

Testimony submitted by Aaron Suganuma regarding set aside legislation

September 24, 2019

Dear Committee Members,

I want to thank the committee for taking up this very important issue and working so intentionally to increase the impactful reach of existing set aside law.

I am here to talk about why all convictions should be considered for set asides.

I am a husband, father, homeowner, and master-level social worker. I have provided substance abuse and mental health treatment for people in residential, hospital, outpatient, and prison-based settings. I am also a business owner who started a non-profit dedicated to assisting people in finding stability after incarceration.

In 2009, I was released from prison after serving 4.5 years. During my time in prison, some of the people who most affected positive change in my life were people serving life or very long sentences. Often what I saw, and what I still see today, is that people tend to struggle early in their lives – or early in their prison sentences- but that most eventually desist from crime and anti-social activities.

This anecdotal observation is backed up by several studies that have found many people “age out” of committing criminal behavior. Furthermore, studies that have found that a better predictor of the likelihood to commit future offenses is the duration of time that has passed since a last offense. Neither the severity of crimes nor the quantity of convictions predict future crime.

People who commit more serious offenses are more likely to have served longer sentences, during which time they are more likely to have challenged and changed the thought patterns that led to their instant offenses. For me, all of my convictions are drug-related. September 8, 2019, I celebrated 12 years clean and sober. Recovery is central to my personal and professional life.

The expansion of set asides is not to say that every person with a record should automatically be qualified to receive an expungement. We are talking about the people who have been driven enough to overcome the odds and the barriers to housing, employment, and education for a number of years – and have demonstrated a commitment to change as evidenced by a lack of new offenses. These are people who have successfully integrated back into society.

I own a home in Ann Arbor. Yet, I cannot rent an apartment. I have two drug felonies, but it is a single count of armed robbery that I have on my record from 2004 that has caused the top four rental companies in Washtenaw County to tell me that I can never rent from them. If I did not own my house, I don't know what we would do. Regardless of my excellent credit score, I cannot be on a lease. Despite being LEIN-cleared by the Department of Corrections to reenter

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prisons to provide therapy, my record permanently bars me from accessing most housing. I assume this is because my record is seen as proof that I am a danger to society and that true rehabilitation is impossible.

This can lead to an understandable hopelessness that I have worked through with dozens of people in my prison-based and mentoring work.

I make the argument that permanently barring people from fully engaging in the economy unnecessarily disenfranchises thousands who could otherwise more effectively move beyond their stigmatizing record. If we are truly believe in redemption, we must reflect this in our legislation.

You have the power to make it possible for us to truly move beyond our past, something that I believe would enhance the safety and stability of our communities, while increasing taxes collected on increased incomes.

Consider the kinds of records that so many formerly incarcerated community leaders have – and those are only the people who are open about their past. If over 5, 10, or 15 years have passed since, not just the conviction, but since that individual has proven themselves in society, does there come a point when we can let that person fully move on with their life?

I want to again thank the committee for your time in taking up this issue and providing place for meaningful public comment.

Will you consider expanding the guidelines for set asides so that more classes felonies can qualify for expungement?

Respectfully submitted,

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