



Office of Temporary and Disability Assistance

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Informational Letter

Section 1

Transmittal:	18-INF-07
To:	Social Services District Commissioners
Issuing Division/Office:	Integrated Family Assistance Programs / Employment and Income Support Programs
Date:	April 23, 2018
Subject:	Criminal Record Sealing Under Criminal Procedure Law §160.59
Suggested Distribution:	Temporary Assistance Directors Supplemental Nutrition Assistance Program Directors Employment Coordinators
Contact Person(s):	OTDA Employment Services Advisor or Bureau of Employment and Advancement Services at: (518) 486-6106
Attachments:	Attachment 1: Criminal Procedure Law Attachment 2: Criminal Procedure Law (Spanish) Attachment 3: FAQs Record Sealing
Attachment Available Online:	<input checked="" type="checkbox"/>

Filing References

Previous ADMs/INFs	Releases Cancelled	Dept. Regs.	Soc. Serv. Law & Other Legal Ref.	Manual Ref.	Misc. Ref.
			CPL §160.59		

I. Purpose

The purpose of this Informational Letter (INF) is to alert social service districts (districts) of the criminal record sealing provisions available under the recently adopted New York State Criminal Procedure Law §160.59. The new law offers individuals who have been convicted of up to two (2) eligible offenses the opportunity (upon the individual's request to an authorized court) to have such New York State criminal convictions sealed.

II. Background

Effective October 7, 2017, individuals convicted of an eligible offense may request to have their records sealed under Criminal Procedure Law §160.59 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).

All misdemeanor convictions, other than those requiring registration as a sex offender, and certain felonies are eligible to be sealed. A maximum of one (1) felony conviction may be sealed. Notably, sex offenses, violent felonies, and certain other specifically defined offenses are not eligible for sealing.

III. Program Implications

Districts should be aware of the new record sealing provision of the Criminal Procedure Law. This provision may be especially beneficial to employment workers seeking to improve the employment prospects for individuals with sealable offenses. District workers should be able to discuss that the sealing of records may be an option under specific circumstances and to inform individuals of where they can obtain additional information about eligibility and a copy of the required forms. For additional information and frequently asked questions regarding the new law please refer to Attachments 1, 2 and 3. Attachment 1 is also available in additional languages. Please contact OTDA if an additional language is required.

Issued By

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