
GETTING TO WORK WITH A CRIMINAL RECORD: New York State License Guides



GETTING TO WORK WITH A CRIMINAL RECORD: New York State License Guides

Introduction

What are the NYS License Guides?

These brief guides explain the process to obtain an occupational license if you have a criminal record. There are guides for ten high-demand licenses and a glossary of key legal terms, as well as information on additional resources.

Who can use the guides?

- Anyone trying to obtain a license in one of the ten high-demand occupations who has been involved in the criminal justice system.
- Workforce development providers and other human service professionals who help people find jobs and explore career options.
- Criminal defense lawyers who are seeking quick answers for their clients.

What is an occupational license?

Some jobs require an occupational license before you start work. The occupational license lets employers and customers know that you have permission from New York State (NYS) to be employed in that position. The guides have information about which government agency issues the license for each occupation.

Just as a driver's license gives you the right to drive but doesn't give you a car, an occupational license gives you permission to find work in a particular field but does not guarantee you a job. Employers may deny you a job based on your criminal record, even if you have a license. However, they may not have blanket restrictions on hiring people with criminal records, and they must follow New York State law to ensure they are not illegally discriminating against applicants with criminal records. This law, often called "[Article 23-A](#)," is discussed in depth in these guides and in the Glossary.

Because some occupational licenses require significant time and money, it is helpful to review criminal record restrictions **before** enrolling in training programs or paying application fees.

Which occupations are covered in the guides?

1. Barber Operator
2. Bus Driver (Passenger & School)
3. Certified Nurse Aide (CNA)
4. Childcare/Daycare Employee
5. Cosmetologist
6. Dental Hygienist
7. Electrician (NYC Specific)
8. Emergency Medical Services (EMT/Ambulance Driver/Certified First Responder)
9. Security Guard
10. Taxi/Uber/Lyft Driver/Chauffeur (NYC Specific)

GETTING TO WORK WITH A CRIMINAL RECORD: New York State License Guides

Using the guides

Find the occupation you are interested in and read the guide for that license. Each guide includes:

1. Any general requirements that must be met before applying for a license;
2. How a criminal record will affect the application process;
3. Which NYS agency reviews the application; and
4. What legal options are available if the application for a license is denied.

Starting with the general requirements, follow the arrows through the flow chart on each guide. Important legal terms are underlined. You can look up explanations for these terms in the **Glossary**. If you still have legal questions, check out the **Resources**.

Acknowledgments

The Prisoner Reentry Institute at John Jay College of Criminal Justice (PRI) and Youth Represent have partnered for many years to address the workforce entry barriers and other challenges facing young adults participating in the NYC Justice Corps. PRI's mission is to spur innovation and improve practice in the field of reentry by advancing knowledge; translating research into effective policy and service delivery; and fostering effective partnerships between criminal justice and non-criminal justice disciplines. Youth Represent is a legal services organization whose mission is to ensure that young people affected by the criminal justice system are afforded every opportunity to reclaim lives of dignity, self-fulfillment, and engagement in their communities.

With the NYS License Guides, PRI and Youth Represent combine their knowledge of workforce development and New York law, respectively, to support access to in-demand occupations for people with criminal justice involvement.

PRI and Youth Represent wish to acknowledge Carson Hicks, Ph.D., Deputy Executive Director, and Parker Krasney, Assistant Director of Programs and Partnerships, at the NYC Mayor's Office for Economic Opportunity (NYC Opportunity) and Cyrus Garrett, former Executive Director of the NYC Young Men's Initiative, for their support of the NYC Justice Corps and their underlying commitment to creating opportunity for individuals who are justice-involved. We also wish to thank Marta Nelson, Executive Director, and Sophie Whitin, Program Associate, at Governor Andrew Cuomo's NYS Council on Community Re-Entry and Reintegration, as well as Roberta Meyers, Director of Legal Action Center's National H.I.R.E. Network project, for their comments on early versions of the guides.

We thank Bernadette Jentsch of Mobilization for Justice, Kate Wagner-Goldstein of the Legal Action Center, and Judith M. Whiting of the Community Service Society of New York for their review of legal information contained in the guides. All errors are of course our own.

