

PHILIP B. SCOTT
Governor



State of Vermont
OFFICE OF THE GOVERNOR

May 14, 2021

The Honorable Maxine Grad, Chair of the House Judiciary Committee
The Honorable Thomas Burditt, Vice-Chair of the House Judiciary Committee
The Honorable Kevin "Coach" Christy, Ranking Member of the House Judiciary Committee
The Honorable Kenneth Goslant, Clerk of the House Judiciary Committee
115 State Street
Montpelier, VT 05633

Re: *S. 7, An Act Relating to Expanding Access to Expungement and Sealing of Criminal History Records*

Dear Representatives Grad, Burditt, Christy and Goslant:

With respect to the above-referenced bill, I want to express my gratitude to you and the entire Committee on behalf of the Departments of Public Safety, Financial Regulation, Motor Vehicles and Corrections, as well as the Governor's Office, for the conversation we were able to have about sealing and expungement of criminal records. The changes to this draft and your responsiveness to our concerns was very well received. We look forward to the opportunity to work with the Joint Legislative Justice Oversight Committee on this issue this summer.

We have no objections to the bill as currently drafted. We understand this will be going to the House Appropriations Committee and we also welcome that step in this process.

While points flagged here have no impact on our position above, two ministerial issues on which the Committee might want more information, would be first, from the Department of Motor Vehicles and the Judiciary, their capacity to accomplish the automated expungement of violation records, as well as associated records management within the timeframe you anticipate. Second, you might want to consider consulting with the Attorney General's Office on any impact on litigation which may have commenced within the two-year period prior to expungement.

Again, thank you for the Committee's careful consideration of our testimony. We hope this is an opportunity to improve this system and perhaps make it stronger for purposes of its intent to enhance the lives of Vermonters who deserve a second chance and grow the workforce, while keeping our communities safe.

Sincerely,

A handwritten signature in blue ink, appearing to read "Jaye Pershing Johnson".

Jaye Pershing Johnson
Governor's Legal Counsel

JPJ/kp