

FOR IMMEDIATE RELEASE
Monday, Oct. 12, 2020

Contact: Kate McCracken
Phone: 517.225.3186
Email: kate@safeandjustmi.org

Safe & Just
Michigan

Safe & Just Michigan Celebrates Signing of Clean Slate Legislation

Gov. Gretchen Whitmer signs seven-bill legislative package into law

LANSING — Today, Safe & Just Michigan celebrates Gov. **Gretchen Whitmer**'s signing of Michigan's Clean Slate legislation into law. These seven bills — House Bill 4980-4985 and HB 5120 — automatically expunge simple misdemeanors and non-assaultive felonies from the records of hundreds of thousands of Michiganders who have lived crime-free for at least seven years, and make it possible for thousands more to apply for the expungement of other old convictions.

“We are so thankful that the governor has signed Clean Slate into law. Clean Slate legislation will make new opportunities and a brighter future possible for hundreds of thousands of Michiganders, and as a result, for the entire state of Michigan,” Safe & Just Michigan Executive Director **John S. Cooper** said. “As we advocated for Clean Slate, we met a man in Ypsilanti who couldn't get a felony expunged because of three misdemeanors from nearly 30 years ago. We met a Muskegon man with two drug convictions from the early 1990s, and though he had turned his entire life around and earned a master's degree, those convictions were holding him back from achieving the opportunities he has worked so hard for. We heard from so many people with traffic offenses on their records, which account for half of all criminal cases in Michigan, but until the signing of this legislation, those offenses weren't eligible for expungement.”

Having a criminal record can prevent people from getting a good-paying job, obtaining safe and affordable housing or even getting into a college or job training program. Many employers and landlords have policies that exclude hiring or leasing apartments to people with a criminal history. An expungement shields those convictions from public view, while allowing police and courts to still view the information.

While an existing expungement process existed in Michigan, it was limited in eligibility, expensive to complete and confusing to navigate. As a result, fewer than 7 percent of all people who qualified for an expungement even attempted to obtain one. However, great benefits awaited those

who did — a University of Michigan study found that wages rose an average of about 25 percent within two years after getting an expungement.

“We are so happy for the people of Michigan whose lives will be changed for the better because of Clean Slate legislation,” Cooper said. “I am proud of Michigan today. I am proud of our political leadership and the many citizens and organizations that helped pass this legislation, from business groups to advocacy organizations to faith-based organizations. Working as a team, we put political differences aside and worked together to the benefit of hundreds of thousands of people.”

The bills included in the Clean Slate legislative package are:

- **House Bill 4980:** Creates an automated process for expunging eligible misdemeanors after seven years and eligible non-assaultive felonies after 10 years.
- **HB 4981:** For the first time, makes most convictions for traffic offenses — which constitute half of all criminal cases in Michigan — eligible for expungement.
- **HB 4982:** Creates a process to set aside most marijuana convictions that would have been legal as of Dec. 6, 2018, the date recreational marijuana was legalized in Michigan.
- **HB 4983:** Reduces the waiting period to file a petition to expunge a record of a misdemeanor conviction to three years.
- **HB 4984:** Increases the number of misdemeanors and felonies a person can have expunged to an unlimited number of non-assaultive misdemeanors and up to three felonies — however, a person cannot have more than two assaultive felonies expunged in a lifetime, or have multiple convictions of the same crime expunged if the maximum sentence for that crime is 10 or more years of incarceration
- **HB 4985:** Allows multiple convictions for certain offenses arising on “one bad night” to become eligible for expungement as a single offense.
- **HB 5120:** Creates a rebuttal process for marijuana expungements and specifies that the burden of proof is on prosecutors.

HB 4980, the bill to automate expungements, will require a two-year phase-in once funds are appropriated to create technological systems that will allow court, police and state computer systems to communicate with each other. The rest of the bills are scheduled to take effect in April 2021.

“This package will increase economic productivity, our tax base, expand our workforce, increase incomes for thousands of people and their families, and allow hundreds of thousands of people to fully participate in the economy. In doing so, it will also promote public safety. It truly is a win-win for Michigan,” Cooper said.

Clean Slate legislation enjoyed a broad base of support, including bill sponsors from both sides of the aisle. It also found advocates from across the political spectrum, with representatives from organizations as diverse as the ACLU of Michigan and the Mackinac Center for Public Policy testifying in favor of it. Safe & Just Michigan worked together with a coalition of partners to advocate for Clean Slate, including numerous business groups, Nation Outside, JLUSA, the Alliance for Safety & Justice, Crime Survivors for Safety & Justice, A.R.R.O., the Detroit Justice Center, Michigan Faith in Action, the Michigan Coalition Against Homelessness, Still Standing Against Domestic Violence, Americans for Prosperity, the Mackinac Center for Public Policy, and the ACLU of Michigan. Special thanks are also due to the Center for American Progress, the Chan Zuckerberg Initiative, the Crime and Justice Institute, Code for America, and the Clean Slate Initiative for the financial support and technical assistance they provided to the Michigan Clean Slate Campaign.

###

Safe & Just Michigan (www.safeandjustmi.org) works to advance policies that end Michigan's over-use of incarceration and promote community safety and healing. We partner with Michigan organizations and leaders from across the political spectrum, including business and community leaders, faith communities, crime survivor organizations, formerly incarcerated individuals, prisoners and their families, as well as Michigan taxpayers statewide.