

# SB 1106 (WIENER): FRESH START ACT



In California, people who are convicted of crimes are often ordered to pay restitution and restitution fines. Currently, unpaid restitution and restitution fines can be used as a reason to deny a person's petition to clear their criminal record—limiting their ability to get housing, employment and other opportunities upon re-entry.

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**The Fresh Start Act makes it easier for people to clear their criminal records in order to fully re-integrate into society.**

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Reasons to support this legislation include:

- 1 Inability to pay should not impede a person's ability to clear their records** and secure employment, housing, and long-term stability upon re-entry.
- 2 Restitution amounts can be hundreds of thousands of dollars, and even smaller amounts can be difficult for people to pay.** Because these amounts can be so high, many people cannot pay them off and therefore cannot meaningfully pursue criminal record clearance - even if they meet all of the other many qualifications.
- 3 Improving access to record clearance benefits people and the state.** Researchers estimate state savings of ~\$6,000/year per clearance due to its positive downstream effects (increased employment, etc.).<sup>1</sup>
- 4 This is an economic and racial justice issue** that impedes people who are meeting their other probation requirements from getting their full due. Currently, petitions can be denied solely for unpaid debt and public defenders often do not file for criminal record relief due to high denial rates.

**To learn more, please contact:**

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[1] Chapin, Mayli, et al. "A Cost-Benefit Analysis of Criminal Record Expungement in Santa Clara County." Senior Thesis., 2014.

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