Legislation Details (With Text)

File #:	Res 0625-2011	**Version:**	*	**Name:**	Enact a law that will expunge misdemeanor convictions from the criminal record of any individual who committed such misdemeanors before the age of twenty and is not rearrested for at least ten years from the time of such misdemeanor convictions.
Type:	Resolution			**Status:**	Filed
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On agenda:	1/5/2011				
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Title: Resolution calling on the New York State Legislature and the Governor to enact a law that will expunge misdemeanor convictions from the criminal record of any individual who committed such misdemeanors before the age of twenty and is not rearrested for at least ten years from the time of such misdemeanor convictions.

Sponsors:

Indexes:

Attachments:

Date	Ver.	Action By	Action	Result
1/5/2011	*	City Council	Introduced by Council	
1/5/2011	*	City Council	Referred to Comm by Council	
12/31/2013	*	City Council	Filed (End of Session)	

Res. No. 625

Resolution calling on the New York State Legislature and the Governor to enact a law that will expunge misdemeanor convictions from the criminal record of any individual who committed such misdemeanors before the age of twenty and is not rearrested for at least ten years from the time of such misdemeanor convictions.

By Council Members Williams, Barron, Cabrera, Chin, Dromm, Gonzalez, James, Lander, Mealy, Rose, Rodriguez and Vann

Whereas, According to the United States Bureau of Justice Statistics, in 2009, over 7.2 million people were on probation, in jail or prison, or on parole in the United States; and

Whereas, According to a report released in 2007 by the New York State Division of Criminal Justice Services ("DCJS"), 56,792 probationers in New York State were convicted of misdemeanors in 2007, 13,331 of whom were from New York City; and

Whereas, The DCJS reported a total of 102,600 convictions for misdemeanors during 2009 in New York

State; and

Whereas, Under the New York State Penal Law, misdemeanors are defined as offenses, other than traffic infractions, for which a sentence of imprisonment in excess of 15 days may be imposed, but for which a sentence to a term of imprisonment in excess of one year cannot be imposed; and

Whereas, Misdemeanors are often minor offenses including, but not limited to, possession of marijuana, resisting arrest, and making graffiti; and

Whereas, New York State's current policy only allows for expungement of misdemeanor convictions under limited circumstances, depending on the severity and circumstances of the crime; and

Whereas, New York State should amend its current policy to allow individuals who are convicted of committing a misdemeanor crime or crimes before the age of twenty and are not rearrested for at least ten years from the time of such misdemeanor conviction or convictions to have all such misdemeanor convictions expunged from their record; and

Whereas, Individuals with criminal records have to overcome additional obstacles when applying for employment; and

Whereas, Expunging misdemeanors from a criminal record in these limited cases would help prevent stigmatization and assist individuals who are demonstrating a commitment to a fresh start in securing employment, thus helping such individuals become productive members of society; now, therefore, be it

Resolved, That the Council of the City of New York calls on the New York State Legislature and the Governor to enact a law that will expunge misdemeanor convictions from the criminal record of any individual who committed such misdemeanors before the age of twenty and is not rearrested for at least ten years from the time of such misdemeanor convictions.

WJH
LS# 1620
12/23/10