



# Clean Slate



New York

## (S.211/A.1029)



From employment, to housing, to higher education, people with conviction histories are locked out of opportunities integral to living safe and stable lives. Far too many experience a conviction history as a civil life sentence, a state of perpetual punishment, one that - due to decades of discriminatory and unjust over-policing and over-prosecution across the state - Black and brown New Yorkers disproportionately experience. But we can change this.

**The Clean Slate Act will automatically seal conviction records so that all New Yorkers can move ahead and fully participate in our communities.**

# Clean Slate (S.211/A.1029) is a bill for:

## RACIAL JUSTICE



Because of racism in policing and prosecution, 80% of people in New York with conviction records are Black or Latinx and face far more discrimination because of old conviction records.

The Clean Slate Act will reduce systemic barriers to full participation in our communities.

## ECONOMIC JUSTICE



People who have been to prison lose an average of \$484,400 in earnings over their lifetime, which entrenches poverty and worsens the racial wealth gap.

Clean Slate can help. A recent study found that within two years of clearing their records under Michigan law, people were 11% more likely to have a job and were earning 25% more.

This legislation would generate an estimated annual earnings boost to the state of \$7.1 billion.

## PUBLIC SAFETY



By eliminating barriers to jobs, housing, and education, the Clean Slate Act will reduce recidivism as individuals will be better able to support themselves and their families.

Research shows that five years after benefitting from records clearance, individuals were less likely than members of the general public to be convicted of a crime.



**Clean  
Slate**



**(S.211/A.1029)**

**is an automatic civil sealing bill.**

Once records are sealed, they can't be seen in most situations, including when applying for housing and most jobs. However, records can still be seen by law enforcement, criminal courts, and some licensing and clearance agencies.

## **A person is eligible for relief under Clean Slate if:**



**They have completed a three-year waiting period for misdemeanors or a eight-year waiting period for felonies, not counting time served in prison.**



**They have completed probation/parole.**



**They have no pending New charges.**



**The conviction to be cleared is not a sex offense or Class A felony, except for drug-related convictions.**

**Supporters of the Clean Slate Act recognize that it will boost economic growth, expand the state's workforce, and help businesses hire employees.**

A large and diverse coalition is calling for passage of the Clean Slate Act. Supporters include:

- **Major labor unions**, including DC37, 1199 SEIU, Local 338 RWDSU/UFCW, Mason Tenders' District Council, Laborers' Local 79, and New York State Nurses Association;
- **Business leaders**, including three Fortune 500 companies (JP Morgan Chase, Verizon, and Microsoft) and the Business Council of New York State;
- **Chambers of Commerce**, including Rochester, Brooklyn and Harlem;
- **Local legislatures**, including New York City, Westchester, Buffalo, Albany County, City of Albany Ulster County, Newburgh, Poughkeepsie, Ellenville, Beacon, Columbia County, Hudson, and Catskill, who have all passed local resolutions calling for the enactment of Clean Slate.



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is an automatic civil sealing bill.

**It will seal old conviction records for civil purposes. Here's how it will work:**

**A person is eligible for relief under Clean Slate when:**

- They have completed a three-year waiting period for misdemeanor convictions and eight-year waiting period for felony convictions, not counting time served in prison.
- They have completed probation or parole.
- They have no pending charges.
- Sex offenses Class A felonies, except for drug-related convictions, are not eligible for sealing under the Clean Slate Act.

**Once eligible, the conviction records will be civilly sealed to allow people to access housing, education, and most jobs. But Clean Slate will not limit background checks for:**

- **Law enforcement, prosecutors, and the courts:** Records will not be sealed for the criminal legal system. Police, prosecutors, defense counsel, judges, and court officials will continue to have access to sealed records.
- **Hiring police and peace officers:** Any prospective employer of a police or peace officer will have access to sealed records.
- **Gun licenses:** Local, state, and federal agencies and officers conducting background checks for firearm licenses will have access to sealed records.
- **The Department of Motor Vehicles (DMV):** The DMV, as well as private transportation companies like Uber and Lyft, will have access to sealed records.
- **Work with vulnerable populations, like children, the elderly, and people with disabilities:** Sealed records will remain available to entities that are legally permitted or required to run fingerprint-based background checks.
- **The New York State Education Department (NYSED):** Public, private, and religious schools legally permitted or required to run fingerprint-based background checks will have access to sealed records. NYSED will also retain access for specified disciplinary proceedings and background checks in enumerated occupations and licenses it oversees.

