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**Testimony of Cecilia Bruni
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**Before the Committee on the Judiciary and Public Safety
Council of the District of Columbia**

Performance Oversight Hearing Regarding the Metropolitan Police Department

February 25, 2026

Legal Aid DC¹ submits the following testimony regarding the performance of the Metropolitan Police Department (MPD), with a focus on its role in our record clearing work. Our testimony highlights three main areas of concern that are creating barriers to individuals seeking record clearing relief in the District of Columbia:

- 1) MPD's delay in providing individuals with an accurate and complete "Criminal Arrest History for Determining Records Sealing Eligibility of Filing Purposes Only" ("MPD Arrest History"), a document necessary for seeking sealing² relief;
- 2) MPD's requirement that individuals provide sensitive information, such as a full social security number and place of birth, in order to request their MPD Arrest History; and

¹ Legal Aid DC is the oldest and largest general civil legal services program in the District of Columbia. The largest part of our work is comprised of individual representation in housing, domestic violence/family, public benefits, and consumer law. We also work on immigration law matters and help individuals with the collateral consequences of their involvement with the criminal legal system. From the experiences of our clients, we identify opportunities for court and law reform, public policy advocacy, and systemic litigation. For more information, visit www.LegalAidDC.org.

² Although both sealing and expungement are available forms of record clearing relief in the District under the Second Chance Amendment Act, for ease, this testimony uses the term "sealing" to encompass all forms of record clearing relief, including both sealing and expungement.

- 3) MPD’s delay in providing certifications that records have been sealed beyond the 90-day timeline required by both the Second Chance Amendment Act and orders from D.C. Superior Court.

Since 2015, Legal Aid DC’s Reentry Justice Project has assisted clients facing barriers in accessing housing, employment, and other opportunities due to their criminal record. Individuals who have interacted with police and the criminal legal system – disproportionately people of color and people who live in areas of concentrated poverty – find themselves facing a multitude of collateral consequences that perpetuate generational cycles of poverty. Our work seeks to lessen those barriers through direct representation and systemic advocacy which requires significant interaction with MPD. We help clients obtain documents such as Arrest Histories and certifications of sealing from MPD, which are essential in the record clearing process.

During the past year, under the newly effective Second Chance Amendment Act (SCAA), record sealing relief has expanded in D.C., an expansion that both the Council and the Executive have recognized as a way to increase public safety in the District. In their words, “public safety is enhanced when we give individuals access to opportunity[,] and it is diminished when we put up barriers that make opportunity more distant and unachievable.”³ As the Council noted, interactions with the criminal legal system create these barriers: “[c]riminal records, including arrests that never result in conviction, carry significant ‘collateral consequences’ for housing, employment, public benefits, and education” for individuals; meanwhile, in the case of convictions, despite the notion that once someone has completed their sentence they have done their time, “these consequences stay with most Americans for life.”⁴ The District’s prior record sealing process under the Criminal Record Sealing Act was “complicated, overly punitive, and sideline[d] far too many of our residents from pursuing meaningful opportunities to better their lives.”⁵ We appreciate the Council’s commitment to increasing public safety through enacting and later amending the SCAA to ensure that far more community members who previously interacted with the criminal legal system can begin to move forward with fewer barriers to their housing, employment, and other necessities.

At Legal Aid DC, we have been excited to see the increased access to opportunities and greater sense of dignity that this law provides for our client community. Yet the administrative delays and challenges that legal service providers like ourselves and our

³ Comm. Rep. on Bill 24-0063, “the Second Chance Amendment Act of 2022,” at 2 (quoting the Dep. Mayor for Pub. Safety and Justice), <https://tinyurl.com/bd3x4c5m>.

⁴ *Id.* at 4.

⁵ *Id.* at 2 (quoting the Dep. Mayer for Pub. Safety and Justice).

client population face when interacting with MPD have stymied the impact of this important law. We urge the Committee to use today's hearing to explore the identified issues with MPD representatives and to develop next steps that MPD should take to improve how it works with system-impacted members of our community, to ensure that the SCAA is operating to the full effect the Council intended.

Issue 1: MPD's Delayed and, at Times, Inaccurate Criminal Arrest Histories

The Court expects individuals seeking to seal their criminal records to have an MPD Arrest History, which shows every arrest an individual has incurred in the District. Requesting Arrest Histories is a two-step process. Individuals or their representatives make a request at MPD Headquarters and then return at a later date to pick up the requested document. According to MPD's website, this process should take up to 10 business days or 2 weeks,⁶ but in practice, the length of time varies between 10 business days and sometimes over 2 months.⁷ The significant delays do not seem to correspond to the number of arrests listed on the Arrest History, and MPD does not provide status updates on the request to the requestor. Instead, our staff is tasked with repeatedly returning to MPD's physical location to inquire about the status of the document. In one instance, our staff requested an MPD Arrest History on behalf of a client. After waiting for more than 2 months, and returning to MPD multiple times to check on the status of the request, MPD staff informed us that they had lost the original request and that we would need to submit a new request. This mistake resulted in a nearly 4-month wait. These delays not only slow down the filing of sealing motions for our clients but can also result in confusion and frustration for clients who reasonably do not understand why MPD is taking so long to prepare their Arrest History. The delays also require additional time and labor on our staff's part, decreasing the amount of time we can devote to other clients' needs.

Moreover, we have had several clients receive inaccurate MPD Arrest Histories. At times, these Arrest Histories include inaccurate arrest numbers or mistakenly attributed arrests. Attempting to have these issues corrected results in even more delays because historically MPD staff have required the same employee who drafted the Arrest History to correct it.

