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Testimony from:

Nila Bala, Associate Director of Criminal Justice Policy, R Street Institute

AB 251: Makes various changes relating to juvenile justice.

May 10, 2021

Senate Judiciary Committee

Dear Chair Scheible, Vice Chair Cannizzaro and members of the Senate Judiciary Committee:

My name is Nila Bala, and I am the associate director of Criminal Justice and Civil Liberties Policy for the R Street Institute, which is a nonprofit, center-right, public policy research organization. I am also a former public defender from Baltimore city. I am writing in support of AB 251, which would improve second chances for youth in Nevada.

We are in favor of this bill because we know that a juvenile record can severely impact a young person's future prospects. Currently, if a juvenile has a criminal record, he or she would have to wait until age 21 to seal it. This bill will move up eligibility and automatically seal certain offenses at the age of 18. Additionally, it also authorizes expungement (or destruction) of juvenile records upon petition at the discretion of a judge.

Sealing records once a young person becomes an adult is good policy. Young people are incredibly capable of rehabilitation—and none of us are who we were as teenagers. Allowing youth a fresh start is not only important on principle, it has practical implications. Records can make it difficult to access educational services, gain employment, serve in the military and find housing.¹

Historically, more than half of universities collected criminal justice history as a component of their admission process.² A juvenile record can also affect applying and obtaining a student loan.³ Young people's records can also prevent them from obtaining occupational licenses, which are required for some of the most sought out, well-paying jobs. Juvenile records have far-reaching consequences that can thwart a young person's opportunities to move beyond their past.

When young people are barred from these opportunities, research suggests that they are actually more likely to reoffend and have trouble reintegrating into society.⁴ This makes sense as we know that employment (and education that helps one gain employment) is a vital factor in giving an individual a stable life and preventing future crime.⁵ Waiting until the age of 21 to seal records unnecessarily burdens a young person's ability to obtain an education and work in the interim and hurts community safety.

As a conservative organization, we support record sealing and expungement for young people, and believe this bill will improve opportunities for youth in Nevada.

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¹ Andrea R. Coleman, "Expunging Juvenile Records: Misconceptions, Collateral Consequences, and Emerging Practices," Office of Juvenile Justice and Delinquency Prevention, December 2020. <https://ojjdp.ojp.gov/publications/expunging-juvenile-records.pdf>.

² Ibid.

³ Ibid.

⁴ Natalie Goulette, "Revisiting Collateral Consequences: Their Impact In and Outside of the Courtroom," *Robina Institute of Criminal Law and Criminal Justice Blog Post*, Sept. 14, 2020. <https://robinainstitute.umn.edu/news-views/revisiting-collateral-consequences-their-impact-and-outside-courtroom>.

⁵ Ibid.