



May 19, 2022

Dear Chairwoman Baker, Chairman Santarsiero and Members of the Senate Judiciary Committee:

On behalf of the Pennsylvania NewsMedia Association, the official trade organization for 300 print, digital and news media-related members statewide, I thank you for the opportunity to offer this written testimony. Submitted for your review is amendatory language regarding record expungement in Senate Bill 1226.

We at PNA appreciate the purpose behind permitting expungement for juvenile records and the fact that the law currently restricts most of these documents from public access. However, the public can currently access records pertaining to certain significant felonies committed by defendants 14 years of age or older. We seek to ensure that this bill does not expand expungement permissions by allowing records of these grave crimes committed by teenagers to be destroyed or sealed.

While in various places of Senate Bill 1226 these felonies are not permitted to be expunged, there is one section – subsection (3.1) on page 2 – which suggests that expungement may be permitted, even for the most heinous crimes. While this may not be the section’s intent, we believe it could be interpreted that way. Thus, we recommend, as follows, inserting a phrase citing to the current law to ensure that the most nefarious of crimes cannot be expunged. This language is consistent with other limiting provisions of SB 1226:

Lines 17-27:

(3.1) five years have elapsed since the final discharge of the person from commitment, placement, probation or any other disposition and referral, pursuant to an adjudication of delinquency following a determination by the court that the person committed an offense classified as a felony (unless the offense committed by the juvenile is precluded from expungement pursuant to 18 Pa.C.S. § 9123(a.1)), an offense classified as a misdemeanor under Chapter 61 or an offense classified as a misdemeanor under section 3126(a)(2) or (3), and since such final discharge, the person has not been convicted of a felony, misdemeanor or adjudicated delinquent and no proceeding is pending seeking such conviction or adjudication; or...

I thank you for your consideration.

Sincerely,

Barbara Hough Huesken
Manager, Legislative Affairs