

Governor Dayton signs Champion/Melin Second Chance Expungement Bill

Written by

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Governor Mark Dayton signed a bill that will give a second chance to thousands of Minnesotans who are taking honest steps to support themselves and their families. The new law ([Chapter 246, HF2576](#)

) creates a more thorough expungement mechanism that allows judges to permanently seal the criminal records of reformed offenders – making it easier for these Minnesotans to secure good jobs, access quality housing, and provide for their families.

"People can't turn their lives around and become law-abiding citizens, if they have no hope of finding a decent job or a place to live," said Governor Dayton. "This law provides a chance for them to put their pasts behind them and live better lives. I commend Senator Champion and Representative Melin for their leadership."

State law allows judges to expunge criminal records of certain offenders. But a Minnesota Supreme Court decision ruled that under previous law, judges could only wipe out 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, which made it difficult for many offenders to obtain housing or secure employment. The new law enacted today will give judges in Minnesota the authority to expunge all criminal records for reformed offenders.

"Nearly one in five Minnesotans have an arrest or criminal record," said Sen. Bobby Joe Champion, who authored the bill in the Senate. "The use of online criminal record checks by employers and landlords has skyrocketed as they evaluate candidates for employment and housing. Unfortunately, online records are often inaccurate, incomplete or misinterpreted."

One important provision in the bill will help correct that problem by requiring business screening services to delete records if they know a criminal record has been sealed, expunged, or is the subject of a pardon.

"This legislation gives Minnesotans who made mistakes in the past a second chance so they can move on and become productive members of our communities," said Rep. Carly Melin, who authored the bill in the House. "It is an important step toward removing barriers to employment,

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housing, or a post-secondary degree – the kinds of things that allow Minnesotans to support themselves and their loved ones."

The new law also improves long-standing juvenile record expungement law by clarifying that records related to juvenile delinquency – not just an order of adjudication – can be expunged. Additionally, it provides clear standards for consideration in juvenile records expungement, and easier access by criminal justice agencies to juvenile records.

Finally, the legislation provides for easier exchange of expunged records between criminal justice agencies for use in investigations, prosecution, and sentencing for all records expunged. The law also requires agencies to notify the petitioner when their criminal records are sealed.

Supporters of the bill included the County Attorney Association and the MN Second Chance Coalition, as well as the MN Coalition of Battered Women and the MN Coalition Against Sexual Assault.



Click [here](#) for video or click on the link <https://www.dropbox.com/s/1r3m54kx2r3awmj/Champion%20Expung.%205-14-14.mpg>