

Michigan House of Representatives Judiciary Committee  
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My name is Amanda Burgess-Proctor. I am a criminologist and Associate Professor of Criminal Justice at Oakland University. From April to September of this year I served as Chair of the Michigan Criminal Justice Policy Commission.

As House members consider a package of bills addressing criminal record expungement, I write to offer insights from the academic literature on desistance, or the discontinuation of criminal offending.

Decades of research show that the prevalence of criminal offending increases sharply during adolescence, peaks in the late teen years, then declines steadily during early adulthood. Represented by an asymmetrical bell-shaped distribution known as the “age-crime curve,” that offending prevalence spikes in adolescence then tapers in young adulthood is among the most robust and enduring research findings in the social sciences (Loeber & Farrington, 2014). In recent years, criminologists have focused increasing attention on the second half of the age-crime curve to better understand factors associated with cessation of criminal offending. The prevailing view is that desistance is better understood as a process rather than a discrete event (Bushway & Paternoster, 2014). Recently, the *Journal of Development and Life-Course Criminology* has dedicated two special issues (December 2018 and September 2019) to studies of desistance. Published in the first special issue is an analysis of fifteen U.S.-based longitudinal studies aimed at identifying when in the life course official desistance, as measured by the absence of criminal justice system contact, typically occurs (Doherty & Bersani, 2018). Findings indicate that:

“Among individuals whose offending extends beyond the normative adolescent years, on average, official desistance occurs within a tightly clustered period of years early in the adult life course (i.e., the late 20s and early 30s). Even among those followed well into adulthood (age 30 or older), the average age of last criminal justice contact was 35 years of age” (p. 528).

Additionally, scholars recognize that criminal convictions often carry a host of collateral consequences such as employment and housing restrictions that can impede individuals’ reintegration into their families and communities. While prior offending is an important predictor of future offending, this risk tends to decline over time. One study published in the flagship journal *Criminology* draws upon the age-crime curve to estimate the “redemption point” at which one’s offending history ceases to predict continued offending (Blumstein & Nakamura, 2009; see also Blumstein & Nakamura, 2010; 2012). This study used statistical modeling of state criminal history data to determine that after a period of time with no additional criminal justice system contact, previously-arrested individuals’ risk of arrest dropped to match that of the general population. Noting growing concern that employment prospects of former offenders may be truncated by “stale” criminal records that are no longer predictive of offending risk, the authors note:

“Recidivism probability declines with time “clean,” so some point in time is reached when a person with a criminal record, who remained free of further contact with the criminal justice system, is of no greater risk than a counterpart of the same age...” (p. 327).

As Michigan legislators evaluate the proposed expungement bills, it may be helpful to be familiar with these patterns of offending, desistance, and recidivism risk.

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