HB 2750: prisoners; forest restoration projects; expungement
Sponsor: Representative Cano, LD 3
Caucus & COW

Overview

Allows a person, on release from imprisonment, who participated in a forest restoration project while in the custody of ADC to petition the court to vacate the judgment of conviction and expunge all related records.

History

The Arizona Department of Forestry and Fire Management (DFFM) and the Arizona Department of Corrections (ADC) administer twelve firefighting crews consisting of twenty inmates each. The inmates are low-level offenders trained to be professional wildland firefighters. Inmate crews are deployed around the state during wildfire season to help with suppression efforts and special assignments (DFFM).

After fulfilling the conditions of probation or completing a sentence, most people convicted of a criminal offense may apply to have the judgment of guilt set. The court would then consider factors such as the nature of the conviction, the victim's input and prior or subsequent convictions when determining whether to set aside the judgment of guilt or not. If the judgment is set aside, it removes most penalties that resulted from the conviction from the ex-offender (A.R.S. § 13-905).

Occupational licensing agencies, departments, boards and commissions may grant an otherwise qualified applicant who has been convicted of most types of offenses either a regular license or a provisional license, which has certain statutory limitations (A.R.S. § 32-4701).

Provisions

1. Allows a person, on release from imprisonment, who participated in a forest restoration project while in the custody of ADC to petition the court to vacate the judgment of conviction and expunge all related records. (Sec. 1)

2. Allows the court to terminate the remainder of the person's parole or community supervision if the petition is filed while the person is serving a term of parole or community supervision. (Sec. 1)

3. Instructs the court clerk to create a form and outlines the information to be included on the form. (Sec. 1)

4. Outlines the process the court must follow for processing and granting petitions. (Sec. 1)

5. Outlines the process the court must follow if a petition is granted or denied. (Sec. 1)

6. Establishes exceptions for when the court clerk may produce an expunged record. (Sec. 1)

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