We would like to acknowledge the following people for their work on this project: from PRI, Ann Jacobs, Elena Sigman, Alexis Yeboah-Kodie, Alison Wilkey, Stephanie Phelan, and Zoë Johnson. From Youth Represent, Michael Pope, Kate Rubin, Saskia Valencia, Eric Eingold, Maire O'Malley, and Laurie Parise. We thank Carl Ferrero for designing the guides.

*The **NYS License Guides** are for informational use only, and cannot replace legal advice. Please talk to a lawyer for legal advice on your specific situation.*

Produced with support from:



GETTING TO WORK WITH A CRIMINAL RECORD IN NY STATE: Barber Operator License¹

General requirements:

- ✓ Successfully complete a qualifying course.
- ✓ Demonstrate that you are free from “infectious or communicable diseases.”
- ✓ Pass a barber’s exam.
- ✓ Be of “[Good Moral Character](#).”

Once you obtain your license, you are required to renew every four years.

Applying for the first time with a criminal history:

You must apply for the license through the New York State Department of State, Division of Licensing Services (DLS). The application asks about your criminal record. DLS can get a copy of your criminal record, so it is important that you fully understand your record and answer this question accurately.

When reviewing your application, DLS will decide if:

1. There is a direct relationship between any of your convictions and the responsibilities of being a barber, or
2. Giving you the license would create an “unreasonable risk to property or to the safety or welfare of specific individuals or the general public.”²



How does DLS make decisions about criminal history?

DLS is required to evaluate all “[Article 23-A](#)” factors, including:

- 1 The New York State policy to encourage the licensure and employment of people with criminal convictions;
- 2 The specific responsibilities related to the license you want or have;
- 3 Any effect your criminal record has on your ability to complete those responsibilities;
- 4 The amount of time since the offense occurred;
- 5 Your age when the offense occurred;
- 6 The seriousness of the convictions;
- 7 Any “[Evidence of Rehabilitation](#),” which can include “[Certificates of Relief](#)” or a “[Certificate of Good Conduct](#)”; and
- 8 The legitimate interest of the licensing agency in protecting property and the safety and welfare of specific individuals or the general public.³

continued

What happens if you already have your license and are convicted of a new crime?

Your barber's license may be suspended or revoked⁴ if your conviction is considered a **"Crime Involving Moral Turpitude."**

If you are convicted of such a crime, you will receive a "Hearing Notice."
At the **"Hearing,"** you should bring any positive information you have about yourself, including:

- Awards
- Certificates
- School or Program attendance
- Work history
- Other positive evidence
- Witnesses to testify to your **"Good Moral Character"**

After the **"Hearing,"** DLS will review all the information and decide whether to revoke or suspend your license. The decision will be mailed to you.

What are your legal options if denied a license?



If DLS denies, suspends, or revokes your license, you may be able to have a judge review the decision by filing an **"Article 78" Appeal.** While you have four months to file this appeal, there may be several earlier required deadlines. The timeline and process can differ based on your specific application, so contact a lawyer as soon as possible.

Licensing Agency:

New York State Department of State
Division of Licensing Services

Mailing Address:

P.O. Box 22001
Albany, NY 12201-2001

New York City Address:

123 William St., 2nd Fl.
New York, NY 10038-3804

Phone:

(518) 474-4429, (212) 417-5747 (New York City)

Web:

www.dos.ny.gov/licensing/barber/barbering.html
www.dos.ny.gov/licensing/lawbooks/barber.pdf

This guide cannot replace legal advice from a qualified attorney. If you have questions or need legal advice, please use the accompanying **Resources** or **LawHelpNY.org** to find a lawyer.

Footnotes

1 A "Barber Operator License" allows you to work as a barber. If you would like to open your own barber shop, you will need to submit a "Barber Shop Owner or Area Renter" application.

