



My name is Tracie Johnson. I am an attorney on the Youth Justice Project (YJP) at Community Legal Services of Philadelphia where I work to help young people clear their juvenile and adult criminal records, advocate to their employers, and educate them on their employment rights. In this work, I have the honor and privilege of working with inspiring, hardworking, and passionate young people excited to enter careers as business owners, teachers, nurses, and more. I work with young people who have high hopes of attending college and securing meaningful and gainful employment that will allow them to break the cycle of intergenerational poverty. Yet all too often, contact with the juvenile system - a system that is meant to be rehabilitative - means they face barriers to accomplishing their goals.

As you may know, under current Pennsylvania law in order to be eligible for a juvenile expungement, five years must elapse after the young person has completed supervision without any subsequent adjudications, or misdemeanor or felony convictions. Often young people are sentenced to years of detention and/or supervision. By the time they are discharged from the system, they are already transitioning into adulthood. However, under the current law they would have to wait an additional five years before they can freely apply for college, housing, and employment without worrying about whether their juvenile record will impact them. This means that during the prime period of their lives when they should be building skills toward a career, furthering their education, and building financial stability, they are instead locked out of such opportunities.

On the other hand, we know from research that when people get their records cleared, employment and earnings increase while recidivism rates remain very low. In a time where there are worker shortages and concerns about public safety, increasing access to record clearing for young people has never been more important.

And yet research also tells us that less than 6.5 percent of people eligible for expungement ever apply for relief. This is made worse for youth because many young people with juvenile records are told that their records will be sealed or automatically expunged and therefore, they have nothing to worry about. It isn't until they have already lost a vital opportunity that they realize they still have an accessible record. Senate Bill 1226 will require the Chief Juvenile Probation Officer to promptly notify the court of juvenile delinquency adjudications that are eligible for expungement and request that the court initiate expungement proceedings. This automatic expungement provision is essential to ensure that all young people who qualify can get their records expunged and will not face unnecessary barriers to jobs, education, and more.



While there are legal protections in place to keep some juvenile records confidential, many types of felony records are regularly disclosed on background checks. As such, when these records are viewed by employers, although legally they are still not supposed to be considered, they often result in young people being denied a job, housing, access to higher education and more.

Viewers of these records see the offenses and forget that these are impressionable young people desperately in need of support and write them off as if they are irredeemable. This analysis and treatment of young people is totally inconsistent with the social science recognized by the United States Supreme Court that shows that because young people's brains are still developing they are considered by experts to need more support with making mature decisions, and are growing in their discernment as it relates to issues of impulsivity, peer pressure, and recognizing the consequences of their actions. See, *Roper v. Simmons*, 543 U.S. 551, (2005). Ensuring all young people who are eligible can truly leave their history with the juvenile system in the past is critical, and the automatic provision of SB 1226 will help us get there.

The bill will also decrease the amount of time certain young people would have to wait to get most misdemeanors expunged, which furthers the goal of allowing youth to promptly move forward with their lives.

As a staunch youth justice advocate, I believe all young people, even young people with more serious offenses, are worthy of support, services, and opportunities like this to change the trajectory of their lives. As such, I would urge the legislature to consider building upon the progress made in SB 1226 in the future and either shorten the waiting periods for all misdemeanor and felony offenses or allow young people with those adjudications to petition the court for expungement prior to the waiting periods being met.

I also urge the legislature to consider in the future creating a petition-based pathway to juvenile expungement for young people with subsequent adjudications or convictions, many of which are for minor or unrelated offenses. Currently, such young people do not have a right to a hearing before a judge to consider their suitability for expungement without consent from the District Attorney's Office. Similar to the adult expungement system, young people deserve the opportunity to be heard on the factors already codified in the current juvenile expungement law before a judge, even if the DA objects. This will create more consistency and continuity in the 67 counties across the state, as well as within individual District Attorney offices.

We have a juvenile system in place because we recognize that young people who come into contact with the criminal legal system deserve to be treated differently than adults because like even our most "innocent" of children, they too are precious and deserve protection. I am a strong advocate for all young people regardless of what has happened in their lives because I believe as James Baldwin said that "these are all our children, we will all profit by or pay for what they become." I am thankful to Senator Baker and the co-sponsors of this bill for taking these first steps in ensuring that our juvenile system continues to protect all of our children.