

OFFICE OF THE PUBLIC DEFENDER

160 Pine Street, Providence, Rhode Island 02903

TELEPHONE: (401) 222-3492

FAX: (401) 222-3287

EMAIL TO: info@ripd.org

WEBSITE: www.ripd.org

June 4, 2024

TESTIMONY OF THE OFFICE OF THE PUBLIC DEFENDER REGARDING:

Senate Bill No: S2227

ENTITLED, AN ACT RELATING TO CRIMINAL PROCEDURE – EXPUNGEMENT OF CRIMINAL OFFENSES.

Chairman Craven and Members of the Judiciary Committee:

The OPD strongly supports Senate Bill 2227, which seeks to make amendments to the expungement statutes by clarifying the definition of misdemeanor to include convictions that were deemed felonies at the time of conviction but have since been reclassified.

A few sessions ago, the Legislature reclassified possession of less than 10 grams of a controlled substance as a misdemeanor offense. While this was an important step in the right direction, another vital step is needed to ensure that prior convictions for simple possession of a controlled substance are treated equivalent to those convictions that occur today. This bill does that.

Under the current legal framework, individuals with prior felonies that have been reclassified as misdemeanors still face barriers to expungement, hindering their ability to fully reintegrate into society. This bill addresses this issue by recognizing the reclassification of certain offenses and ensuring that individuals are not unjustly penalized for crimes that no longer carry the same severity.

By redefining misdemeanors for expungement purposes, S2227 opens a pathway for individuals to have their records expunged, giving them a chance for a fresh start and the opportunity to contribute positively to their communities. This approach aligns with the broader movement in criminal justice reform, emphasizing rehabilitation over perpetual punishment.

In conclusion, the OPD strongly urges the Committee to recommend S2227 for passage.

Sincerely,



Curtis R. Pouliot-Alvarez, Esq.
Legislative Liaison
Office of the Public Defender
401-222-1524
401-775-9946 [Cell]
cpa@ripd.org

Administration
222-1511

Appeals
222-1510

Felony Division
222-1540

Misdemeanor/PAC
222-1520

Licht VOP Unit
222-1312

Family Court
222-1530

Investigations
222-3492