2 NY Correction Law § 752

3 NY Correction Law § 753

4 NY General Business Law § 441

Produced with support from:



GETTING TO WORK WITH A CRIMINAL RECORD IN NY STATE: Bus Driver's License (Passenger & School Bus)

General requirements:

- ✓ Have a valid New York State driver's license.
- ✓ Be at least 18 years old to get a passenger bus driver's license.
- ✓ Be at least 21 years old to get a school bus driver's license.

Do you need a special driver's license to be a bus driver?

If your job requires you to transport things or people, you most likely will need to get a special endorsement on your driver's license and successfully pass a number of tests. Given the large number of different licenses that exist, it is important to ask the employer to specify which license is required. Each license has unique requirements that depend on several factors, including:

- Who or what is being transported;
- How large the vehicle is;
- What the purpose of transporting is; and
- The number of passengers.¹

What kind of special endorsement is needed to be a bus driver?

To work as a **standard commercial driver for passengers**, you must first obtain a "P" (passenger) endorsed driver's license. To work as a **school bus driver**, you must have both a "P" (passenger) and "S" (school) endorsed driver's license.

While the driver's test is different for the two licenses, both have restrictions based on criminal records.

How will a criminal record affect getting a license?

New York has very strict requirements for getting a bus driver's license. The application asks whether you have a criminal record. Any criminal record can make it difficult to get a license. There are also restrictions based on specific convictions.

If you have any of the following convictions, and it has been less than five years since the conviction date, your license will be denied:

- One or more convictions for driving under the influence of alcohol or drugs WHILE driving a bus or other commercial vehicle;
- Two or more convictions for driving under the influence of alcohol or drugs in ANY circumstance;
- One or more convictions for hit and run that resulted in death or personal injury;
- One or more convictions for first degree vehicular assault, aggravated vehicular assault, first degree vehicular manslaughter, aggravated vehicular homicide, or first degree obscenity; or
- One or more convictions for aggravated unlicensed operation of a motor vehicle.

If you have certain convictions for rape, sexual abuse, or a criminal sexual act there is a permanent disqualification.² However, it may be possible to overcome this disqualification after five years if you receive a "[Certificate of Relief](#)" or "[Certificate of Good Conduct](#)." The Certificate must state that it lifts any barriers to obtaining a school or passenger bus driver's license.³

Finally, there are additional non-criminal record restrictions based on driving and accident record. Check with a lawyer or your local DMV if you are concerned about these restrictions.⁴

continued →



How will other convictions affect getting a license?

If you have any other convictions, you may still be denied a license. However, the State will look at your convictions to decide whether your convictions either (1) directly relate to the duties required of a bus driver, or (2) create an unreasonable risk to the property or safety of other people. To make this decision, they must evaluate all “[Article 23-A](#)” factors including:

- ① The New York State policy to encourage the licensure and employment of people with criminal convictions;
- ② The specific responsibilities related to the license or employment you want or have;
- ③ Any effect your criminal record has on your ability to complete those responsibilities;
- ④ The amount of time since the offense occurred;
- ⑤ Your age when the offense occurred;
- ⑥ The seriousness of the convictions;
- ⑦ Any “[Evidence of Rehabilitation](#),” which can include “[Certificates of Relief](#)” or a “[Certificate of Good Conduct](#)”; and
- ⑧ The legitimate interest of the licensing agency in protecting property and the safety and welfare of specific individuals or the general public.⁵



What are your legal options if denied a license?

If the DMV denies, suspends, or revokes your license, you may be able to have a judge review the decision by filing an “[Article 78](#)” Appeal. While you have four months to file this appeal, there may be several earlier required deadlines. The timeline and process can differ based on your specific application, so contact a lawyer as soon as possible.

Licensing Agency by Borough:

New York State Department of Motor Vehicles Locations

Lower Manhattan:

11 Greenwich St, New York, NY 10004
(212) 645-5550

Harlem:

159 E 125th St, New York, NY 10035
(718) 488-5710

Brooklyn:

625 Atlantic Ave, Brooklyn, NY 11217
(212) 645-5550

Bronx:

696 E. Fordham Rd, Bronx, NY 10458
(718) 966-6155

Queens:

168-35 Rockaway Blvd, Jamaica, NY 11434
(718) 966-6155

Staten Island:

1775 South Ave, Staten Island, NY 10314
(718) 966-6155

This guide cannot replace legal advice from a qualified attorney. If you have questions or need legal advice, please use the accompanying [Resources](#) or [LawHelpNY.org](#) to find a lawyer.