## Clean Slate Act proponents preparing to push economic benefits of sealing criminal records in New York

By Denis Slattery, Dec. 1, 2022 in the New York Daily News

ALBANY – Supporters of a measure that would seal criminal records in New York are looking for a fresh start and focusing on the bill's economic impacts.

A diverse coalition including labor unions, criminal justice advocates and even Fortune 500 companies are renewing their push for the Clean Slate Act, arguing it could boost economic growth, help businesses desperate for new hires and also address long-standing racial inequities in the legal system.

"The biggest crimefighter we have is opportunity," Sen. Zellnor Myrie (D-Brooklyn), one of the bill's main sponsors, told the Daily News. "It's jobs, it is housing, it's stability, all of the things we want our communities to be filled with."

Under the bill, criminal records would be automatically sealed after three years for misdemeanors and seven years for felonies once someone has successfully completed their sentence, is not on community supervision and has not incurred any new charges or convictions.

Civily sealed convictions would then not show up in most background checks for employment or housing but would still be accessible to law enforcement for court and prosecution purposes.

Advocates and backers of the bill plan to rally across the state Thursday, hosting events in the city, Albany and other key locations, as they call attention to the measure ahead of the upcoming legislative session.

"Clean Slate matters tremendously to millions of people who, years or decades after they complete their sentences, continue to face barriers to jobs and to housing that make it hard to support themselves and their families," said Katie Schaffer, director of advocacy and organizing with the Brooklyn-based Center for Community Alternatives.

It's not just criminal justice groups rallying behind the bill, which was approved by the Senate in June but failed to come up for a vote in the Assembly, but big business and labor unions as well.

Companies including JP Morgan Chase, Verizon and Microsoft, as well as the Business Council of New York State, have come out in support of the measure.

A recent analysis by the Brennan Center found the legislation would generate an estimated annual earnings boost to the state of \$7.1 billion. Over 2 million New Yorkers have a conviction record that can hamper efforts to get a job or even an apartment after they've served their time.

The measure could be life-changing for the formerly incarcerated, especially minority New Yorkers since 80% of individuals in New York City with conviction records are Black or Latino.

Gov. Hochul has expressed support for the reform in the past, mentioning it in her first State of the State address back in January, and past polls have shown strong backing for the bill.

However, the measure was dropped from budget negotiations during the last legislative session and supporters are now hoping to win over holdouts in the Assembly after other criminal justice reforms including cashless bail have become lightning rods of controversy.

"I'm hoping that this ... doesn't have the same vitriol and the same reactionary conversations because this is really a pro-jobs bill in favor of public safety," Myrie said. "Whether you describe yourself or characterize your political beliefs as conservative or liberal, everyone should be in favor of giving individuals the opportunity to participate."



## Clean Slate Act would help relieve state's worker shortage

Zellnor Myrie and Catalina Cruz, Dec. 19, 2022 in the Times Union

Across New York, "help wanted" signs continue to be visible in the windows of stores and businesses. At the same time, many job postings across industries and occupations remain active online for long periods because of a lack of applicants.

What if there was a way for our state to tackle this labor shortage head on, while also advancing justice and public safety?

That's exactly what the Clean Slate Act would do. Gov. Kathy Hochul and our state's legislative leaders should fast-track this bill for passage early in the 2023 session.

A large and diverse coalition has formed around this common-sense legislation, which would seal old conviction records of New Yorkers so they can obtain stable employment and housing. The growing community of supporters includes major labor unions and business leaders from firms that include Fortune 500 companies like JP Morgan Chase, Verizon and Microsoft. Local legislatures, including those in New York City, Westchester, Buffalo, and Albany, have passed resolutions in support of the bill.

