018 and 2020, the legislature has made important progress in reforming expungement policies and practices. The legislation being considered now is needed to close gaps that were not covered by the earlier expungement reforms.

If passed, this bill would expand the number and types of records eligible for expungement through several provisions. These include:

- Eliminating lifetime bans on expungement, except in cases resulting in serious bodily harm and sex offenses;
- Excluding non-convictions and non-adjudications from the eligibility restrictions based on number of charges or cases
- Eliminating restrictions on expungement based on the number of convictions (House bill only) and adjudications; and
- Discontinuing the practice of transmitting juvenile records to the FBI, considering that the Bureau does not keep them confidential.

This bill would also require the Massachusetts Probation Services to report annually on expungement petitions, outcomes and reasons for denials so that policy makers and the public can evaluate the implementation and impact of the legislation (MCJJR 2020).

People with juvenile records face formidable challenges in trying to build better lives, including difficulty in securing housing, finding employment, serving in the military and obtaining a college education (Shah and Strout 2016). These barriers undermine the rehabilitative purpose of juvenile court, and they can persist indefinitely. The League of Women Voters of Massachusetts supports sentence lengths that encourage rehabilitation and reintegration into society (LWVMA 2020). However, the current practice of maintaining juvenile records over the long term, in effect, extends the duration of punishment and obstructs reintegration into the community. Expungement of court and arrest records is vital to enabling people to successfully re-enter society and lead normal, productive lives.

Racial disparities are prevalent throughout our criminal legal system. In Massachusetts in 2020, Black youth between 12 and 17 years of age made up only 10% of the total youth population but 43% of custodial arrests and (in 2019) 30% of arraignments. In the same time period, white youth made up 65% of the youth population but only 23% of the custody arrests and 50% of the



arraignments (JPADD 2019). The League of Women Voters has resolved to advocate the eradication of systemic racism, and the harm that it causes (LWV US 2020). If passed, this bill would reduce the social and economic harm that follows from having been involved with the legal system, and alleviate the inequitable impacts on people and communities of color.

Therefore, we urge you to report this bill favorably out of committee.

Thank you for your consideration.

References:

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