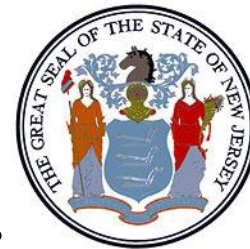


# *News From Senator Shirley K. Turner*

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## **SENATOR TURNER LAW TO UPDATE THE EXPUNGEMENT PROCESS FOR CRIMINAL RECORDS TAKES EFFECT MONDAY**

**TRENTON** – A new law sponsored by Senator Shirley K. Turner to reduce the waiting period for those seeking to expunge the records of past offenses and automatically expunge charges that did not result in a conviction will take effect Monday.

“This law will update the expungement process to help people with criminal offenses who have been rehabilitated and would like to clear their record and get back on their feet. A one-time lapse in judgement should not result in a lifetime of consequences,” said Senator Turner (D-Mercer/Hunterdon). “We want to put people back to work, not create more challenges, make them more reliant on taxpayer-funded programs, or cause them to lapse back into crime. This law will provide people with an opportunity to secure employment and provide a real second chance.”

Under the new law the Court would be authorized to expunge all records related to arrests, detentions and convictions of certain drug crimes if a person successfully completes a drug court program. Criminal record expungement of drug court graduates would be granted unless the person is otherwise ineligible for expungement or the Court finds that the need for access to the records outweighs the desirability of freeing the person from the disabilities associated with having a criminal record.

The law would also provide that if convicted of a crime after completing drug court, the person’s full record of arrests and convictions would be restored to public access and that person would be ineligible for future expungements.

Under the law, when an individual is arrested but later acquitted or the charges dismissed, the charges would be automatically expunged.

The law authorizes the Superior Court, upon application by the defense, to expunge arrest and conviction records for individuals who have not been convicted of any crime or offense within five years. The court may also reduce the waiting period from five to three years for those seeking to expunge a disorderly persons or petty disorderly persons offense, if the person has not

been convicted of additional offenses, any probation has been completed, and all fines have been satisfactorily paid.

The law makes clear, however, that certain crimes such as murder, kidnapping, rape, and terrorism are not expungable. The individual must also not have been convicted of a disorderly person's offense on more than two occasions. Those who have complied with payments of court-ordered fines, who were unable to pay due to compelling circumstances, may also qualify for expungement.

“Knowledge of a person's criminal past, while it can certainly provide insight into the person's character, can also be counterproductive in that it can create obstacles impeding a changed individual's efforts at rehabilitation,” added Senator Turner. “This new law will help move people forward, rather than holding them back. ”

The law takes effect April 25<sup>th</sup>.