These supporters recognize that the Clean Slate Act would boost economic growth, expand the state's workforce, and help businesses hire employees. According to a recent analysis, this legislation would generate an estimated annual earnings boost to the state of \$7.1 billion, helping to fill the state's coffers, stimulating the demand for goods and services, and giving employers the assistance they need.

Some 2.3 million New Yorkers have a conviction record, and because of longstanding racial inequities in our criminal legal system, 80 percent of individuals in New York City with conviction records are Black or Latino. The Clean Slate Act would remedy these inequities by automatically sealing old conviction records for New Yorkers who have successfully completed their sentence, are no longer on community supervision, and have not incurred any new charges or convictions after three years for misdemeanors and seven years for felonies. These are New Yorkers who want to work and contribute to our economy, but are currently barred from doing so. By eliminating barriers to jobs, housing, and education, the Clean Slate Act will make it easier for individuals to support themselves and their families.

Research shows that after benefiting from the sealing of conviction records, individuals are less likely than members of the general public to be convicted of a crime, and more likely to stay employed and increase their earnings.

That should be music to everyone's ears. Let's reflect on what it really means: Sealing old conviction records helps reduce crime and increase public safety because it enables more people to enter the workforce and remain employed. It's a win-win. Indeed, a recent study based on Michigan law found that within two years of clearing their records, people were 11 percent more likely to have a job and were earning 25 percent more. When people obtain decent jobs, they typically want to hold onto them and move up the income ladder. That's what the Clean Slate Act enables New Yorkers with conviction histories to do. And it benefits all of us.

We urge every member of the state Legislature concerned about the economy, labor shortages, and public safety to support the Clean Slate Act. It is pragmatic legislation that enables New York to tackle multiple challenges at once, and improve quality of life for all. Clean slate bills have earned bipartisan support and passed in red and blue states across the country, including Utah, Connecticut, California, and Michigan. Texas, Missouri and West Virginia are actively considering them.

Excluding individuals with conviction histories from the workforce costs the economy as much as \$87 billion annually in lost GDP – an immensely wasteful loss with a real human toll on households, individuals, workers, businesses, and families. Other states that have advanced clean slate bills understand that they can't afford to allow such a painful loss to continue.

It's time for New York to catch up. Clean Slate can't wait.

*State Sen. Zellnor Myrie, D-Brooklyn, represents the 20th Senate District. Assemblywoman Catalina Cruz, D-Queens, represents the 39th Assembly District.*

## Clean Slate Act can remove employment obstacles

David Lamendola, Mar. 25, 2022 in the Buffalo News

Clean Slate legislation is being discussed in Albany again this year for good reason: It can provide a fresh start for thousands of New Yorkers by removing barriers for those who have served their prison sentences and provide them the opportunity to thrive.

This is more important than ever in the wake of the Covid pandemic to ensure that New Yorkers with criminal records aren't left behind as the economy reopens. In the era of worker shortages and "the Great Resignation," Clean Slate can combat workforce shortages by reducing obstacles people face as they seek employment after incarceration.

Under the Clean Slate Act, New Yorkers will be eligible to have conviction records automatically sealed three years from sentencing for misdemeanors and seven years from sentencing for felonies, not including time incarcerated. These time frames are carefully calibrated to allow people with conviction records to move forward with their lives and access jobs, housing and higher education.

To be eligible for automatic sealing relief, individuals must have completed probation, parole or postrelease supervision, and cannot have incurred any new convictions or pending charges during the three- or seven-year waiting period. Sex offenses are not eligible for sealing.

As we continue to recover from the pandemic, businesses are adapting to economic conditions and resuming their search for skilled workers. By reducing barriers to employment for those with criminal records, we will be able to get more people back to work more quickly.

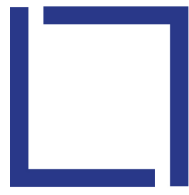
Some may wonder why Verizon is engaged in this issue. As one of the state's largest private unionized employers, we think people deserve second chances. This issue affects millions of New Yorkers, including our customers, our employees and our business.