⁶ Metropolitan Police Department, *Police Clearances (Arrest and Criminal History Section)*, MPDC.DC.GOV, <https://tinyurl.com/3s8avure>.

⁷ See Letter from Metropolitan Police Department to Hon. Brooke Pinto re FY 2025 Performance Oversight Hearing (Feb. 23, 2026) (noting in response to question 192 that MPD is not fulfilling approximately 25% of Arrest History requests within 3 weeks).

In addition, MPD's processes for producing Arrest Histories (also known as police clearances) can be difficult for our client community to navigate. For example, MPD has two different police clearance forms that an individual can request, and it is not always clear to a layperson which clearance form they need. The police clearance form that is used for employment purposes lists only arrests going back 10 years, and therefore, is incomplete for the purposes of record sealing. In the past, we have seen multiple applicants come in having inadvertently requested the police clearance form for employment, only for us to have to inform them that they will need to request an additional Arrest History for the purpose of their record sealing motion. Each Arrest History request costs \$7.00. Therefore, for clients experiencing poverty, not only does this mix-up delay their case, but it also means they spent limited funds on something they did not need. Moreover, the requirement that individuals or their representatives request and obtain Arrest Histories in person can delay cases further, particularly when MPD staff are not always accommodating toward community members. For example, a client requested and paid for their own Arrest History multiple times, taking time out of their day several times to try to secure the necessary records in person, only to never receive the Arrest History. It was only after Legal Aid requested the Arrest History on the client's behalf that they were able to obtain it. This raises concerns for us about MPD's respect for our client community, since it should not be more difficult for an unrepresented individual to obtain their Arrest History than it is for individuals with representatives.

MPD should remove these administrative hurdles that individuals must navigate to timely receive accurate and complete Arrest Histories. These hurdles delay and frustrate the intent and continued impact of the SCAA.

Issue 2: MPD Requires Sensitive Information from Individuals Requesting Police Records

For years, Legal Aid has worked with MPD to obtain records for individuals seeking record clearing relief. To request an Arrest History, MPD requires individuals to provide sensitive information on the request form, including the individual's social security number and place of birth.⁸ Historically MPD has refused to accept the form if individuals leave the social security number blank or just include the last four digits. It is not clear how many individuals at MPD are viewing these documents or where MPD stores these documents, and we are concerned about our client community's information security and privacy.

⁸ See Letter from Metropolitan Police Department to Hon. Brooke Pinto re FY 2024 Performance Oversight Hearing (April 22, 2025), <https://tinyurl.com/4esjsjsj> (response to question 111).

Additionally, requiring this information can deter noncitizens from pursuing record clearing relief. We are concerned that between fears over MPD's cooperation with ICE,⁹ and the D.C. U.S. Attorney's focus on identifying noncitizens through D.C.'s court system,¹⁰ immigrant members of our client community are not getting the same access to record clearing relief as their citizen counterparts. This disparate access to the SCAA's relief is deeply troubling, and it begins with interactions between clients and MPD. All residents should be able to have confidence that MPD will assist them without hesitancy.

Issue 3: MPD Frequently Fails to Comply with the SCAA and Court Orders to Provide Certifications of Sealing Within 90 Days

When the Court orders the sealing of criminal records under the SCAA, it instructs agencies like MPD to "file a certification with the Court within 90 days" that certifies "to the best of its knowledge and belief, all references that identify the person as having been cited, arrested, prosecuted, or convicted have been sealed."¹¹ Not only is this instruction included in Court orders, but it is part of the SCAA itself. These certifications are some of the only means by which an individual can know whether the relief that they have been granted has been realized. Yet despite clear instruction from both D.C. Superior Court judges and the D.C. Council in the drafting of the SCAA, MPD frequently fails to comply with the 90-day timeline.

For clients, MPD's failure to meet the deadline is not merely an annoyance or an administrative delay. It means that individuals who have proven in Court that it is in the interests of justice to seal their criminal records and who have an order in hand from the Court directing MPD to seal these records, cannot always rely on that Court order. In other words, the relief that the Council identified as a public safety need is not being actualized consistently, and the barriers to opportunities for system-impacted community members persist.

Conclusion

Thank you to the Committee for your commitment to our D.C. community and for showing that commitment through the passage of the SCAA. We are encouraged that our community continues to grow safer as individuals can remove barriers to

⁹ See Martin Austermuhle, *MPD isn't answering lawmakers' questions about cooperation with ICE*, THE 51ST (Jan. 15, 2026), <https://tinyurl.com/4krnn6mh>.

¹⁰ See Paul Wagner, *DC U.S. attorney looking for migrants 'burrowed' in legal system*, NBC WASHINGTON (July 30, 2025), <https://tinyurl.com/3y8h2j3y>.

¹¹ D.C. Code § 16–807(c)(2); see also § 16–804(c)(2) (related to expungement).

opportunities through criminal record clearing. The issues we have presented for the Committee today aim to continue the goal of increasing public safety through the effective administration of the SCAA. This requires MPD's policies and practices to align with the Council's goal of expanding record sealing relief in the District. Our testimony highlights some of the challenges our clients face as they seek record clearing relief to overcome barriers. MPD's response to system-impacted individuals is a critical point in their journeys to restore their dignity, employment opportunities, and housing prospects. We urge the Committee to ensure that MPD improves how it works with system-impacted members of our community, so that community members can gain fuller access to the relief offered under the SCAA.