Criminal Defense Attorneys of Michigan

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May 10, 2011

The Honorable Rick Jones
Chair
Senate Judiciary Committee

The Honorable John Walsh
Chair
House Judiciary Committee

Chairmen Jones and Walsh:

The Criminal Defense Attorneys of Michigan support the criminal record expungement reforms in SB 159, 244, and HB 4106.

These bills each represent a different approach to helping individuals who have served their punishment for certain crimes to continue to turn their lives around. Often, having a conviction on an individual's record prevents them from future employment. These expungement, then, represents a key reform in helping end recidivism; it gives hope and the chance to live a normal life to people who have been reformed by our criminal justice system.

These bills safely broaden the discretion of a judge to grant an expungement while ensuring that offenders with convictions with more serious violent and sex offenses will retain their criminal record.

While CDAM is on record as supporting all three bills, CDAM *prefers the broader judicial discretion contained in HB 4106*. That bill allows the judge to expunge either 1 felony, or 2 misdemeanors that may have a penalty of up to 1 year, while the other bills limits the 2 potential misdemeanor expungements to offenses with penalties of less than 90 days (SB 159 further limiting it to those who committed the crime under 21 years of age).

Thank you for taking time with this important issue.

Sincerely,

John A. Shea, Co-Chair
Rules and Laws Committee
Criminal Defense Attorneys of Michigan