Resolution No. 495   November 15, 2022

Supporting NYS Clean Slate Act - A6399A and S1553B

Referred to: The Law Enforcement and Public Safety Committee (Chairman Uchitelle and Legislators Hansut, Heppner, Hewitt, and Lopez)

Legislators Abe Uchitelle and Megan Sperry and Legislators Erner, Hansut, and Walter offer the following:

WHEREAS, it is estimated that 2.3 million people in New York State have criminal conviction records; and

WHEREAS, people with criminal conviction records face an inescapable stigma and civil barriers to employment, licensing, housing, and educational opportunities long after they have completed their sentences; and

WHEREAS, racial disparities and socio-economic discrimination remain widespread throughout the criminal legal system resulting in a majority of those individuals being Black and Latinx and statistics and anecdotal evidence show that convictions for even low-level offenses result in cyclical harm and structural instability for individuals, families, and communities; and

WHEREAS, excluding individuals' full participation in society simply because they have a criminal record perpetuates the punishment, generates intergenerational trauma, exacerbates racial and economic inequality, and creates social barriers which lock them out of opportunities to living safe and stable lives long after their incarceration has ended; and

WHEREAS, studies have shown that people who have been to prison lose an average of $484,400 in earnings over their lifetime and excluding them from the workforce costs the economy between $78 billion and $87 billion in lost gross domestic product; and

WHEREAS, approximately 95% of incarcerated people return to their communities after serving their sentences so it is important to ensure that all people have access to jobs, housing, education, and licenses to practice a trade and will increase their participation in the economy and reduce the likelihood they will return to prison, thereby making our communities safer; and

WHEREAS, in 2017 New York State passed Criminal Procedure Law (CPL) 160.59, a law that allowed sealing of certain convictions other than sex offences or serious or violent felony convictions after 10 years when appropriate applications are made to the court in which he or she was convicted of the most serious offence, however only about 2,500 of the estimated 600,000 eligible people -- or less than 0.5% — have had their records sealed since the current bureaucratic application-based law went into effect; and

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WHEREAS, an improved system of automatically sealing and expungement of criminal records of eligible individuals is essential to provide fair and equitable relief to those who need it most and The Clean Slate Act (S1553B/A6399A) would require that most criminal records be sealed automatically after a specified period of time; and

WHEREAS, the Clean Slate Act (S1553B/A6399A) would remove systemic barriers to stable housing, employment and education and allow millions of New Yorkers to participate fully in civic life and in their communities; and

WHEREAS, numerous other states, including Pennsylvania, Michigan, Utah, Connecticut, Delaware, Oklahoma, and Colorado have already passed Clean Slate legislation; now, therefore be it

RESOLVED, that the Ulster County Legislature hereby supports passage of the Clean Slate Act (S1553B/A6399A) and calls upon the Governor of New York to sign this legislation into law; and, be it further

RESOLVED, the Clerk of the Ulster County Legislature shall forward copies of this resolution to New York Governor Hochul, Senate Majority Leader Stewart-Cousins, Assembly Speaker Heastie, Senator Zellnor Myrie, Assembly Member Catalina Cruz, and all Ulster County elected Assemblymembers and Senators,

and move its adoption.

ADOPTED BY THE FOLLOWING VOTE:

AYES: NOES:

Postponed in Committee: Law Enforcement and Public Safety on October 6, 2022 with consent

Passed Committee: Law Enforcement and Public Safety on _____.

FINANCIAL IMPACT:
NONE