Footnotes

- 1 See <https://dmv.ny.gov/commercial-drivers/new-york-state-commercial-drivers-manual>
- 2 NY Vehicle & Traffic Law § 509-cc(1)(a)(i)
- 3 See footnote 2 above
- 4 NY Vehicle & Traffic Law § 509-c
- 5 NY Correction Law § 753

Produced with support from:



GETTING TO WORK WITH A CRIMINAL RECORD IN NY STATE: Certified Nurse Aide (CNA)

General requirements:

- ✓ Complete a New York State-approved nurse aide training program.¹
- ✓ Pass the New York State Nursing Home Nurse Aide Competency Examination.
- ✓ Complete a fingerprint-based background check.

Once these steps are completed, you must apply for a certificate through the New York State Department of Health (NYSDOH). NYSDOH has contracted with the company Prometric to administer the CNA test and registry. The certificate must be renewed every two years.



How will a criminal record affect getting certified as a CNA?

You may be asked about your criminal record, so it is important that you fully understand it and answer the questions accurately.

If you have any of the following types of convictions, NYSDOH will probably recommend that your application be denied:

- Any felony sex offense;
- Any Class A felony;
- Any Class B or C felony within the 10 years before the background check;
- Any Class D or E felony within the 10 years before the background check for assault, menacing, reckless endangerment, promoting a suicide attempt, stalking, luring a child, larceny, robbery, criminal misuse of prescription drugs, or controlled substance offenses;
- Certain convictions within the 10 years before the background check for endangering a vulnerable elderly person, or an incompetent or physically disabled person in the first or second degree; or
- Any comparable offense outside of New York.²



continued

In addition, NYSDOH may recommend that your application be denied based on any other arrest or conviction not listed above.

Before making any final decision, NYSDOH will notify you if they do not consider you suitable for the license and will give you an opportunity to submit “[Evidence of Rehabilitation](#)” — or positive things you have done since your conviction — and reasons your application should be approved. You have 30 days from the mailing date of the NYSDOH notification to submit your evidence of rehabilitation.³

If you have convictions for any other crimes not listed above, NYSDOH must review the specific facts of your criminal history to decide whether your conviction **(1)** directly relates to the duties of a Nurse Aide or **(2)** creates an unreasonable risk to the property or safety of other people.⁴



How does NYSDOH make decisions about criminal history?

If you were not convicted of one of the offenses specified above, NYSDOH is required to evaluate all “[Article 23-A](#)” factors, including:

- 1 The New York State policy to encourage the licensure and employment of people with criminal convictions;
- 2 The specific responsibilities related to the license or employment you want or have;
- 3 Any effect your criminal record has on your ability to complete those responsibilities;
- 4 The amount of time since the offense occurred;
- 5 Your age when the offense occurred;
- 6 The seriousness of the convictions;
- 7 Any “[Evidence of Rehabilitation](#),” which can include “[Certificates of Relief](#)” or a “[Certificate of Good Conduct](#)”; and
- 8 The legitimate interest of the licensing agency in protecting property and the safety and welfare of specific individuals or the general public.⁵



What are your legal options if denied?

If NYSDOH denies or refuses to renew your certification, you may be able to have a judge review the denial by filing an “[Article 78](#)” Appeal. While you have four months to file this appeal, there may be several earlier required deadlines. The timeline and process can differ based on your specific application, so contact a lawyer as soon as possible.

Licensing Agency:

New York State Department of Health
 Corning Tower
 Empire State Plaza
 Albany, NY 12237
Phone: 1-866-881-2809
Web: <http://www.health.ny.gov>

This guide cannot replace legal advice from a qualified attorney. If you have questions or need legal advice, please use the accompanying **Resources** or **LawHelpNY.org** to find a lawyer.

