

Governor Phil Murphy



Governor Murphy Signs Major Criminal Justice Reform Legislation

12/18/2019


Murphy Signs One of the Most Progressive Expungement Reforms in the Nation and Restores Voting Rights to 80,000 Residents on Probation or Parole

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NEWARK – Governor Phil Murphy today signed two major pieces of legislation to reform New Jersey’s criminal justice system as part of his Second Chance Agenda. The bills, which will reform New Jersey’s expungement process to be one of the most progressive in the nation and restore voting rights to those on probation or parole, will help give individuals entangled in the criminal justice system the opportunity to fully participate in our society and democracy.

“Our Administration is deeply committed to transforming our criminal justice system, and today we are taking a historic step to give residents impacted by that system a second chance,” **said Governor Murphy**. “I am proud to sign one of the most progressive expungement laws in the nation, which will allow more New Jerseyans the opportunity to fully engage in our society. I am also proud to enact legislation that will restore voting rights to over 80,000 residents on probation or parole, allowing them to fully participate in our democracy.”

“Fixing our broken criminal justice system remains one of the most challenging issues plaguing our nation. Formerly incarcerated individuals continue to face overwhelming obstacles as they rejoin their communities,” **said U.S. Senator Cory Booker**. “It’s often difficult to obtain jobs and housing and many have lost their right to vote. These measures signed today by Governor Murphy will help restore fairness to the criminal justice system and remove some of the fundamental barriers to re-entry. I’m grateful to the State Legislators who sponsored these measures and to Governor Murphy for helping make New Jersey a nationwide leader in bold criminal justice reform.”

“I am proud to stand with the Governor today for a monumental bill signing that will positively impact the City of Newark and its residents,” **said Newark Mayor Ras Baraka**. “Our state’s democracy will be further strengthened by legislation that will allow the right to vote for those that are on parole and/or probation and improve the process for expungements in our state. Historically, the failure to do so has held back too many individuals from having access to their basic freedoms and liberties. I look forward to continuing to work with the Governor and our legislators on policy efforts that will advance civil rights in our state.”

S4154 creates a petition process for “clean slate” expungement for residents who have not committed an offense in ten years and who have not been convicted of the most serious crimes. The bill also requires the State to implement an automated clean slate expungement system, which will be developed by a task force charged with studying the technological, fiscal, and practical issues and challenges associated with such a system. Further, the bill requires that low-level marijuana convictions be sealed upon the disposition of a case, preventing those convictions from being used against those individuals in the future. It also makes numerous other changes to existing expungement procedures, including the creation of an e-filing system that would eliminate filing fees to petition for an expungement.

The bill was sponsored by Senator Sandra Cunningham, Senate President Steve Sweeney, and Senator Teresa Ruiz, and Assemblymembers Jamel Holley, Annette Quijano, Angela McKnight, Benjie Wimberly, and Verlina Reynolds-Jackson.

A5823 restores voting rights to New Jersey residents on probation or parole, a category that currently comprises over 80,000 individuals. 16 other states, including Indiana, Montana, and Utah, currently restore voting rights to individuals on probations or parole, and Governor Murphy has called for New Jersey to join this group of states for several years. The bill will take effect 90 days after signature.

The bill was sponsored by Assemblymembers Shavonda Sumter, Cleopatra Tucker, Jamel Holley, and Britnee Timberlake, and Senators Ronald Rice and Sandra Cunningham.

“There is no more fundamental right or duty in society than the right to vote. The bills Governor Murphy is signing today will help us to correct racial and social inequities by restoring the right to vote for individuals on probation or parole and making the expungement process easier, allowing people to move forward with their lives,” **said Lt. Governor Sheila Oliver, who serves as Commissioner of the Department of Community Affairs**. “For centuries, the Black community has been disproportionately affected by this voting prohibition and onerous expungement process. I am relieved that these discriminatory barriers are finally being eliminated in New Jersey.”

“This Administration is committed to encouraging and assisting former convicted offenders in their efforts to successfully reintegrate into society as full, productive citizens,” **said Attorney General Gurbir Grewal**. “The laws signed by the Governor today will help advance that important goal.”

“These historic pieces of legislation represent more than Governor Murphy’s enduring vision and the legislature’s dedication—they are rooted in reintegration through redemption,” **said New Jersey State Parole Board Chairman Samuel J. Plumeri, Jr.** “The more offenders assimilate into society, the greater chance they feel less marginalized and more empowered to contribute in positive ways.”

“The Department of Corrections is committed to providing resources that can assist with ensuring a positive trajectory for those exiting our system,” **said New Jersey Department of Corrections Acting Commissioner Marcus O. Hicks, Esq.** “As such, we stand with our partners in criminal justice reform and legislators on sound policies that remove barriers to successful reentry.”

