



## Legislation Text

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### Res. No. 80

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, Rosenthal and Gibson

Whereas, According to the United States Bureau of Justice Statistics, during 2010, over 7.1 million people were under supervision of adult correctional authorities in the United States; and

Whereas, According to the New York State Division of Criminal Justice Services (“DCJS”), there were 18,286 probationers in New York State during 2012, 9,460 of whom were from New York City; and

Whereas, The DCJS reported a total of approximately 212,000 convictions for misdemeanors during 2012 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 should amend State law 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

Whereas, Expunging their record will 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  
Res 625/2011  
2/4/14  
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