Footnotes

- 1 See the following website for a list of options for training: <http://www.op.nysed.gov/prof/nurse/nurseprogs-cna.htm>
- 2 10 NYCRR § 402
- 3 10 NYCRR § 402.7
- 4 NY Correction Law § 752
- 5 NY Correction Law § 753

Produced with support from:



GETTING TO WORK WITH A CRIMINAL RECORD IN NY STATE: Childcare/Daycare Employee

General requirements:

To work or volunteer at a daycare or childcare center, you first need to be cleared by the NYS Office of Children and Family Services (OCFS). This process includes a fingerprint criminal background check.



How will a criminal record affect getting OCFS clearance?

Open Case: if you have any criminal charges pending, OCFS will not make a decision about your application and you will not be granted clearance while your case is open.¹

Convictions: if you have any criminal convictions, OCFS may deny your application.

OCFS is likely to deny your application if you have a felony conviction for a sex offense, crime against a child, or a crime involving violence, or a felony conviction within the last five years for a drug-related offense.² If you have one of the above convictions, OCFS will only approve your application if they decide that your conviction will not in any way put the health, safety, or welfare of children at risk.

If you have convictions for any other crimes not named above, OCFS will review the specific facts of your criminal history and consider all "[Article 23-A](#)" factors.³



What happens if you already have clearance and you have a new arrest?

If you get arrested after you start working, OCFS will conduct a safety assessment and may suspend your ability to work.

The safety assessment includes:

- ✓ A review of the duties you perform;
- ✓ The extent to which you may have contact with children in the daycare facility or program; and
- ✓ The status and nature of the conviction or charge.

If the case ends in a conviction, your clearance may be revoked.⁴

continued →



How does OCFS make decisions about criminal history?

For convictions other than the ones specified in the box above, OCFS is required to evaluate all “[Article 23-A](#)” factors, including:

- 1 The New York State policy to encourage the licensure and employment of people with criminal convictions;
- 2 The specific responsibilities related to the license or employment you want or have;
- 3 Any effect your criminal record has on your ability to complete those responsibilities;
- 4 The amount of time since the offense occurred;
- 5 Your age when the offense occurred;
- 6 The seriousness of the convictions;
- 7 Any “[Evidence of Rehabilitation](#),” which can include “[Certificates of Relief](#)” or a “[Certificate of Good Conduct](#)”; and
- 8 The legitimate interest of the licensing agency in protecting property and the safety and welfare of specific individuals or the general public.⁵



What are your legal options if denied clearance?

Before denying your application, OCFS must give you a chance to explain in writing why it should not be denied. However, your only opportunity to do this might be on the *application* itself. If you do have convictions, you should include with your application an explanation of why the positive things you have done since your conviction show that you should be granted clearance.⁶

Your written explanation should include any “[Evidence of Rehabilitation](#)” that you have—any documentation of positive things you’ve done since your most recent conviction—that shows your justice-system involvement should not be used as the reason to deny you.

If your clearance is denied, you have the right to see the criminal history information OCFS used to deny you. You may be able to have a judge review the denial by filing an “[Article 78](#)” Appeal. While you have four months to file this appeal, there may be several earlier required deadlines. The timeline and process can differ based on your specific application, so contact a lawyer as soon as possible.

Licensing Agency:

Office of Children and Family Services
Division of Childcare Services

Phone: (518) 474-9454

To find the address and phone number for the nearest regional office, visit:

<http://ocfs.ny.gov/main/childcare/regionaloffices.asp>

This guide cannot replace legal advice from a qualified attorney. If you have questions or need legal advice, please use the accompanying **Resources** or **LawHelpNY.org** to find a lawyer.

Footnotes

1 NY Social Service Law § 390-b(3)(a)(iiii); 18 NYCRR § 413.4(e)

2 NY Social Services Law § 390-b(3)(a)(i)

3 18 NYCRR § 413.4

4 NY Social Services Law § 390-b(3); 18 NYCRR § 413.4(e)

5 NY Correction Law § 753

6 NY Social Services Law § 390-b(4); 18 NYCRR § 413.4(g)

Produced with support from:



GETTING TO WORK WITH A CRIMINAL RECORD IN NY STATE: Cosmetology License

General requirements:

- ✓ Complete a 1,000-hour approved course of study.
- ✓ Pass the New York State written and practical examinations.
- ✓ Apply for a license through the New York State Department of State (DOS).

