

AUTOMATIC SEALING UNDER NEW YORK'S CLEAN SLATE ACT

WHICH CONVICTIONS WILL BE ELIGIBLE FOR SEALING?

- All misdemeanor convictions and most felony convictions from New York State will be eligible.
- Federal convictions or convictions from other states are not eligible.
- Sex offenses, sexually violent offenses, and non-drug Class A felonies are not eligible.

NOTE: Your eligible convictions will be sealed even if you have ineligible convictions. For example, if you have convictions for a sex offense and for drug possession, the drug conviction will become eligible after the applicable waiting period ends.

WHAT SHOULD I KNOW ABOUT THE WAITING PERIODS?

- The waiting period for misdemeanor convictions is three years of no new convictions. The waiting period for felonies is eight years of no new convictions.
- Waiting periods begin on the sentencing date for your most recent conviction or the date you were released from your most recent period of incarceration – whichever date is later.
- You must also complete parole, probation, or any other community supervision before your eligible convictions will be sealed.



DO I NEED TO APPLY?

Sealing under Clean Slate will happen automatically, so you won't need to apply. Clean Slate "goes into effect" in November 2024, but the law gives the courts up to three more years to complete the process of sealing eligible convictions.

WHEN WILL MY CONVICTIONS SEAL?

This means your eligible convictions may not be sealed until November 2027.

DOES CLEAN SLATE SEALING MEAN JOBS AND LANDLORDS CAN'T SEE MY CONVICTIONS?

Yes - convictions sealed under Clean Slate will not appear on background checks run by most employers and landlords. It's also illegal for most New York employers and landlords to ask if you have sealed convictions or to use sealed convictions against you. However, there are some exceptions to the law, as explained in the next section. And remember, your eligible convictions may still appear on background checks until November 2027.

WHO WILL BE ALLOWED TO SEE CONVICTIONS SEALED BY CLEAN SLATE?

- Employers and government agencies that are required by law to run fingerprint-based background checks, such as The Justice Center
- Employers and government agencies that are permitted by law to run fingerprint-based background checks because they serve children, elderly, or “vulnerable” populations, such as nursing homes
- The New York State Education Department for licensure in fields like social work, home healthcare, education, and nursing (see [website](#) for full list of NYSED-licensed professions)
- The Department of Motor Vehicles (DMV)
- Private transportation employers like Uber and Lyft
- Law enforcement and peace officer agencies, like police, fire departments, and gun licensing agencies
- Judges, DAs, and courts. For example, if you are rearrested, judges can use these sealed convictions to decide how to sentence you in your new conviction
- Immigration: Non-U.S. citizens should consult an immigration attorney for advice on how Clean Slate may impact you

HOW WILL I KNOW IF MY CONVICTION HAS BEEN SEALED?

We don't know yet whether or how the courts will notify people that their conviction has been sealed. For now, the best way to know what appears on your record is to order your own RAP sheet. If you're a New York State resident, you can call LAC for help getting a free copy.

WHAT SHOULD I DO RIGHT NOW?

We recommend you get a copy of your RAP sheet, and call LAC or another legal services provider to be screened for [other types of sealing](#) and for [Certificates of Relief or Good Conduct](#).

For more information on LAC's services and to see all our free know-your-rights resources, visit our website at www.lac.org or call us at 212-243-1313. Incarcerated people can write to us to request free print copies of our publications.