

[OPINION](#)

The Clean Slate Act is fairer to people who've done their time and better for the whole society

By Alvin Bragg and Kathy Wylde

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There is a clear reason why both business and law enforcement leaders count ourselves among the broad and diverse coalition of supporters of a critically important bill pending in Albany right now, the [Clean Slate NY Act \(S.211/A.1029\)](#). This legislation would be an essential tool for advancing public safety, fairness, and economic empowerment.

Right now, any criminal conviction — even for a misdemeanor — triggers a permanent criminal record. In states as diverse as California, Utah, and South Dakota, or even our neighbors New Jersey and Pennsylvania, these records [automatically seal](#) after a set period of time. But, here in New York, even a decades-old conviction is a permanent scarlet letter.

While the state recently allowed certain individuals to proactively apply to seal old records, this law is so narrowly drafted that it does not apply to the majority of impacted people. It is little-known and little-used — in the Manhattan district attorney's office, we've seen only a small handful of these motions filed.

The lifetime stigma of a conviction record prevents far too many New Yorkers from accessing jobs, housing and an education. [Reports show that](#) from 1980 to 2021, more than 2.1 million people across New York State received criminal convictions. It is well documented that individuals with criminal records [face thousands of barriers and discriminatory laws](#) when trying to secure a job, a place to live, a license to practice a trade, and more. This form of perpetual punishment is a major reason why people with conviction histories face [massive losses of income](#) and high levels of [poverty](#) and [homelessness](#). These disproportionate consequences also drive rearrests and contact with the criminal legal system by preventing individuals from having a fair chance at reentering our communities.

Business leaders understand that access to jobs not only provides greater economic opportunity to individual New Yorkers, but addresses the shortage of willing and able workers across many industries. Law enforcement leaders understand that economic

instability is a key driver of criminal activity, while more stability means less recidivism and safer communities.

In fact, [the Brennan Center](#) found that underemployment related to a record of felony convictions costs New Yorkers \$3.6 billion each year. For a record of misdemeanor convictions, that number skyrockets to an annual \$9 billion in lost earnings. To address these critical issues, the Clean Slate Act will allow for sealing of certain convictions where individuals have served their time, completed any mandated community supervision, and have no recent criminal convictions. Under the most recent version of the bill, that means three years for a misdemeanor and seven years for a felony, excluding any time spent in prison. These time periods are supported by [data showing](#) that people are most likely to recidivate within two years, and recidivism rates generally level off after about five years. Clean Slate would apply to all convictions except sex offenses, in its current form.

With this reform, criminal records will be sealed for most civil purposes with some exceptions such as employment in regulated fields. Critically, records will remain available to police, prosecutors and the courts. Sealing old conviction records will provide a crucial step forward for individual New Yorkers who have paid their debt to society and long for a clean slate on which to build their lives.

The Clean Slate Act is a commonsense bill that will enable millions of New Yorkers to thrive. It will lead to safer, more just, and more economically healthy communities. We join the large coalition of supporters across the state to urge Albany to pass this bill before the end of the legislative session.

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