

# Certificates of Relief, Good Conduct, and Disposition

## Certificates of Relief from Disabilities and Certificates of Good Conduct

Both Certificates of Relief from Disabilities ("CRDs") and Certificates of Good Conduct ("CGCs") generally have the same legal effect, but the process for getting each is different. Both create a legal presumption that you are rehabilitated for your convictions, and they remove legal barriers to employment, licenses, and public housing. This means that laws excluding you because of your convictions **no longer apply**. You can apply just like someone without a conviction history, but a certificate **is not a guarantee** that you will succeed.

In addition to the above, each certificate has **special powers**. CRDs allow people who are on parole for a felony conviction to vote. Normally, you can't vote in New York if you are in prison or on parole for a felony; once you leave parole, however, your right to vote is **automatically restored**. If you want to hold a public office, you have to get a CGC—a CRD won't do it. There is no list of positions that are "public offices," but examples are **notaries public, law enforcement officers, firefighters, and some commissioners and inspectors**. You must get a **separate CRD** for each conviction, but **one CGC** covers all convictions.

**Certificates are not a pardon**. You will still have to disclose your felony and misdemeanor convictions if asked, but you should also **emphasize the importance** of a certificate.

- 1) **Which certificate can I get?** It depends on how many court cases resulted in felony convictions. The number of lesser convictions, like misdemeanors and violations, does not matter. If you were convicted of two felonies in a single court case, for example, you can apply for a CRD:
  - a) CRD: No more than **one case** that resulted in a felony conviction.
  - b) CGC: **Two or more cases** that resulted in a felony conviction.
- 2) **When do I apply?** Currently incarcerated individuals **cannot apply**. If you are not incarcerated, when you apply depends on the certificate you are trying to get:
  - a) **CRDs**: You can apply **anytime** after release.
  - b) **CGCs**: You must wait certain number of years depending on **most serious** conviction. The time runs from release from prison, and a parole violation **does not** restart the clock:
    - i) **A & B Felonies**: 5 years
    - ii) **C, D & E Felonies**: 3 years
    - iii) **Misdemeanors**: 1 year
- 3) **Where do I apply?** It depends on the **certificate** and whether you did time in **state prison**.
  - a) Apply through **your sentencing court** if you want a CRD and you only served "local time," meaning you received any sentence except **incarceration in state prison**.
  - b) Apply through the Division of Parole in **every other situation**, meaning you:
    - i) Are eligible for a CRD, but you did time in state prison;
    - ii) Are only eligible for a CGC; or
    - iii) Want a CRD or a CGC for a conviction that occurred outside of New York State.
- 4) **What's the application process?** It depends on where you must apply. Basically, you will present **evidence of rehabilitation** to a probation or parole officer in an interview, and that person will decide whether to recommend you for the certificate. To see how to gather evidence of rehabilitation, go here: [www.reentry.net/ny/search/attachment.130067](http://www.reentry.net/ny/search/attachment.130067).
  - a) If you must go to **your sentencing court**, use the chart on the next page. You will apply at your sentencing court, be interviewed by a probation officer, and might appear in court.
  - b) If you must go to the **Division of Parole**, fill out and mail the application (available at: [www.reentry.net/ny/search/attachment.86229](http://www.reentry.net/ny/search/attachment.86229)) along with your **evidence of rehabilitation**. A local parole officer will contact you for an interview and write a report to the Board of Parole. Three members of the Board of Parole meet monthly to review applications; they must all agree to grant the certificate. The process can take up to **six months**.

## Certificates of Disposition

These are a one-page record of **what happened in a particular criminal case**. Most public and private employers will make you get **one for each of your convictions** when you apply. To do so, see the clerk in your sentencing court listed below; note that felonies and misdemeanors are often handled in **different rooms**. Bring a photo ID and, if you have it, the docket number for your case. Certificates are \$10 each, but **this fee might be waived** if you show you have a low income with, for example, a New York State Benefits Card.

Bronx	Brooklyn	Manhattan	Queens	Staten Island
<b>Where can I get a Certificate of Disposition and apply for a Certificate of Relief from Disabilities?</b>				
<b>Felonies &amp; Misdemeanors:</b> 265 E. 161st Street Second Floor	<b>Felonies:</b> Supreme Court 320 Jay St. 13th Floor <b>Misdemeanors:</b> Criminal Court 120 Schermerhorn St. Room 502	100 Centre St. <b>Felonies:</b> Supreme Court Room 1000 <b>Misdemeanors:</b> Criminal Court Room 526	125-01 Queens Blvd. <b>Felonies:</b> Supreme Court Room 710 <b>Misdemeanors:</b> Criminal Court Room G-64	<b>Felonies:</b> Supreme Court 18 Richmond Terrace Room 110 <b>Misdemeanors:</b> Criminal Court 67 Targee St. Room 103
<b>When is my interview with a probation officer for a Certificate of Relief from Disabilities?</b>				
Usually the same day.	Within a week of your court date.	Within four weeks of applying.	Usually the same day.	Within six to eight weeks of applying.
<b>Where is the probation office?</b>				
215 E. 161st St. Fifth Floor	210 Joralemon St. Eleventh Floor	100 Centre St. Room 1037	125-01 Queens Blvd.	340 Bay Street
<b>Do I have to appear before a judge to get a Certificate of Relief from Disabilities?</b>				
No, your case is not calendared.	Yes, your court date will be about five to six weeks after you apply.	No, your case is not calendared.	Yes, your court date will be about five to six weeks after you apply.	Yes, Probation will tell you when your court date is.
<b>How am I notified about whether the Certificate of Relief from Disabilities was granted?</b>				
Mail.	Judge tells you in court.	Mail.	Judge tells you in court.	Judge tells you in court.
<b>How long does it usually take to get a Certificate of Relief from Disabilities after I apply?</b>				
Four to six weeks.	About six weeks.	About six weeks.	Five to six weeks.	Six to eight weeks.