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Sent: Wednesday, May 01, 2019 2:45 PM

To: Ann Cummings <ACUMMINGS@leg.state.vt.us>; Faith Brown <FBrown@leg.state.vt.us>;
Pepper, James <James.Pepper@vermont.gov>

Subject: H.460 - from Department of State's Attorneys and Sheriffs

Good Afternoon, Senator Cummings:

Thank you for letting the Department submit this information for the Committee's consideration in H.460 [H. 460 - An act relating to sealing and expungement of criminal history records.](#)

The information from the Vermont Judiciary indicates that there are currently 32,000 DUI convictions on the books. An estimated 2,000 new DUI convictions can be anticipated each year. The Department has no way of knowing the number of individuals among the 32,000 that may come forward to request a DUI Sealing.

The current fee for a DUI Sealing is \$90. Fee waivers are granted approximately 55% of the time.

The Department of SAS is seeking a portion of the \$90 for reimbursing our costs associated with the work on sealing the DUIs. We request the funding at the time of the fee submission, even though we recognize that there will be work we will conduct, related to the sealing of these records, that will exceed the available fee money.

In surveying our State's Attorneys, we received responses that indicated the following:

The State's Attorneys' offices have held expungement sessions; conducted both during the day and at nights/weekends.

Normally, the SA and up to three (3) other SAO staff are needed at the sessions.

Outside of the scheduled sessions, the SA offices receive and process requests on a regular basis, which involves the State's Attorney's time, as well as their administrative staff members' time.

Some State's Attorneys have commented that they need access to NCIC in order to have a complete record check process for offenders who have committed offenses in another state.

The State's Attorneys indicated that most requests have been approved. If a request is not approved, the petitioner can request a hearing, which increases the time and costs for our offices.

If you have questions, please feel free to reach out to the Department for more information or clarification.

Thank you, Senator!

Sincerely,
Annie Noonan

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