

Good morning Chair and Members,

My name is Katie Tinto and I'm a Clinical Professor of Law and Director of the Criminal Justice Clinic at UC Irvine School of Law. Through the clinic, I represent individuals who are seeking to expunge their criminal convictions. I am very familiar with the barriers and hurdles formerly incarcerated individuals face when seeking to move on from past mistakes.

In the past several years, the California Legislature has made great strides in providing formerly incarcerated individuals a pathway to expunge their convictions.

However, individuals who were convicted of felonies still face enormous barriers in getting this relief and often have difficulties finding meaningful employment.

Under existing law, many individuals who commit a felony and are sentenced to a term in county jail are not eligible to expunge their convictions until one or two years *after* their release from custody. This is true even if the person completes a program like fire camp or demonstrates other remarkable rehabilitation like successfully completing residential drug treatment.

But these are the hurdles faced by individuals who served their time in county jail. Most individuals who serve their sentence in state prison-- even it's just a short term, for instance 2 years, and no matter the extent of their rehabilitation—these individuals are NEVER able to seek an expungement under current law.

Rather these individuals must wait a minimum of seven years, and then they are only able to apply for a Certificate of Rehabilitation—a limited form of relief that does not expunge the conviction for licensing purposes.

It is important for members of this committee to know that, even once individuals are eligible to APPLY for an expungement or certificate of rehabilitation, it is not certain by any means that the court will grant it. Criminal courts are highly localized. The decision is in the hands of an individual judge and the opinion of the individual prosecutor is often very influential. Requests for expungements and certificates of rehabilitation are often denied.

This bill would allow an individual who successfully completed one of the Fire Camp programs to be eligible to apply for an expungement upon his or her release from custody. It would create a pathway for professional opportunities immediately, rather than having this individual wait years before he or she could try to move forward in a professional career.

This timing is critical. It is upon a person's release from custody when they most need a pathway to employment. Stories like Fernando's remind us of why there is a need to give people the opportunity to improve their lives. By allowing a person who has demonstrated impressive rehabilitation by successfully completing fire camp to apply for an expungement, this bill will reduce recidivism and provide a critical opportunity for the individual as well as his or her family.

Members, I strongly urge you to vote aye.