

# OFFICE OF THE PUBLIC DEFENDER

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April 2, 2026

## **TESTIMONY OF THE OFFICE OF THE PUBLIC DEFENDER REGARDING:**

**House Bills 7281, 8084, and 8085**

**ENTITLED, ACTS RELATING TO CRIMINAL PROCEDURE—EXPUNGEMENT OF CRIMINAL RECORDS**

Chairwoman Hagan McEntee and Members of the House Judiciary Committee:

The Office of the Public Defender **strongly supports** House Bills 7281, 8084, and 8085, all of which propose amendments to expand expungement opportunities for individuals who have completed their sentences and demonstrated a commitment to lawful behavior.

These three bills all decrease the time that individuals would have to wait before becoming eligible for expungement, a change that is in line with the current research on recidivism. H7281 would decrease the wait time from 5 years to 3 years for the expungement of one misdemeanor after the completion of a sentence and from 10 years to 5 years for the expungement of one felony or multiple misdemeanors; H8084 would reduce the wait time for the expungement of misdemeanors related to the simple possession of a controlled substance from 5 years to 3 years after the imposition of a sentence; and H8085 would reduce the wait time for the expungement of petty misdemeanors from 5 years to one year after the imposition of a sentence.

The first two bills reflect the reality that if a person is going to reoffend, they usually do so within the first two to three years of release.<sup>1</sup> Therefore, the waiting periods contained in these bills is both long enough to ensure that the rehabilitation is genuine and short enough to prevent the person from suffering unnecessarily collateral consequences related to housing, employment, immigration, and parenting. While the wait time would only be one year for petty misdemeanors, this reflects the “petty” nature of the crime. After all, the most commonly charged petty misdemeanor—by far—is disorderly conduct, a relatively minor offense that reflects a lower level of criminality.

In conclusion, the Office of the Public Defender strongly urges the Committee to consider the positive impact that these three bills would have on individuals seeking to rebuild their lives after completing their sentences, and vote for passage.

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<sup>1</sup> United States Sentencing Commission, *Recidivism Among Federal Offenders: A Comprehensive Overview* (March 2016), available at [https://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-publications/2016/recidivism\\_overview.pdf](https://www.ussc.gov/sites/default/files/pdf/research-and-publications/research-publications/2016/recidivism_overview.pdf) (last accessed April 1, 2026).

Sincerely,

/s/ Angela M. Yingling

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Legislative Liaison

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