Once you obtain your license, you are required to renew every four years.

How will a criminal record affect getting a license?

After completing the qualifying course and passing the exams, you must apply for the license through DOS. **There are no criminal record restrictions on new applications.** However, once you receive your license, it may be suspended or revoked if you are convicted of one or more “specific offenses.” DOS will not issue you a license after your license has been revoked twice.

What may cause my license to get suspended or revoked?

DOS may *suspend or revoke* your license if you are convicted of one of these specific offenses after you’ve received a license:

- Fraud
- Falsifying Business Records
- Grand larceny
- Bribery
- Perjury
- Assault
- Robbery
- Murder
- Manslaughter
- Kidnapping
- Weapons crimes
- Sexual offenses (including sex trafficking and compelling prostitution)¹

Sealed Cases: DOS cannot legally suspend or revoke your cosmetology license based on any “[Sealed Case](#)” or case that ended with “[Youthful Offender](#)” status, a conviction for which an “[Executive Pardon](#)” was issued, or where there is evidence of successful rehabilitation for a conviction, like a “[Certificate of Relief](#).”

How does DOS make decisions about criminal history?

If you have any of the specific convictions on your history, DOS will evaluate your record by balancing all “[Article 23-A](#)” factors, including:

- 1 The New York State policy to encourage the licensure and employment of people with criminal convictions;
- 2 The specific responsibilities related to the license or employment you want or have;
- 3 Any effect your criminal record has on your ability to complete those responsibilities;
- 4 The amount of time since the offense occurred;
- 5 Your age when the offense occurred;
- 6 The seriousness of the convictions;
- 7 Any “[Evidence of Rehabilitation](#),” which can include “[Certificates of Relief](#)” or a “[Certificate of Good Conduct](#),” and
- 8 The legitimate interest of the licensing agency in protecting property and the safety and welfare of specific individuals or the general public.²



What are your legal options if denied a license?

If DOS denies your license application or refuses to renew your license, they will send you a letter. You can ask for a **“Hearing”** to argue why you should not be denied the license.³ It is very important to ask for the hearing within the time frame DOS gives you.

If your license is denied after the hearing, you may be able to have a judge review the denial by filing an **“Article 78” Appeal**. While you have four months to file this appeal, there may be several earlier required deadlines. The timeline and process can differ based on your specific application, so contact a lawyer as soon as possible.

Licensing Agency:

New York State Department of State
Division of Licensing Services

Mailing Address:
P.O. Box 22001
Albany, NY 12201-2001

Phone: (518) 474-4429,
(212) 417-5747
(New York City)

New York City Address:
123 William St., 2nd Fl.
New York, NY 10038-3804

Web:
<https://www.dos.ny.gov/licensing/cosmetology/cosmetology.html>

This guide cannot replace legal advice from a qualified attorney. If you have questions or need legal advice, please use the accompanying **Resources** or **LawHelpNY.org** to find a lawyer.

Footnotes

- 1 NY General Business Law § 410(1)(f)
- 2 NY Correction Law § 753
- 3 NY General Business Law § 411(1)

Produced with support from:



GETTING TO WORK WITH A CRIMINAL RECORD IN NY STATE: Dental Hygienist License

General requirements:

- ✓ Successfully complete the required testing and educational programming.
- ✓ Be at least 17 years old.
- ✓ Be of **“Good Moral Character.”**
- ✓ Apply for a license through the NYS Department of Education, Office of the Professions (OP).¹



How will a criminal record affect getting a license?

- The application form will ask about your criminal conviction history. It is important that you answer this question accurately to ensure you retain your rights.
- If you answer “yes” to any of the questions about a criminal record on the application, you must also submit:
 1. A letter giving a detailed explanation of positive things you have done since your conviction, including any documents (or **“Evidence of Rehabilitation”**) that show you should be allowed to work; and
 2. Copies of court records, including a **“Certificate of Disposition”** for each conviction.²

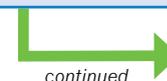
The State Board of Dentistry will review the results of the investigation into your conviction history and your **“Evidence of Rehabilitation”** and decide if they will approve your license.³ You will receive a letter stating their decision.



