

KNOW YOUR RIGHTS

What You Should Know About Certificates of Relief from Disabilities and Certificates of Good Conduct

1. What are Certificates of Relief from Disabilities and Certificates of Good Conduct?

- Certificates of Relief from Disabilities and Certificates of Good Conduct are documents that can help people with convictions obtain employment, housing, and other benefits.
- New York State and City laws prohibit people with particular convictions from working in certain jobs or getting certain licenses (such as security guard jobs and licenses). Certificates remove most of these automatic disqualifications and require employers and licensing agencies to consider your application.
- Before denying you a job or license because of your conviction, most employers in New York must consider evidence of your rehabilitation. If you have a Certificate, employers and licensing agencies must assume that you have been rehabilitated, unless they have significant evidence that you have not been rehabilitated.

- Certificates do NOT expunge or seal convictions, and they are NOT pardons.

2. Am I eligible to apply for a Certificate of Relief from Disabilities?

- You are eligible if zero or one of your convictions is a felony.
- If you are on parole, you are only eligible if your parole began at least six months ago.

3. How do I apply for a Certificate of Relief from Disabilities?

- File separate applications for each conviction for which you want Certificate of Relief from Disabilities.
- If you are on parole, ask your parole officer to tell the New York State Department of Corrections and Community Supervision (“DOCCS”) you are interested in obtaining a Certificate.
- If you are not on parole and the conviction caused you to serve time upstate in a New York State prison (such as Clinton Correctional Facility) or you were convicted in federal court or in another state, submit an application to DOCCS. You can find the application online at <http://www.doccs.ny.gov/pdf/parolecert.pdf>.
- For all other convictions, bring your application to the clerk’s office at the courthouse you were sentenced. You can find the application at the courthouse or online at <http://www.reentry.net/ny/library/attachment.144557>.

- To increase your chances of getting the Certificate, submit evidence of rehabilitation. For example, you can submit your own letter explaining the facts of the offense/crime, your feelings of remorse, and your positive life choices since the offense—such as your work history and your participation in treatment programs, school, religious activities, caring for family members, or community service. You can also submit letters of recommendation from employers, teachers, religious officials, community members, family, or friends who know you; your resume; evidence that you have attended school, job training, counseling, or other programs; and any other evidence of rehabilitation.

4. Am I eligible to apply for a Certificate of Good Conduct?

- To be eligible, you must either (1) have two or more felony convictions, (2) want to be a public officer and have a conviction that disqualifies you from being a public officer, or (3) want to lawfully possess a firearm and have a New York State conviction that disqualifies you from being a public officer.¹ Public officers are certain appointed or elected government workers, such as correction officers, firefighters, and police officers.

¹ The laws about firearm possession and criminal convictions are complicated. Before possessing a firearm, you should talk to an attorney to ensure that it is legal for you to possess a firearm.

- There is a waiting period that begins at the time of your last release from incarceration or your last criminal conviction, whichever occurred most recently. If your most serious conviction is an A or B felony, you must wait five years. If your most serious conviction is a C, D, or E felony, you must wait three years. If your most serious conviction is a misdemeanor, you must wait one year.

5. How do I apply for a Certificate of Good Conduct?

- You only need to file one application for all of your convictions.
- If you are on parole, ask your parole officer to tell DOCCS you are interested in obtaining a Certificate.
- If you are not on parole, submit your application to DOCCS. You can find the application online at <http://www.doccs.ny.gov/pdf/parolecert.pdf>.
- To increase your chances of getting the Certificate, submit evidence of rehabilitation. See Question #3 for examples of evidence of rehabilitation.

For more information, contact The Legal Aid Society's Access to Benefits Helpline by calling 888-663-6880.



MAKING THE CASE FOR HUMANITY

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