

Sen. Champion expungement legislation passes Senate floor

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State Senator Bobby Joe Champion's bipartisan legislation to clarify and strengthen Minnesota's expungement laws passed off the Senate Floor today by a vote of 41 to 25. The legislation aims to maintain public safety while allowing those who have served their time to have their records sealed so they can more easily secure employment and housing.

Sen. Champion argues that sealing or limiting access to criminal records is an important step in giving people a second chance and getting reformed offenders to become productive members of society. Supporters of the bill include the County Attorney Association, law enforcement, the Department of Education and Board of Teaching, among others.

Current state law allows judges to wipe out, or expunge, the criminal records of certain offenders. But a state Supreme Court decision ruled that judges could expunge only court records, not those collected by state agencies such as the Bureau of Criminal Apprehension or Department of Human Services. As a result, offenses were still showing up in certain background checks.

According to Champion, nearly one in five Minnesotans have an arrest or criminal record. Because of the internet, the use of criminal record checks by employers and landlords has skyrocketed as they evaluate candidates for employment and housing. Unfortunately, the online records are often inaccurate, incomplete or misinterpreted. A provision in the bill aims to correct that. It requires business screening services to delete expunged records if they know a criminal record has been sealed, expunged or is the subject of a pardon.

"All too often, online records are inaccurate," Sen. Champion said. "Many times a person could have been arrested but not charged, or their charges were dropped, or they were charged but not convicted and these arrest records show up on the internet and in reports. Unfortunately, an overwhelming majority of employers refuse to hire anyone with an arrest or criminal record, regardless of how long ago it was or the crime's relevance to the position for which an applicant is being considered."

Senator Champion's legislation is designed to remove the barriers associated with criminal background checks. Without this law change, many Minnesotans who have taken honest steps to improve their lives, or were simply in the wrong place at the wrong time, are being denied employment, housing and educational opportunities.