



NEW YORK STATE SENATOR

Dean Murray

## The "Clean Slate Act" When is Enough, Enough!

DEAN MURRAY November 17, 2023

| ISSUE: **CLEAN SLATE ACT**



(Brentwood, NY) – New York State residents have made clear that safety is one of their top concerns, yet Governor Hochul and the Majority Legislature have ignored those concerns.

The “Clean Slate Act” is one more example of the continued disregard for law-abiding New York residents and for New York's crime victims. The “Clean Slate Act” (S. 7551-A) automatically seals criminal conviction records, including misdemeanors and some felonies, as long as the person avoids getting arrested again within a certain amount of time.

In essence this law seals the records of almost all crimes – even the most violent of felonies, with the exception of sex offenses that require registration as a sex offender and class A felonies (except drug felonies). Some of the crimes that qualify for being sealed include... crimes committed against children (except sex crimes), assaults on police officers, manslaughter, gun felonies, domestic violence felonies, some terrorism offenses, multiple degrees of arson, animal abuse, etc. (a more detailed list is attached)

NYS Senator Dean Murray and his fellow state lawmakers have opposed Clean Slate and voted against it on the floor of the Senate and Assembly earlier this year. However, the Senate and Assembly majorities passed it in both of their houses respectively and sent it to the Governor for her signature. Then, just 9 days after the voters of New York sent a clear message that they don't support these pro-criminal policies, by overwhelmingly supporting law and order candidates, like Ed Romaine, Suffolk County Executive-Elect, the Governor ignores the will of the voters and signs the bill into law.

Whether it's "Cashless Bail," "Raise the Age," the "Less is More Act" or "Clean Slate," the people of New York State are saying enough is enough. New Yorkers want a safer place to live and raise their children, but these pro-criminal laws are doing the opposite. In fact, these new laws are driving residents out of New York in record numbers. The Governor and Democrat Majority prefer to cater to a progressive, pro-criminal agenda rather than your safety and your well-being. As for the crime victims of New York, this is just another slap in the face and more evidence that those who support Clean Slate think that violent criminals deserve the second chance that the victims will never get. The loved ones and friends of victims who lost their lives, received a lifetime sentence of pain and agony... a sentence that can never and will never be wiped clean.

"Clean Slate is wrong on so many levels. Not only is the message this law sends to crime victims and their families a disgrace, I have absolutely no doubt that this will also create

more crime victims. Private business owners won't fully know who they are hiring, and landlords won't have the whole picture about who they are allowing into their properties and in some cases, into their homes," said **NYS Senator Dean Murray, 3rd Senate District**.

"Clean Slate is an engraved invitation for criminals to rip off unsuspecting businesses and continues the radical left's pro-criminal anti-public safety agenda. Employers won't know if the bookkeeper they hired is a convicted fraudster, store owners won't know if the guy who responded to a help wanted sign has a history of sticking up convenience stores and serious felonies like vehicular homicide and burglary will be sealed and the public will be kept in the dark. Make no mistake, this wrongheaded law will only create more opportunities for criminals to commit crimes and victimize hard working New Yorkers," said **Lou Civello, President of the Suffolk Police Benevolent Association**

**Suffolk County Executive-Elect Ed Romaine** said, "The Governor's Clean Slate Act is contrary to what most of our law-abiding citizens and law enforcement officers want. Crime is on the rise on Long Island, and we cannot allow it to continue the way it's going. The criminals are getting a free ride and that is wrong on every level. There need to be consequences for their actions. I stand with Senator Murray in opposition of Governor Hochul's misguided policy."

