



SUPPORT FOR HB 2226 – Requiring certain criminal convictions to be expunged from an offender's record automatically.

Testimony of Kendall Seal, Director of Advocacy, American Civil Liberties Union of Kansas

House Judiciary Committee – February 8, 2021

Chairman Patton and Members of this Committee,

Thank you for the opportunity to present testimony today. My name is Kendall Seal and I am the Director of Advocacy for the ACLU of Kansas. We are a nonpartisan, non-profit organization that works to preserve and strengthen the constitutional liberties of all Kansans. HB 2226 offers much needed and long overdue reform that will have tremendous benefits for people that have touched the criminal legal system, by removing unnecessary barriers to reentry and allowing people a greater opportunity to thrive in Kansas.

In our modern society, a criminal record can limit a person's opportunities and the quality of life they can achieve for themselves and their families for years, and even decades, after that person has completed the terms of the criminal sentence imposed. Even the existence of an arrest record with no conviction can limit job opportunities, housing, access to higher education, credit, and access to jobs that require professional licensing.

It's because of this stigma and the loss of opportunity for people with a criminal record that the ACLU not only supports expungement, but views this legislation as a critical tool for increasing public safety. This bill gets at some of the most important tools for fighting recidivism: access to good jobs, safe housing, and educational opportunities.

Expungement works, and the benefits are far greater than any risks involved. A research study done by University of Michigan Law School found that those who are able to obtain expungements have very little risk of recidivism and a significant improvement in their income and ability to secure stable employment.

We need to expand and protect access to expungement. We also need to ensure that those who are eligible to clear their records don't have to stumble over even more road blocks to make it happen. That includes, at a minimum, removing financial barriers to this relief. To that end, we urge the removal of the \$176 docket fee and the removal of the supreme court's ability to impose fees up to \$19 per application for those Kansans that do not meet the requirements for an automatic expungement as outlined in this bill.

The ACLU of Kansas urges this Committee to amend HB 2226 to remove the docket fee, and to pass this bill as an important early step to promote a more just criminal legal system and to help Kansans overcome unnecessary roadblocks to success. Thank you again for the opportunity to present testimony. I am happy to answer questions from this Committee at the appropriate time.