

Resolution No. 28-09/17

Supporting Proposed Legislation Allowing a Person Who Meets Certain Requirements to File a Petition for Expungement with the Sentencing Court After Completion of Their Sentence

1 Moved/Sponsored by: Executive Committee
2

3 **WHEREAS**, under current law, a court may order a person’s criminal record expunged of certain
4 crimes that a person committed before the age of 25; and,
5

6 **WHEREAS**, the expungement order must be made only at sentencing and the record is expunged
7 upon completion of the sentence; and,
8

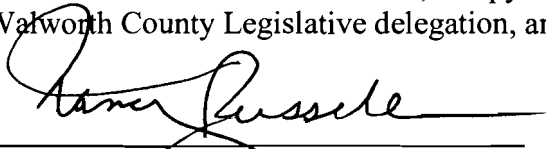
9 **WHEREAS**, there is proposed legislation to allow the person to file a petition with the sentencing
10 court after he or she completes their sentence; and,
11

12 **WHEREAS**, upon receipt of the petition, the court must review the petition at a hearing or, if the
13 victim of the crime waives a hearing, without a hearing, the court may then order the record expunged
14 or may deny the petition; and,
15

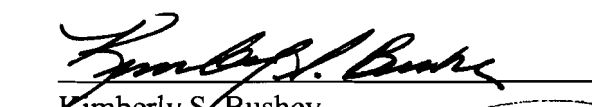
16 **WHEREAS**, if the petition is denied, the person may not file another petition for two years.
17

18 **NOW, THEREFORE, BE IT RESOLVED** the Walworth County Board of Supervisors hereby
19 supports proposed legislation allowing a person who meets certain requirements to file a petition for
20 expungement with the sentencing court after he or she completes their sentence and permitting a
21 person whose petition is denied to file another petition in two years.
22

23 **BE IT FURTHER RESOLVED**, a copy of this resolution shall be sent to Governor Walker, the
24 Walworth County Legislative delegation, and the Wisconsin Counties Association.
25

26 

28 Nancy Russell
29 County Board Chair

26 

28 Kimberly S. Bushey
29 County Clerk

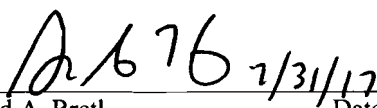
this Resolution/Ordinance was:
30 Adopted Roll Call/U.C./Voice
31 Rejected/Referred/Laid Over

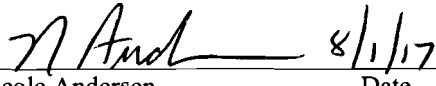
31 County Board Meeting Date: September 5, 2017

32 Action Required: Majority Vote X

Two-thirds Vote _____
33 Ayes: _____ Noes: _____ Absent: _____
Date Other September 5, 2017

Policy and Fiscal Note is attached.
Reviewed and approved pursuant to Section 2-91 of the Walworth County Code of Ordinances:

 7/31/17
David A. Bretl Date
County Administrator/Corporation Counsel

 8/1/17
Nicole Andersen Date
Deputy County Administrator - Finance

If unsigned, exceptions shall be so noted by the County Administrator.

Policy and Fiscal Note
Resolution No. 28-09/17

- I. **Title:** Supporting Proposed Legislation Allowing a Person Who Meets Certain Requirements to File a Petition for Expungement with the Sentencing Court After Completion of Their Sentence

- II. **Purpose and Policy Impact Statement.** The purpose of this resolution is to support proposed legislation allowing a person who meets certain requirements to file a petition for expungement with the sentencing court after completion of their sentence and permitting a person whose petition is denied to file another petition in two years.

- III. **Budget and Fiscal Impact:** Passage of this advisory resolution will not have a fiscal impact on the county budget.

- IV. **Referred to the following standing committees for consideration and date of referral:**

Committee: Executive Committee

Meeting Date: July 17, 2017

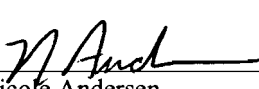
Vote: 5-0

County Board Meeting Date: September 5, 2017

Policy and fiscal note has been reviewed and approved as an accurate statement of the probable policy and fiscal impacts associated with passage of the attached resolution.

 7/31/17

David A. Bretl Date
County Administrator/Corporation Counsel

 8/1/17

Nicole Andersen Date
Deputy County Administrator – Finance

If unsigned, exceptions shall be so noted by the County Administrator.