

1 Supervisor Anthony Staskunas, Chairperson,  
2 From the Committee on Judiciary, Safety, and General Services, reporting on:

3  
4 File No. 15-637

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6 (ITEM ) A resolution by Supervisors Rainey, Broderick, and Johnson, Jr.,  
7 requesting the Wisconsin State Legislature to reform and expand the current law on  
8 expungement of criminal records, by recommending adoption of the following:

9  
10 **A RESOLUTION**

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12 WHEREAS, it is estimated that up to 65 million people in the United States (U.S.)  
13 have a criminal conviction; and

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15 WHEREAS, the U.S. Department of Justice reports that 650,000 ex-offenders  
16 are released from state and federal prison every year; and

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18 WHEREAS, expungement is a process by which a record of criminal conviction is  
19 destroyed or sealed; and

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21 WHEREAS, Wisconsin's expungement law is exceedingly narrow, only allowing  
22 for expungement of misdemeanors and certain felonies committed by a person under  
23 the age of 25, and only if the request is made at the time of sentencing; and

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25 WHEREAS, even if a person qualifies for expungement, and the court expunges  
26 the record, the record is still available through the Wisconsin Department of Justice,  
27 which effectively nullifies any benefit of the expungement; and

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29 WHEREAS, this narrowly crafted law does not achieve the ultimate goal of  
30 expungement, which is to allow someone who was convicted of a relatively minor  
31 offense, paid their debt to society, and is rehabilitated, to reenter society with a second  
32 chance to create a better life; and

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34 WHEREAS, people of color are disproportionately arrested, convicted, and  
35 incarcerated based on their representation in the population as a whole and therefore  
36 also disproportionately harmed by Wisconsin's stringent expungement laws; and

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38 WHEREAS, studies suggest that a criminal record reduces the likelihood of a job  
39 callback or offer by nearly 50 percent; and

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41 WHEREAS, a conviction record is a barrier to finding safe and affordable  
42 housing; and

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44 WHEREAS, studies show that an ex-offender's successful attainment of  
45 employment and housing after a conviction substantially reduces the risk of recidivism;  
46 and

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48 WHEREAS, the reduced output of goods and services of people with prison  
49 records is estimated at \$57 to \$65 billion in losses for the nation's economy; and  
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51 WHEREAS, since 2009, at least 41 states and the District of Columbia have  
52 enacted over 155 pieces of legislation to mitigate the collateral consequences for  
53 certain individuals with a criminal conviction; and  
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55 WHEREAS, it is time to reform Wisconsin's expungement law, get people back to  
56 work, lower recidivism, lessen the burden on Wisconsin's welfare system, add to  
57 Wisconsin's economy, and improve the justice system; and  
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59 WHEREAS, the Committee on Judiciary, Safety, and General Services, at its  
60 meeting of October 22, 2015, recommended adoption of the resolution (vote 5-0); now,  
61 therefore,  
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63 BE IT RESOLVED, Milwaukee County supports efforts to give certain  
64 rehabilitated individuals a second chance by reforming and expanding the current  
65 expungement law including, but not limited to:  
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- 67 1. Clearly defining what expungement means.
- 68 2. Disallowing the use of expunged records in housing and employment  
69 matters.
- 70 3. Ending the age limit on expungement requests.
- 71 4. Allowing expungement requests to be made at any time – not just at  
72 sentencing.
- 73 5. Disallowing disclosure of the expunged record by the Wisconsin  
74 Department of Justice to any unauthorized person, except as otherwise  
75 required by state or federal law.

76 ; and  
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78 BE IT FURTHER RESOLVED, Milwaukee County requests the Wisconsin State  
79 Legislature reform and expand the current expungement law of criminal records; and  
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81 BE IT FURTHER RESOLVED, that Intergovernmental Relations staff shall  
82 communicate the contents of this resolution to the appropriate parties necessary to  
83 effectuate the passage of such legislation.  
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