How does the State Board of Dentistry make decisions about criminal history?

The State Board of Dentistry is required to evaluate all **“Article 23-A”** factors, including:

- 1 The New York State policy to encourage the licensure and employment of people with criminal convictions;
- 2 The specific responsibilities related to the license or employment you want or have;
- 3 Any effect your criminal record has on your ability to complete those responsibilities;
- 4 The amount of time since the offense occurred;
- 5 Your age when the offense occurred;
- 6 The seriousness of the convictions;
- 7 Any **“Evidence of Rehabilitation,”** which can include **“Certificates of Relief”** or a **“Certificate of Good Conduct”**; and
- 8 The legitimate interest of the licensing agency in protecting property and the safety and welfare of specific individuals or the general public.⁴





What are your legal options if denied a license?

If you're denied the license, you will have the right to request a "**Hearing.**" You must send your request for a hearing in writing and within 30 days of receiving the State Board of Dentistry's decision. You will receive a letter in the mail with the time and place of the hearing.⁵ The hearing will take place before a panel of three State Board of Dentistry members.

At your hearing, you may be represented by an attorney, cross-examine witnesses, produce witnesses, and present evidence in support of your "**Good Moral Character.**"

If your license application is denied by the hearing panel, you have the right to appeal the decision to the Committee on the Professions. You only have a few weeks to file this appeal, so you should contact a lawyer immediately.⁶

If your license is denied by the Committee on the Professions, you may be able to have a judge review the denial by filing an "**Article 78 Appeal.**" While you have four months to file this appeal, there may be several earlier required deadlines. The timeline and process can differ based on your specific application, so contact a lawyer as soon as possible.

Whether or not you decide to file an "**Article 78 Appeal,**" you can re-apply for a license after 18 months from the date that your license application was denied by the hearing panel.⁷

Licensing Agency:

New York State Education Department
Office of the Professions
State Education Building, 2nd Floor
Albany, NY 12234

Phone: (518) 474-3817

Web: <http://www.op.nysed.gov/prof/dent/dentdhlic.htm>

This guide cannot replace legal advice from a qualified attorney. If you have questions or need legal advice, please use the accompanying **Resources** or **LawHelpNY.org** to find a lawyer.

Footnotes

1 NY Education Law § 6609

2 Dental Hygiene Form 1: Application for Licensure. <http://www.op.nysed.gov/prof/dent/dh1.pdf>

3 8 NYCRR § 28-1.3

4 NY Correction Law § 753

5 8 NYCRR § 28-1.5

6 8 NYCRR § 28-1.6

7 8 NYCRR § 28-1.7

Produced with support from:



GETTING TO WORK WITH A CRIMINAL RECORD IN NY STATE: Electrician License

Types of licenses:

There are two types of electrician licenses issued by the New York City Department of Buildings:

1. Master Electrician
2. Special Electrician

The following information outlines the criteria for these licenses, which might not apply to other cities and towns in New York State.

General requirements:

- ✓ Be over the age of 21.
 - ✓ Demonstrate **“Good Moral Character.”**
 - ✓ Meet the minimum requirements for education and experience.¹
 - ✓ Pass both a written and practical exam.
 - ✓ Complete a background check.
 - ✓ Have a physical examination from a doctor.
 - ✓ Submit an application to the NYC Department of Buildings.²
- Once you obtain your license, you are required to renew every year.³**

How will a criminal record affect getting a license?

Both licenses require you to complete a thorough questionnaire that asks questions about whether you have ever been convicted of an “offense or crime.” It is important that you fully understand your record to answer this question accurately to retain your rights.

While **there are no automatic criminal record restrictions**, the Commissioner of Buildings will look at the specifics of your case as well as any **“Evidence of Rehabilitation”** and decide whether there is a question of your **“Good Moral Character.”**⁴

continued →



How does the Commissioner of Buildings make decisions about criminal history?

