

Opposition to House Bill No. 8081

Chairman and Members of the Committee,

Good afternoon. My name is Stephen Daignault, and I respectfully oppose H 8081 because it undermines the fundamental purpose and meaning of expungement.

Expungement is intended to provide individuals with a true second chance by legally erasing a past criminal record. When a record is expunged, it is not merely hidden—it is treated, in the eyes of the law, as though it never occurred. This allows individuals to move forward without the lifelong burden of a past mistake, particularly when they have demonstrated rehabilitation and compliance with the law.

This bill weakens that principle by continuing to allow expunged records to be accessed and considered in certain circumstances. By doing so, it creates a contradiction: a record is said to be erased, yet it remains available for scrutiny. That undermines both the legal clarity and the fairness that expungement is supposed to provide.

If a record is truly expunged, it should be inadmissible in background checks, licensing decisions, and other inquiries. Allowing exceptions erodes trust in the system and diminishes the incentive for individuals to pursue rehabilitation, knowing that their past may still follow them despite being “cleared.”

Background checks, in particular, should not include expunged records. Employers, licensing authorities, and agencies should only evaluate individuals based on legally relevant and current information. Including expunged records defeats the purpose of expungement and perpetuates barriers to employment, housing, and full participation in society.

A clean slate must be exactly that—clean. If the state grants expungement, it should fully honor that decision by ensuring the record is no longer accessible or used in any future determinations.

For these reasons, I urge lawmakers to reject H 8081 and preserve the integrity and intent of expungement as a true fresh start.

Respectfully submitted.