We believe that if someone hasn't had any convictions for a certain number of years and aren't on parole, probation or the state registry, they should be able to finally move on with their life. This measure will not end poverty or systemic racism, but it will do more to help people get back on their feet than all of the criminal justice reforms of the last few years combined.

As we work to strengthen our communities and propel our economy into the future, the Legislature should continue the passage of just and reasonable laws like this and the Drivers' License Reform Act. These reforms create a next generation economy that truly provides opportunities for everyone. We look forward to working with lawmakers and the governor to take that next step to help people rejoin the workforce. It is the right thing for those people in need of a second chance.

*David Lamendola is a director for Verizon Government Affairs for New York and Connecticut.*

# Voices of



# Clean Slate



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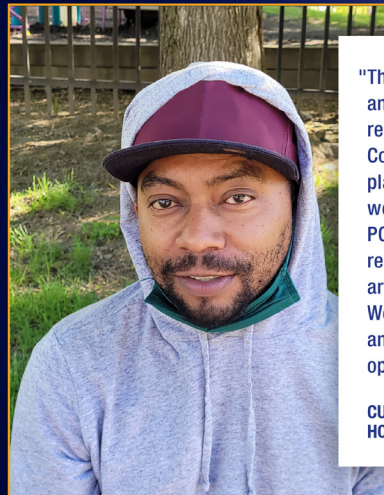
"I was rented an apartment and moved in. Suddenly, the landlord called me and told me that he chose not to rent to me because he feels like 2 kids and an adult is too many people living in a 2-bedroom apartment. But I think that it was because I'm a Black single mom with a conviction record from six years ago. This discrimination around conviction history needs to end!"

**SHAKERA SIMMONS**  
HCHC MEMBER



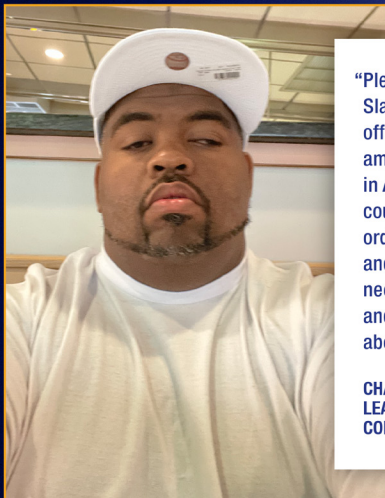
"I have been off parole for 30 months doing the right thing. I started a home business and everything but in certain areas I'm still discriminated against because of my past record and that should change. Clean Slate NY is needed now!"

**DEMETRIUS AMAKER**  
HCHC MEMBER



"The Hudson Terraces denied me an apartment because of my record from over a decade ago. Columbia Memorial, the same place that most of my family were born in, denied me as a PCA applicant because of my record. I'm tired of walking around here feeling worthless. We need Clean Slate NY here and everywhere in this oppressive state!"

**CURTIS MACKEY**  
HCHC MEMBER



"Please help us to get the Clean Slate Act passed. I have been off probation for nine years. I am currently enrolled in college in Albany taking paralegal courses. My GPA is 3.81. In order to provide for my family and not struggle every day, I need to obtain stable housing and employment. I am worried about my future."

**CHARLES WYCHE, COMMUNITY LEADER WITH CENTER FOR COMMUNITY ALTERNATIVES**



"Because of my decades-old record, I'm 63-years-old digging holes to make a living and that can't last. I have spent decades trying to gain stable employment and housing and struggled because of mistakes I made as a teenager. I am receiving a lifetime of hardships that started because I was a child living in poverty. The Clean Slate bill would really change the dynamics of my life."

**ANTHONY BIBBS, COMMUNITY LEADER WITH CENTER FOR COMMUNITY ALTERNATIVES**



Political leaders throughout the state and across the political spectrum have called for the passage of Clean Slate, including Governor Kathy Hochul, New York City Mayor Eric Adams, Manhattan District Attorney Alvin Bragg, New York City Public Advocate Jumaane Williams, New York City Council Speaker Adrienne Adams, and Ulster County sheriff Juan Figueroa.