"The impact of mass incarceration stretches far beyond the prison walls. When someone is released, the stigma of their conviction can hinder their ability to find a job or even a place to live and their status as a parolee or probationer can revoke their most basic rights," said **Senator Cunningham**. "Expanding expungement, allowing more individuals to shed the weight of their record and more fully reenter society, is nothing short of life changing. There is still a lot of work to do, but today is a momentous day for all those who have spent years fighting for this legislation. I am grateful Governor Murphy sees the value in this issue and I look forward to continuing to work together to reform our criminal justice system."

"Expanding the expungement program is an important part of our ongoing effort to bring meaningful reforms to the criminal justice system," said **Senate President Sweeney, who has advocated for a series of other reforms**. "If we are to truly give former offenders a fair opportunity to succeed, they need to have the ability for a clean slate. Removing the stigma of past convictions will allow them to get jobs so they can support themselves and their families as productive members of society. Everyone deserves a second chance, this is a way of actually giving people that opportunity."

"After fighting for so long, those on parole or probation will finally regain the right to vote, and have the opportunity to participate in our democracy," said **Senator Rice**. "The right to vote is our most important right, one that was fought for by our predecessors. We cannot take these new opportunities for granted, and need to continue to work to make sure no one in New Jersey and this country loses the right to vote."

"The collateral consequences that come with a criminal conviction have been devastating communities of color, perpetuating the cycle of poverty and fracturing families for much too long. Whenever there is a conversation about the racial disparities among our state's incarceration rates, we cannot forget that those convictions follow people for the rest of their lives," said **Senator Ruiz**. "Expungement can begin to address the inequalities that exist in our criminal justice system. There is more work that needs to be done, but this legislation is a significant step in the right direction."

"Taking New Jersey's expungement process from antiquated and onerous to one that can actually be navigated by a resident with success is major step toward justice for all," said **Assemblywoman Quijano**. "This move is possible for thousands of residents now and in the future to truly be able to turn the corner and not have long forgotten mistakes marking them like a 'scarlet letter' for the rest of their lives. After meeting all of their obligations, the ability to expunge these incidents from their record mean the difference in the type of job they can apply for how much money they can make for their families. Most importantly, it will allow people to simply move on."

"Making it possible for residents to clear their record and clean the slate will create employment opportunities, advancement and economic growth for those affected," said **Assemblywoman McKnight**. "Creating an avenue for residents to clear their name and their record moves New Jersey closer to equity and justice in the expungement process."

"Changing the expungement system ensures fairness in implementation for all residents of all socio-economic backgrounds," said **Assemblyman Wimberly**. "Minor convictions that could have well been removed from a person's record with an easier process in place could change the lives and the direction of many youth in our communities. An opportunity to expunge a criminal record could mean the difference between working and not working."

"A more advanced and manageable expungement process will bring us a step closer to social equity and social justice for offenders who have not committed a law violation in years," said **Assemblywoman Reynolds-Jackson**. "Removing barriers to work opportunities and housing will help to raise the status of many African American and Latino American residents, providing them with the ability to move up in the workplace and climb the economic ladder. We needed to get this done for all of those who have been held back because of their record."

"New Jersey will now lead the nation as a model of racial justice and inclusive democracy," said **Assemblywoman Sumter**. "The privilege to participate in the election process is a constitutional right afforded every American regardless of background, race or status. Every person of voting age should have the ability to cast their ballot without interference and without judgement of their personal history."

"Voting is an opportunity for all residents to have their say in who leads their communities and state," said **Assemblywoman Tucker**. "No one population should be disproportionately denied their right to vote. These are outdated laws that have no place in a modern democracy."

"The story of mass incarceration and disproportionate disenfranchisement in America can no longer be the narrative for New Jersey," said **Assemblywoman Timberlake**. "People with criminal records face enough trials post-incarceration in searching for employment, paying down debt and reconnecting with their families. Ending the prohibition on voting for probationers and parolees gives them a chance to move forward, to have their voices heard."

"I don't know of many families, if I know any, that does not have someone in their family who rightfully or wrongly have been involved in some way with the criminal justice system. All of them need a way to be redeemed, returned, or restored," said **Reverend Al Sharpton, President and Founder of the National Action Network (NAN)**. "As we look at this and as we deal with so much rancor and division, as we are going into the holiday season, this is a way that families can come together and feel that there is hope for even those that may have had a misstep in life."

