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THE COUNCIL
OF

THE CITY OF NEW YORK

Yusef Salaam

COUNCIL MEMBER, 9th DISTRICT, MANHATTAN

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AND DISPOSITIONS
SUBCOMMITTEE ON ZONING AND FRANCHISES

Summary of Res. 0418-2024: Support for Extending Time to File Wrongful Conviction Claims (S5824/A6860)

Purpose:

This resolution expresses the **New York City Council's support** for New York State legislation (S5824/A6860) that would **extend the time limit** for wrongfully convicted individuals to file claims for compensation and make technical updates to eligibility.

Key Points:

- **Current Law (Court of Claims Act §8-b):**
 - Allows wrongfully convicted individuals to file a claim against New York State for damages.
 - Requires a pardon based on innocence or a reversal of conviction.
 - **Claims must be filed within 2 years** of the pardon or dismissal.
- **Problem:**
 - The 2-year limit is often **insufficient** for individuals to navigate the legal system, especially after the trauma of wrongful imprisonment.
- **Proposed Change (S5824/A6860):**
 - Extends the claim-filing deadline to **5 years**.
 - Makes **technical amendments** to clarify and improve **eligibility criteria** for filing.
- **Rationale:**
 - Over **340 people** in New York have been exonerated since 1989.
 - **New York leads the nation** in monetary payouts for wrongful convictions, but financial compensation alone is insufficient.
 - Extending the timeline helps survivors of wrongful imprisonment pursue justice more effectively.

Sponsors:

Council Member Yusef Salaam and 10 co-sponsors.

Legislative Status:

Laid over in Committee as of May 16, 2024 — meaning it remains under consideration and has not yet been adopted by the full Council.