"I am truly disappointed that the Governor and Legislature have once again put the interests of convicted criminals ahead of the rights of victims. These reckless games with our public safety must stop. Automatically wiping away hate crime convictions while we are seeing an epidemic of hate speech, financial frauds in an age of online scams, weapons charges when we are seeing school shootings and drug sales when our children are dying of overdoses, without any mechanism of review to protect us, leaves us utterly exposed to violence and victimization." – **Suffolk District Attorney Raymond A. Tierney**

“Under one-party control in Albany, there persists an ongoing haste to prioritize the rights of criminals over those of our law-abiding citizens. By wiping away the history of those who commit crimes, the state is telling our residents that crime has no repercussions just like it did with the cashless bail fiasco and other short-sighted policies. While those who have committed crimes should be afforded an opportunity for redemption, there must be accountability. Unfortunately, such a common-sense approach appears to be a rarity in our state and the families in our communities will have to deal with the consequences,” said **NYS Senator Mario R. Mattera, 2nd Senate District.**

“The Clean Slate Law is a brazen assault on justice, accountability, and community safety. This egregious legislation that I voted against shamelessly aims to obliterate the records of individuals who have committed crimes. Wiping criminal records without consideration for the severity of offenses or the potential risks to society withholds critical information from employers, judges and DA’s in determining who is truly a danger to society. I was elected to push policies that protect our communities and raise hell on policies that favor criminals. Providing opportunities for individuals who have genuinely reformed is crucial, but it's equally important to acknowledge that not every offender merits having their records cleared,” said **NYS Senator Patricia Canzoneri-Fitzpatrick, 9th Senate District.**

“The governor yet again continues to favor policies that put criminals before law abiding citizens. The ‘Clean Slate’ bill was signed by the governor yesterday, which would hide the records of those convicted of manslaughter, armed robbery, hate crimes, some terrorism offenses, domestic violence, animal abuse, and arson – to name only a few. I do believe in second chances. But wiping away a criminal’s record clean is not a way to give them that chance. Instead, we should be working with them to provide rehabilitation services back into society. We are seeing chaos and lawlessness in our communities without repercussions. Radical Albany politicians continued pandering to criminals is a snub to those who are

victims of their crimes. I will not stand for it and will continue to vehemently defend our communities and put victims and law-abiding citizens first before criminals,” said **NYS Senator Steve Rhoads, 5th Senate District.**

“This is yet another unnecessary piece of legislation that will make New Yorkers less safe,” said **NYS Assemblyman Jodi Giglio, 2nd Assembly District.**

“The Clean Slate Act raises concerns with its potential to undermine accountability, potentially diminishing the gravity of individual offenses. This act will seal criminals' records while neglecting the potential impact on victims, as it prioritizes the interests of offenders over the rights and well-being of those who have experienced harm. Rehabilitating individuals must be prioritized over removing the consequences of their past crimes,” said **Assemblyman Ed Flood, 4th Assembly District.**

"First we had to accept that our loved ones were gone forever, then process that another human being intentionally and horrifically took them from us. Then we had to accept the outcome of the court proceedings. Then the people that did this to us would be free to live their lives and see their families. Now, we will have to accept that they get to pretend it never even happened, while we still suffer the lifelong pain and consequences of their actions.

Not only is this another kick in the gut, felt in the very core of our souls as victims, but it is a huge risk to public safety,” said **Jennifer Harrison, Founder/Executive Director, Victims Rights NY.**

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## Selected Sealable Offenses

- Manslaughter
- Vehicular Homicide (DWI-related crash causing death)
- Vehicular Assault (DWI-related crash causing serious physical injury)
- Gun felonies
- Most Kidnappings
  - o Not Kidnapping in the First Degree because carries a mandatory lifetime parole sentence
  - o Not Kidnapping offenses where the victim is less than seventeen and the offender is not a parent because those offenses require registration as a sex offender
- Assaults, including:
  - o Gang Assaults
  - o Assaults on police officers
- Attempted Murder in the Second Degree
- Some terrorism offenses
- Residential burglaries
- Armed Robbery

- Domestic violence felonies
  
- Threatening or intimidating witnesses
  
- Hate crimes, where the underlying offense is less than a class A felony because the class A would carry a lifetime parole sentence
  
- Felony DWI for repeat offenses
  
- Animal Abuse
  
- Arson
  - o Not Arson in the First Degree because it carries a mandatory lifetime parole sentence