

## **Memorandum of Support for the Clean Slate Act from New York Law Firm Leaders**

As the leaders of 49 law firms with offices in New York State, employing well more than 20,000 lawyers and other professionals in the state, we strongly support passage of the New York Clean Slate legislation, which would require automatic sealing of certain convictions. We recognize that in order to effect meaningful changes in our society and dismantle structural inequities in the law, we must take action.

The passage of S1553C/A6399B will immediately transform the lives of the 2.3 million New Yorkers – including family members, friends and neighbors – who have served their sentences and met statutorily-set conditions. Our fellow New Yorkers deserve equal access to employment, housing and education. Passing the Clean Slate Act would have a profound impact by ensuring they have access to basic life essentials.

We know that past conviction records can erect lasting barriers to economic security and full engagement in the community, affecting not only individuals with past criminal convictions but also their families and communities. Black and Latino New Yorkers are charged and convicted at higher rates relative to their share of New York’s population, and make up three-quarters of New York State’s formerly imprisoned population.<sup>1</sup> Accordingly, these civil consequences deepen already-existing racial inequalities in civic life and perpetuate racial inequality.

As lawyers, we believe that we need a system for sealing criminal records that in fact works. The current *discretionary* record-sealing system, which requires New Yorkers to apply to a court for relief, has proven to be inadequate and ineffective. The current law is complex, difficult to navigate and far too limited in scope.<sup>2</sup> Accordingly, notwithstanding the efforts of legal aid organizations and private firms to provide pro bono representation in this area, in the four years since the current sealing law went into effect, fewer than 2,500 individuals – *less than 1 percent* of eligible New Yorkers – have had their records cleared.

As business leaders and employers in New York, we also believe that the Clean Slate Act will provide substantial economic benefits for all New Yorkers. It is estimated that employment restrictions cost New York nearly \$2 billion in lost wages annually.<sup>3</sup> If implemented, Clean Slate legislation will help bolster the state’s economy by tapping the talents of millions of people who are currently unemployed or underemployed because of their past criminal records even though they meet the required conditions in the Act. By reducing barriers to employment, we will replenish the workforce, train skilled workers, and put paychecks into pockets. And those earnings will flow back into the New York economy.

New York has a long history of enacting important reforms to support full participation in the life and economy of this state. We must continue this tradition by passing Clean Slate legislation.

**We urge the Legislature to immediately pass [S1553C](#) (Myrie) / [A6399B](#) (Cruz).**

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<sup>1</sup> Brennan Center for Justice Report. Poverty and Mass Incarceration in New York

<sup>2</sup> <https://www.cleanslateny.org/facts>

<sup>3</sup> <https://www.cleanslateny.org/facts>

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