TESTIMONY OF ANDREW REGARDING HOUSE BILL 427

Chairman Butler, Vice Chair Manning, Ranking Member Johnson, & Members of the House Judiciary Committee, thank you for allowing me to testify in favor of House Bill 427.

My name is Andrew.

I am 27 years old. In 2008, I did something stupid and reckless. Something that without a second chance would have ruined my life forever. I was arrested and charged with aggravated burglary which is a first degree felony. I was just out of high school and had yet to understand myself let alone figure out a direction in life. I was involved with drugs and some not-so-nice people. .

After my arrest, I was devastated. I was fortunate to be admitted to the Intervention in Lieu of Conviction program (or ILC) and spent the next [eighteen] months on probation. I moved home, got clean, I attended Narcotics Anonymous meetings and went to TCN for drug abuse and behavioral therapy. I found a psychologist, who also had a past of drug abuse and volunteered at a soup kitchen downtown. It was during this time that I realized that the drugs were not a part of who I am. I wanted more out of life. I worked hard to fight through and not only do what the court had asked me to do but I went above and beyond to seek what I truly did want out of my life.

In case you are unaware the deal with the ILC is that you plead guilty to a crime and you agree to a number of fairly rigorous conditions. If you fail to complete all of them to your probation officer's satisfaction, you go straight to prison – no questions asked. If you complete them as required, your record becomes sealed. Or so I thought. After working the program and completing probation with flying colors, I started applying for a new job. I wanted to start over and try a new profession – get away from my prior life. I applied KFC, Target, Wal-Mart, McDonald's, Lee's Chicken, Speedway and over a dozen other places over a number of months. I was hungry to be a member of society. In most cases, I did not receive a call back. In those rare circumstances when I was called back, I was told there would be a background check. I followed up with each and either never received a call back or was told that I had not gotten the job with no further explanation.

I was disheartened to say the least. It was after all of this that, through a family connection at a previous employer, I asked the previous employer as a favor to run a background check on me. What I found, was sickening. The background check said that I had been charged with a felony despite being told that it would be sealed. I was devastated.

I contacted my attorney regarding the issue of my sealed record still showing up on background checks. My attorney looked into the issue I was having and really wanted to help me. After his research and after talking to other lawyers, judges and people in the database industry he informed me that there is an additional process needed to ensure that the credit reporting agencies and background check companies are properly informed that my record is indeed sealed and that they should NOT be reported any longer. Meanwhile, through a stroke of kind-heartedness, my previous employer took me back on despite my background check. If it wasn't for their kindness and my attorney's knowledge of this issue and perseverance to help me, who

knows where I would have ended up. After this additional process was complete I was able to obtain other employment and maintain it without any issues at all with my background check. This was a complete game changer for me. It allowed me to pursue my career knowing that I did indeed have a second chance since my record was sealed. Most are not as fortunate to have the friends and family that I have and with that being said I know that I escaped that nightmare by the skin of my teeth.

There isn't a day that goes by that I don't think about the story I have told you today and how lucky I am to be in the position I am in to tell it to you. I have grown to manage several stores including one that never gave me a call back during that time. I am currently in the process of buying a business of my own that requires me to have a background for some of the licensing. I own a house, have a beautiful wife and continue to help the community that I serve for a living. None of this would have possible without my background record being updated like it should have been. It's quite simply unfair and unjust to allow these databases to contain information that should be sealed. People in programs like ILC are working hard to try to change their lives and become contributing citizens. Despite doing everything asked of them, they continue to be punished.