

1 HR515
2 194044-1
3 By Representative Daniels
4 RFD: Rules
5 First Read: 28-MAR-18

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8 URGING THE LEGISLATURE TO AMEND ALABAMA'S
9 EXPUNGEMENT LAW TO ELIMINATE FEES FOR PEOPLE WHO HAVE BEEN
10 ACCUSED OF COMMITTING CRIMES WHEN THERE IS AN UNEQUIVOCAL
11 JUDICIAL FINDING ON THE RECORD THAT THE ARREST HAD NO
12 FOUNDATION IN PROBABLE CAUSE.

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14 WHEREAS, the expungement law provides an avenue for
15 people to have their criminal records expunged under certain
16 circumstances; and

17 WHEREAS, we further recognize that people who have
18 been accused of committing crimes where there has been an
19 unequivocal judicial finding on the record that the arrest had
20 no foundation in probable cause, must incur expenses to have
21 their criminal records expunged; and

22 WHEREAS, under existing Alabama law, people must
23 file an expungement petition for each charge that they want
24 expunged; and

25 WHEREAS, under existing Alabama law, people must pay
26 \$300 per expungement petition, \$25 for a certified criminal

1 history record, and fees for fingerprinting, which can vary
2 across local law enforcement agencies; and

3 WHEREAS, people who have been accused of committing
4 crimes where there has been an unequivocal judicial finding on
5 the record that the arrest had no foundation in probable cause
6 should not have to endure a financial hardship associated with
7 having their criminal records expunged; now therefore,

8 BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF
9 THE LEGISLATURE OF ALABAMA, That the Alabama State Legislature
10 is urged to amend Alabama's expungement law to eliminate fees
11 for people who have been accused of committing crimes where
12 there has been an unequivocal judicial finding on the record
13 that the arrest had no foundation in probable cause.