Local and county resolutions in support of Clean Slate have passed in New York City, Westchester, Buffalo, Albany County, City of Albany Ulster County, Newburgh, Poughkeepsie, Ellenville, Beacon, Columbia County, Hudson, and Catskill.



### **Labor:**

- 1199SEIU
- CWA District 1
- District Council 37
- Hotel Trades Council (HTC)
- Joint Council No. 16
- Laborers' Local 79
- Legal Services Staff Association, NOLSW/  
UAW 2320
- Mason Tenders' District Council
- New York City Peer Workforce Coalition
- New York State Nurses Association
- RWDSU - Local 338
- UAW Region 9A

### **Business:**

- Galaxy Gives
- GOSO - Getting Out & Staying Out
- Hour Children
- JP Morgan Chase
- Microsoft
- National Association of Fugitive Recovery  
Agents
- Rochester Chamber of Commerce
- SLN Consulting
- Tech:NYC
- The Business Council of New York State
- The Greater Harlem Chamber of Commerce
- Total Transportation
- Verizon
- Women of Color in Cannabis

### **Civil Rights, Policy, + Legal Services:**

- Brennan Center for Justice at NYU School of  
Law
- Brooklyn Defender Services
- Brooklyn NAACP
- Center for Appellate Litigation
- Chief Defenders Association of New York
- Children's Defense Fund-NY
- Community Service Society of New York
- Galaxy Gives
- Immigrant Defense Project
- Latino Justice PRLDEF
- Law Enforcement Action
- Legal Action Center
- Legal Aid Bureau of Buffalo, Inc.
- Legal Aid Society of Nassau County
- Legal Services of Central New York
- Long Island Housing Services, Inc.
- Mobilization for Justice, Inc.
- Monroe County Public Defender's Office
- National Center for Law and Economic  
Justice
- Neighborhood Defender Services
- New York County Defender Services
- New York State Defenders Association
- NYU Wagner CannaPolicy
- Ontario County Public Defender  
Partnership (LEAP)
- Partnership for the Public Good
- Prison Policy Initiative
- Robin Hood Foundation
- Suffolk County Legal Aid
- The Bronx Defenders
- The Legal Aid Society

- The New York Immigration Coalition
- The Newburgh LGBTQ Center
- Turning Points Resource Center
- United Way of New York City
- UnLocal
- Wayne County Public Defender
- Youth Represent

### **Survivor Advocates:**

- A Little Piece Of Light
- Common Justice
- Crime Survivors for Safety and Justice
- Jaago Hudson
- New York State Coalition Against Sexual Assault

### **Reentry, Education, + Workforce Development:**

- Hudson Link for Higher Education in Prison
- Immigrant Defense Project
- John Jay College Institute for Justice and Opportunity
- Latino Justice PRLDEF
- Law Enforcement Action
- Legal Action Center
- Legal Aid Bureau of Buffalo, Inc.
- Legal Aid Society of Nassau County
- Legal Services of Central New York
- MADE Transitional Services
- Osborne Association
- Parole Prep Project
- Per Scholas
- The Fortune Society, Inc.
- Wildcat Services Corporation
- Workforce Professionals Training Institute

### **Law Firms:**

- Chief Defenders Association of New York
- Children's Defense Fund-NY
- Cleary Gottlieb Steen & Hamilton LLP
- Clifford Chance LLP
- Cohen & Gresser LLP
- College and Community Fellowship
- Community Service Society of New York
- Cornerstone Group
- Cozen O'Connor
- Crowell & Moring LLP
- Davis + Gilbert LLP
- Debevoise & Plimpton LLP
- Dentons US LLP
- Duane Morris LLP

