

July 26, 2023

The Honorable Jim Jordan  
Chairman  
House Judiciary Committee  
2138 Rayburn House Building  
Washington, DC 20515

The Honorable Dick Durbin  
Chairman  
Senate Judiciary Committee  
224 Dirksen Senate Office Building  
Washington, DC 20510

Dear Chairman Jordan and Chairman Durbin:

On behalf of the undersigned law enforcement, civil rights, conservative, and progressive organizations, we write to express support for the Kenneth P. Thompson Begin Again Act, a bill introduced this week by Representative Glenn Ivey (D-MD), Nathaniel Moran (R-TX), Hakeem Jeffries (D-NY), and Laurel Lee (R-FL), Mary Gay Scanlon (D-PA), and Kelly Armstrong (R-ND) in the House, and Senator Chris Coons (D-DE) and John Cornyn (R-TX) in the Senate. The Kenneth P. Thompson Begin Again Act would remove the age requirement for those seeking an expungement order for first-time federal drug possession offenses. Although the undersigned organizations have varied perspectives on a range of issues, we are united in our view that this legislation is a smart, carefully crafted means to alleviate the collateral consequences associated with a criminal record and that it will help individuals get back to work and make communities safer.

Far too often, punishment does not end once a sentence is completed, but rather has a lasting impact for subsequent years and in many cases a lifetime. A criminal record results in thousands of collateral consequences affecting individuals' and families' everyday lives that are often overlooked by the public and the judiciary. Even misdemeanor offenses can have serious implications on an individual's ability to find steady employment, obtain housing, and access public assistance.

Under 18 U.S.C. § 3607, an individual found guilty of federal misdemeanor drug possession with no prior federal or State controlled substance offenses can seek prejudgment probation for up to one year and, if they comply with all probation conditions during that year, obtain dismissal of the proceedings without entry of a judgment of conviction. If the individual happens to have been under 21 years old at the time of the offense, they can further seek expungement of official records associated with that offense upon completion of the probation term. This bill would remove this age cap and thus expand the expungement availability to anyone who successfully completes prejudgment probation.

States across the nation with different political leanings and cultural backgrounds have increasingly acknowledged the undue burden from collateral consequences and have enacted expungement and record sealing measures to provide second chances. Congress now has the opportunity to join this growing movement with the introduction of this meaningful legislation. This legislation offers a tailored approach to lowering recidivism rates, increasing public safety, and providing second chances so people can contribute to society at their greatest potential.

Thank you for your leadership on the House and Senate Judiciary Committees. We strongly support swift passage of the Kenneth P. Thompson Begin Again Act.

Sincerely,

Americans for Prosperity

Americans for Tax Reform  
Association of Prosecuting Attorneys  
Center for American Progress  
Clean Slate Initiative  
Dream.Org  
Drug Policy Alliance  
Due Process Institute  
Justice Action Network  
Law Enforcement Action Partnership  
Law Enforcement Leaders to Reduce Crime & Incarceration  
NAACP  
National Association of Criminal Defense Lawyers  
National District Attorneys Association  
Policing Project at NYU Law  
Prison Fellowship  
R Street Institute  
Responsible Business Initiative for Justice (RBIJ)