



The Commonwealth of Massachusetts
MASSACHUSETTS SENATE

SENATOR CINDY F. FRIEDMAN

Fourth Middlesex District

STATE HOUSE, ROOM 313
BOSTON, MA 02133-1053
TEL: (617) 722-1432
FAX: (617) 722-1004

CINDY.FRIEDMAN@MASENATE.GOV
WWW.MASENATE.GOV

Chair

JOINT COMMITTEE ON HEALTH CARE FINANCING

Chair

SENATE COMMITTEE ON STEERING AND POLICY

June 3, 2025

Senator Lydia Edwards
Chair, Joint Committee on the Judiciary
24 Beacon St. Room 413-A
Boston, MA 02133

Representative Michael S. Day
Chair, Joint Committee on the Judiciary
24 Beacon St. Room 136
Boston, MA 02133

Dear Chairs Edwards and Day,

I write in support of a bill I refiled that is before your committee, S.1114, *An Act requiring clean slate automated record sealing*.

The Paper Prisons Initiative has estimated that 25 per cent of Massachusetts residents, or over 1.7 million individuals, have a criminal record.¹ Moreover, about 70,000 individuals are convicted of a crime each year, continuously adding to the number of records. Notably, this number does not include those who were only charged with, but not convicted of, a crime. As a reminder, we create criminal records not only when someone is guilty of a crime, but also when someone is charged, even if they are found not guilty or the prosecutor later drops the charges.

These records have a profoundly negative impact on individuals' lives. Nearly nine in ten employers, four in five landlords, and three in five colleges now use background checks. Having **any** record – including misdemeanors and charges that prosecutors later dropped – can put employment, housing, education, and other opportunities permanently out of reach.

¹ Chien, C., Aguilar, A., Kassianik, S., Shaghghi, N., Pathade, R., Chaudhary, S., Sinde, S., Greater Boston Legal Services, & SEARCH. (2022). The Massachusetts second chance sealing gap. <https://paperprisons.org/states/pdfs/reports/The%20Massachusetts%20Second%20Chance%20Sealing%20Gap.pdf>

In acknowledgement of the impact that having a criminal record can have, we allow individuals to seal their records. But despite almost 2 million of our residents having records and adding tens of thousands each year, we inexplicably still seal these records **manually**. Every request must be mailed to the Commissioner of Probation and processed one-by-one. In 2024, only 6,615 sealing petitions were processed. At this rate, it is estimated that it will take about 96 years to clear the current backlog of convictions alone.² This system is unjust, burdensome, inefficient, and has no place in the digital age.

The system also requires that to seal their records, individuals must first know that they have a right to do so. Many individuals do not know this and, therefore, do not apply to seal their records. Further, even if an individual knows they have a right to seal, they must exercise that right using a slow, paper-based system. This antiquated system, therefore, requires individuals to wait even longer to seal their records than they already must due to statutory waiting periods, which are three years for most misdemeanors and seven years for most felonies. In the meantime, their unsealed records may make them unable to find a job or housing.

S.1114 would address these issues and provide a second chance for the roughly 600,000 Massachusetts residents who are eligible to seal their records. The bill will do so by requiring the Commissioner of Probation to automatically seal criminal and juvenile records for all eligible individuals. However, the bill would not alter the requirements individuals must meet to seal their records, such as following the statutory waiting periods and not re-offending during that time. To ensure that individuals know their rights, the bill would also require the Commissioner to provide individuals with information about record sealing when prosecutors charge them. Finally, the bill would require prisons and jails to regularly report to the Commissioner information about those who they release. This will help to ensure the Commissioner has the information they need, such as release dates, to make sure they are following the automatic sealing law.

Ultimately, automating record sealing saves money and time, more efficiently reintegrates those with criminal records into society, and bolsters the workforce. With the state's severe worker shortage, it's time for Massachusetts to join the 12 other states (CA, MI, UT, PA, NJ, CT, DE, VA, OK, CO, NY, MN) that have streamlined the criminal record sealing process. The MBTA projected in Fiscal Year 2025 that it needed nearly 8,000 workers to maintain operations. And the state's Clean Energy Center estimates Massachusetts needs nearly 30,000 full time workers in the clean energy sector to meet the Commonwealth's target of reducing greenhouse gas emissions by 2030. Massachusetts simply cannot make its economy more competitive without giving each of our residents a fair opportunity to participate. This simple measure will help the state reach those goals.

It is time to make the intent behind our sealing law a reality for the millions of our residents whose records are preventing them from getting jobs and housing, and from taking advantage of all the opportunities our Commonwealth has to offer.

As such, I respectfully request the committee report S.1114 favorably. Thank you for your consideration and please do not hesitate to contact me with any questions.

² Ibid.

Sincerely,

A handwritten signature in black ink, reading "Cynthia F. Friedman". The signature is written in a cursive style, with the first name "Cynthia" being more prominent and the last name "Friedman" being more compact. A long, horizontal flourish extends from the end of the signature.

Cindy F. Friedman