



DO YOU HAVE A CRIMINAL CONVICTION AND HAVE YOU REMAINED CRIME-FREE FOR 10 YEARS?

You may be able to have up to two criminal convictions and related charges sealed under new Criminal Procedure Law §160.59.

WHAT IS THE NEW LAW?

Beginning October 7th, 2017, **eligible individuals** convicted of an **eligible offense** may request to have their records sealed if they have not been convicted of another crime for a period of 10 years from the day they were sentenced or released from jail/prison (whichever is later).

WHO IS ELIGIBLE TO SEAL THEIR CONVICTIONS UNDER CRIMINAL PROCEDURE LAW §160.59?

You are eligible if you have been crime-free for at least 10 years since your conviction and/or release *and* you have only two (2) convictions on your criminal record. If you have more than two (2) convictions, you may still be eligible if your convictions are related to the same one or two incidents. For example, if you were charged and convicted of multiple crimes during one incident, the court may choose to consider those multiple convictions as one incident or conviction when considering your application.

WHAT TYPE OF CONVICTIONS ARE ELIGIBLE OFFENSES?

All misdemeanor convictions are eligible, and some felonies are eligible to be sealed. You can, however, seal at most one (1) felony. Sex offenses, violent felonies and serious felonies are not eligible for sealing.

WHAT HAPPENS WHEN A RECORD IS SEALED?

The criminal record of your prior crime or crimes cannot be seen by anyone other than qualified state agencies and state and local law enforcement, unless you are seeking to become a police or peace officer, applying for a gun permit, or the information is needed for law enforcement purposes.

WHAT IS THE PROCESS FOR APPLYING UNDER CRIMINAL PROCEDURE LAW §160.59?

Step 1: Visit the NY State Courts website at nycourts.gov/forms to obtain a copy of the required forms, which include the “Notice of Motion and Affidavit in Support of Sealing Pursuant to CPL §160.59” form and instructions. The instructions also contain a list of crimes that are ineligible for sealing.

Step 2: Read and follow the instructions provided to file a motion for sealing with the court.