"I've been open about my colorful past, but my life has changed, and today I am the pastor of a major church and the Northeast Regional Director for one of the country's biggest civil rights organizations, National Action Network," said **Pastor Steffie Bartley, Senior Pastor of New Hope Baptist Church and Northeast Regional Director of the National Action Network (NAN)**. "I fundamentally believe that voting is not only a constitutional right but essential to improving the lives of Black and Brown boys and girls in New Jersey. I applaud Governor Murphy's commitment to social justice and his administration's efforts to correct historic wrongs inflicted on our communities by a criminal justice system that has disproportionately punished communities of color, Rev. Sharpton, NAN, and I have been at the forefront of keeping the criminal justice reform a priority for lawmakers. I believe this bill can go further for the cause of justice, and I am hopeful that we can move forward collectively with a bill that provides a path to expungement and allows for relief for those convicted of low-level and non-violent offenses to participate in our democracy and exercise their right to vote."

"On this historic day, New Jersey has lifted my colleague Ron Pierce – a veteran, husband and college graduate – and 83,000 ghosts of democracy out of the shadows so that they can finally be seen, heard, and represented," said **Ryan P. Haygood, President & CEO of the New Jersey Institute for Social Justice**. "Two years after we and our partners launched the 1844 No More campaign—named for the year New Jersey denied the vote to people with convictions and restricted voting to white men in its Constitution—New Jersey has taken an important step in becoming 1844 no more. This is what it looks like to build an inclusive democracy, from the ground up, in this difficult national moment. We thank the Legislature and Governor Murphy for taking this bold action."


"With the Governor's signature, people who have been disenfranchised in every sense of the word regained the most fundamental power an individual can have in a democracy," said **ACLU-NJ Executive Director Amol Sinha**. "Some rights are too important to lose, and voting is one of them. Because this country's history of disenfranchisement has always been rooted in racial oppression, and because the effects of disenfranchisement today produce the same ends, this legislation is a critical, monumental step for racial justice and civil rights – one that advocates have worked for decades to achieve. We need to continue that progress by striving to include all people completing

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sentences, including those who are incarcerated. New Jersey makes history by becoming the 15th state to restore the right to vote to people on probation and parole. Today, we have shown that New Jersey stands for the ideals of justice, democracy, and having a voice."

"Today, thousands of New Jersey's returning citizens are being enfranchised and given a clean slate," said **Reverend Charles Boyer**. "That's what justice looks like. I salute the impacted, the advocates, the faith community, Governor Murphy and the Legislature for embracing the humanity of our sisters and brothers coming home."

"For those of us who have taken advantage of second chances, who have reformed our lives, not being able to vote was a particularly dehumanizing indignity in a life full of indignities," said **Daamin Durden, a facilitator at the Newark Community Street Team**. "We know that when people are unable to work, they are more likely to get into the dangers of the hustle. I thank Governor Murphy for signing this bill and showing the world that he believes in forgiveness and second chances."

"People who over the long haul of the years have been deemed invisible and marginalized have been made visible again by way of the work done by civil rights advocates and social justice minded legislators," said **Saefer Quraishi, Administrative Director of the NAACP New Jersey State Conference**. "With the passage of Assembly Bill 5823 we are able to restore the right to vote for those who have paid their debt to society and are serving their probation or parole periods. This particular piece of legislation will add approximately 83,000 people to our voting rolls, not only making these individuals feel like they are a part of the community once more, but giving them a voice and the ability to choose representatives consistent with their values. Those who have been silenced and disenfranchised for far too long are beginning to get their voices back, and we look forward to the Governor signing this bill and playing his part in this movement. The right to vote is just that - a right, and we commend all of those who helped us throughout this fight."


"I am elated that the Governor is signing both of these bills into law today, these are much needed reforms in our criminal justice system. Again, it will put New Jersey with those states that are leaders in the nation in the effort of criminal justice reform," said **Lawrence Hamm, Chairman of the People's Organization for Progress**. "With regard to the voting rights bill, this is a very important bill. It is a much-needed reform, a reform that people have been calling for many years. I want especially to thank those activist organizations and individuals that have been pushing for this reform for years. This bill will expand the franchise for literally thousands of people from New Jersey for the period they are on parole and probation. This is important because when we ensure the voting right for one segment of the population, it strengthens voting rights for the rest of the population."

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The expungement is extremely important, it is important for people to have their record expunged, because heretofore, when they have these records, it locks them out from employment, for housing and other opportunities in society. I am glad that Governor Murphy is signing both of these bills and I thank Governor Murphy for his leadership."

"Today New Jersey joins the ranks of state that recognize that a robust and participatory democracy makes our country stronger. By welcoming people back into our democracy, we are saying that every American counts," said **Myrna Pérez, Director of the Voting Rights and Elections Program at the Brennan Center for Justice**."

Governor Phil Murphy

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