



The Commonwealth of Massachusetts

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Press Release

D.A. Morrissey's Expungement Legislation becomes Law

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Cleaning up old criminal records, which can be barriers to employment, education, and training, just got easier through legislation drafted by Norfolk District Attorney Michael W. Morrissey.

"The sweeping police reform bill signed by the Governor on New Year's Eve included the expansion of the expungement statute that Representative Tackey Chan and I [filed in 2019](#)," District Attorney Morrissey said. "It also includes a provision allowing those who were previously rejected to resubmit if they are now eligible."

Massachusetts has long had a statute allowing for some criminal records to be sealed, but that is of only limited help when applying for certain employment, training, education, and types of housing. The Criminal Justice Reform Act of 2018 created the first expungement process, whereby a judge can erase certain non-violent offenses entirely, if a person meets criteria including being under 21 at the time of offense.

"I brought together members of the judiciary, court personnel, the defense bar, and my prosecution staff, for a [training seminar](#) on the initial expungement statute in [December of 2018](#). We began working with defense attorneys to get those petitions moving," District Attorney Morrissey said. "Within a few months of beginning that push, it became clear to me that the law was too narrowly drawn to achieve its intended restorative and social justice goals."

Prior to the change proposed by D.A. Morrissey, submitted by Rep. Chan (D-Quincy), and co-sponsored by Rep. Carolyn Dykema (D-Holliston), records could only be expunged if they contained a single charge, even if multiple charges arose from the same incident.

"We saw people being excluded from the process because they were charged with both trespassing and disorderly conduct for a single event. It made no sense," D.A. Morrissey said. The piece, [Bill H.3250 \(malegislature.gov\)](#), received a favorable report from the Judiciary Committee after D. A. Morrissey met with committee's House Chair, Rep. Claire Cronin. "I am thankful that the Legislature, and in particular Representatives Chan, Dykema, and Cronin who saw the importance of this. They recognize that sometimes people need and deserve a second chance."

The expanded law still excludes sex offenses, violent crimes, and operating under the influence. "The expansion is modest. But if the objective of the expungement statute is to recognize that a single mistake or dumb decision should not necessarily haunt someone forever, this change achieves that goal more thoroughly," Morrissey said.

The Massachusetts criminal justice system has evolved in several other ways to reflect the changing scientific understanding of the developing brain and how it shapes behavior across time – including increasing the age for entry to adult court up to 18.

Under this section, those looking to clean up their records should first contact the Probation Department's expungement hotline at 617-557-0225. "The law has already taken effect," Morrissey said. "People can call today."