



New York State Public Health Association (NYSPHA)

June 22, 2023

The Honorable Kathy Hochul
Governor of New York State
New York State Capitol
Albany, NY 12224

Re: NYSPHA recommends the Governor sign the Clean Slate Act S211/A1029 (Myrie/Cruz)

Dear Governor Hochul,

The New York State Public Health Association (NYSPHA) is pleased to provide our recommendations to you on these bills, which have passed both houses of the legislature. NYSPHA is the New York affiliate of the American Public Health Association (APHA) and serves as the statewide organization for members from all disciplines across the spectrum of public health professionals, organizations, academia, and students pursuing careers in public health. Our mission is to improve the public's health through advocacy, education, networking, and professional development.

The New York State Public Health Association urges you to sign the Clean Slate Act S211/A1029. More than 400,000 New Yorkers are arrested on criminal charges annually, and even after they have paid their debts to society, the vestiges of their convictions can be felt for decades, impacting their ability to obtain healthy and adequate housing, jobs, access to health care for themselves and family members, education and more. These are far reaching public health impacts that also affect family members, entire neighborhoods, and the business community. It disproportionately impacts people of color (Vera Institute of Justice, 2023) so is also a matter of economic justice. For people to be truly rehabilitated once back in the community they must regain access to meaningful education, employment, health insurance, and housing. This will be an economic driver in New York State as well. Imagine the economic impact: in New York, more than 2 million people have a criminal record, according to an estimate by John Jay College's Data Collaborative for Justice.

The law will provide automatic record sealing after three years post-incarceration for misdemeanors and seven years post-incarceration for felonies. In addition, protections and necessary exceptions were built in to ensure the safety of the community.

In spite of the "Sealing of Certain Convictions" act signed into law by Governor Andrew Cuomo in 2017, which allows for conviction records to be permanently sealed under certain conditions, people benefitting from this law total number fewer than 2,500 out of 600,000 eligible New Yorkers (less than 1%) because the process is burdensome, hard to navigate, and resource intensive. Hundreds of thousands more are not even eligible to apply. (cleanslate.org/facts, 2023).

According to the Prison Policy Initiative (2023), “New York has an incarceration rate of 376 per 100,000 people (including prisons, jails, immigration detention, and juvenile justice facilities), meaning that it locks up a higher percentage of its people than almost any democracy on earth.” In New York State, at any given moment in time, there are approximately 59,000 people behind bars. That is more than the entire population of 21 individual New York counties: Herkimer, Genesee, Otsego, Fulton, Montgomery, Tioga, Greene, Franklin, Chenango, Cortland, Allegany, Delaware, Wyoming, Orleans, Essex, Seneca, Schoharie, Lewis, Yates, Schuyler, and Hamilton (World Population Review, 2023). Post incarceration impacts will continue to affect these New York State citizens.

NYSPHA’s Recommendation:

We respectfully ask you to sign the Clean Slate Act S211/A1029 (Myrie/Cruz) relating to sealing old conviction records for civil purposes.

Sincerely,



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References:

Vera Institute of Justice (2023). Criminalization and Racial Disparities.

<https://www.vera.org/ending-mass-incarceration/criminalization-racial-disparities>

Data Collaborative for Justice (DCJ), John Jay College. Fact Sheet: The Deleterious Impact of Criminal Convictions in New York State. (2023). <https://datacollaborativeforjustice.org/work/racial-justice/fact-sheet-the-deleterious-impact-of-criminal-convictions-in-new-york-state/>

ACLU of New York (2023). Tell Lawmakers to Take These Six Actions, 2. Pass the Clean Slate Act. <https://action.aclu.org/send-message/tell-lawmakers-take-these-six-actions>

Clean Slate Act: Get the Facts. New York Sealing Law is Not Enough (2023). <https://www.cleanslateny.org/facts>

Prison Policy Initiative. New York Profile. (2023). <https://www.prisonpolicy.org/profiles/NY.html>