

2 **RESOLUTION: Support Legislation to Allow an Individual Meeting Certain Requirements**
3 **to File a Petition for Expungement of the Individual’s Criminal Record**
4 **with the Sentencing Court After the Individual Completes a Sentence**

7 **TO THE WINNEBAGO COUNTY BOARD OF SUPERVISORS:**

8 **WHEREAS**, under current law, a Court may order an individual’s criminal record expunged of certain crimes
9 that a person committed before the age of 25; and

10 **WHEREAS**, under current law, the expungement may only be ordered at sentencing and the record may not
11 be expunged until the completion of the sentence; and

12 **WHEREAS**, a proposal to amend the law is currently be considered that would allow an individual to file a
13 petition for expungement with the sentencing court after the individual completes his or her sentence; and

14 **WHEREAS**, according to the proposal, upon receipt of such a petition, the court shall review the petition at a
15 hearing unless the victim of the crime waives a hearing, then order the record be expunged or deny the petition; and

16 **WHEREAS**, according to the proposal, if the court denies the petition, the individual may not file another
17 petition for two years; and

18 **WHEREAS**, your undersigned Committee recommends that the Winnebago County Board of Supervisors
19 adopt this Resolution.

20 **NOW, THEREFORE, BE IT RESOLVED** by the Winnebago County Board of Supervisors that it hereby
21 supports proposed legislation to allow an individual meeting certain requirements to file a petition for expungement
22 with the sentencing court after he or she completes his or her sentence.

24 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that it hereby supports
25 permitting a person whose petition is denied to file another petition in two years.

27 **BE IT FURTHER RESOLVED** by the Winnebago County Board of Supervisors that the Winnebago County
28 Clerk be directed to forward a copy of this Resolution to the Wisconsin Counties Association, the Office of Governor
29 Scott Walker, all state legislators that serve constituents within Winnebago County, and the Winnebago County
30 District Attorney.

32 Respectfully submitted by:

33 **LEGISLATIVE COMMITTEE**

34 Committee Vote: **7-2**

35 Vote Required for Passage: **Majority of Those Present**

37 Approved by the Winnebago County Executive this ____ day of _____, 2017.

39 _____
40 Mark L Harris
41 Winnebago County Executive