- Duval & Stachenfeld LLP
- Eversheds Sutherland
- Exodus Transitional Community
- Frankfurt Kurnit Klein & Selz
- Fried, Frank, Harris, Shriver & Jacobson LLP
- Friedman Kaplan Seiler & Adelman
- Goulston & Storrs PC
- Hogan Lovells
- Jenner & Block LLP
- Kostelanetz & Fink, LLP
- Kramer Levin Naftalis & Frankel LLP
- Lowenstein Sandler LLP
- Mayer Brown LLP
- McDermott Will & Emery LLP
- Morgan, Lewis & Bockius LLP
- Morrison & Foerster LLP
- Morvillo Abramowitz Grand Iason & Anello PC
- Nixon Peabody LLP
- O'Melveny & Myers LLP
- Orrick, Herrington & Sutcliffe LLP
- Paul, Weiss, Rifkind, Wharton & Garrison LLP
- Reed Smith LLP
- Ropes & Gray LLP
- Selendy Gay Elsberg PLLC
- Shearman & Sterling LLP
- Sher Tremonte LLP
- Shook, Hardy & Bacon L.L.P.
- Sidley Austin LLP
- Simpson Thacher & Bartlett LLP
- Skadden, Arps, Slate, Meagher & Flom LLP
- Stroock & Stroock & Lavan LLP
- Walden Macht & Haran LLP
- Weil, Gotshal & Manges LLP
- WilmerHale
- Wilson Sonsini Goodrich & Rosati

### **Health + Recovery Advocates:**

- Brust-Maldonado Recovery Coaching
- Emmaus House Harlem
- NAMI NYS Criminal Justice
- New York Association of Psychiatric Rehabilitation Services
- Southern Tier AIDS Program

## **Anti-Racism Groups:**

- AntiRacist Alliance
- Campaign to End the New Jim Crow/Action Network
- Law Firm Antiracism Alliance
- Strategy for Black Lives
- SURJ Westchester

## **Faith:**

- Acts Church
- Bend the Arc: Jewish Action Long Island
- BronxConnect
- Broome County Council of Churches Jail Ministry Program
- Church In The Wild
- Congregation Beit Simchat Torah
- Congregation Beth Elohim - Dismantling Racism Advocacy Group
- Federation of Protestant Welfare Agencies (FPWA)
- Greater Grace Church
- Hudson Muslim Youth
- Interfaith Center of New York
- New York Jewish Agenda
- New York State Council of Churches
- New York Theological Seminary
- Prison Ministry - Convent Avenue Baptist Church
- Public Issues Committee, LI Council of Churches
- Riverside Church
- Trinity Church Wall Street

## **Advocacy Organizations:**

- Alliance of Families for Justice
- Alliance of Families for Justice
- Cannaware Society
- Citizen Action
- Clean Slate Initiative
- CNY Solidarity Coalition
- Empowerment Collaborative of Long Island
- Hudson Valley Strong Indivisible
- Incarcerated Nation Network
- Justice Roadmap
- Katal Center for Equity, Health & Justice
- Long Island Justice Action Network
- Long Island Network for Change
- Long Island Progressive Coalition
- Long Island Social Justice Action Network
- Metro Justice
- Minorities for Medical Marijuana

- Muslim & Immigrant Coalition for Justice
- National Action Network
- New Hour for Women and Children - LI
- New York Civil Liberties Union
- New York Communities for Change
- New York Immigration Coalition
- New York Social Action
- New Yorkers United for Justice
- NYO2 Indivisible
- NYPAN Greene
- Open Buffalo
- Peaceprints of WNY
- Prisoners Are People Too, Inc.
- Release Aging People in Prison (RAPP)
- Suffolk County DSA
- The Community Rising Project
- The Gathering for Justice
- VOCAL-NY
- Witness to Mass Incarceration
- Women & Justice Project

## **Community Groups:**

- All Kings
- Breukelen RISE
- Brooklyn Community Bail Fund
- Chinese-American Planning Council, Inc.
- Connecting for Purpose
- Friends of Recovery Rockland
- Gangstas Making Astronomical Community Changes
- Hudson / Catskill Housing Coalition
- Interfaith Alliance for Fair Law Enforcement
- Irvington Activists
- Justice For Families
- Nobody Leaves Mid-Hudson
- Occupy the Bronx
- Poughkeepsie Community Action Collaborative
- Rise Up Kingston
- Rising Ground
- Silent Cry, Inc.
- STRONG Youth, Inc.
- The New Pride Agenda
- Theatre of the Oppressed NYC
- Truth Pharm
- WESPAC Foundation
- Westchester for Change



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