The Commissioner of Buildings is required to evaluate all “[Article 23-A](#)” factors, including:

- 1 The New York State policy to encourage the licensure and employment of people with criminal convictions;
- 2 The specific responsibilities related to the license or employment you want or have;
- 3 Any effect your criminal record has on your ability to complete those responsibilities;
- 4 The amount of time since the offense occurred;
- 5 Your age when the offense occurred;
- 6 The seriousness of the convictions;
- 7 Any “[Evidence of Rehabilitation](#),” including “[Certificates of Relief](#)” or a “[Certificate of Good Conduct](#)”; and
- 8 The legitimate interest of the licensing agency in protecting property and the safety and welfare of specific individuals or the general public.⁵



What are the first steps if you are denied a license?

If your license is denied, you can ask for your application to be reviewed again within 60 days of the date of the denial letter. You must write a letter requesting reconsideration and submit any additional information relating to the background investigation. This additional information can include “[Evidence of Rehabilitation](#).”⁶



What are your legal options if denied a license?



If your license application or renewal is denied after reconsideration or a hearing, you may be able to have a judge review the denial by filing an “[Article 78](#)” Appeal. While you have four months to file this appeal, there may be several earlier required deadlines. The timeline and process can differ based on your specific application, so contact a lawyer as soon as possible.

What may cause your license to get suspended or revoked?

Your license may be suspended or revoked for a violation of the rules of the Department of Buildings, which may include a new conviction. In most cases, you have an opportunity for a “[Hearing](#)” after proper notice before your license is suspended or revoked by the Commissioner of Buildings.⁷



Licensing Agency:

New York City Department of Buildings
Electrical Division
280 Broadway, 4th Floor
New York, NY, 10007

Phone: (212) 566-4100

Web: <https://www1.nyc.gov/nycbusiness/description/electrician-license>

This guide cannot replace legal advice from a qualified attorney. If you have questions or need legal advice, please use the accompanying [Resources](#) or [LawHelpNY.org](#) to find a lawyer.

Footnotes

1 For information on education and experience requirements, see <https://www1.nyc.gov/nycbusiness/description/electrician-license>

2 NYC Admin Code § 27-3010

3 NYC Admin Code § 27-3015(a)

4 NYC Admin Code § 27-3010(a)

5 NY Correction Law § 753

6 See: <http://www1.nyc.gov/site/buildings/industry/licensing-frequently-asked-questions.page#general-licensing-6>

7 NYC Admin Code § 27-3016(a)(1)

Produced with support from:



GETTING TO WORK WITH A CRIMINAL RECORD IN NY STATE: Emergency Medical Services (EMT/Ambulance Driver/Certified First Responder)

General requirements:

- ✓ Be 18 years of age or older.
- ✓ Successfully complete a State-approved class for Certified First Responder (CFR) or Emergency Medical Technician (EMT), or related courses.¹
- ✓ Pass the State practical skills exam and the written certification exam.

Once you have completed the above requirements, you must submit an application to the New York State Department of Health (NYSDOH).²

How will a criminal record affect getting a license?

NYSDOH will run a background check and see if you have any **Convictions** that did not result in a **Sealed Case** or pending criminal cases. If you have any public convictions, DO NOT sign the “personal affirmation” section on the application form.

When reviewing your application, NYSDOH will decide if your criminal record:

1. Is directly related to the duties required by this Certificate, or
2. Creates an “unreasonable risk to property or the safety of other people.”³



How does NYSDOH make decisions about criminal history?

NYSDOH is required to evaluate all “**Article 23-A**” factors, including:

- 1 The New York State policy to encourage the licensure and employment of people with criminal convictions;
- 2 The specific responsibilities related to the license or employment you want or have;
- 3 Any effect your criminal record has on your ability to complete those responsibilities;
- 4 The amount of time since the offense occurred;
- 5 Your age when the offense occurred;
- 6 The seriousness of the convictions;
- 7 Any “**Evidence of Rehabilitation**,” which can include “**Certificates of Relief**” or a “**Certificate of Good Conduct**”; and
- 8 The legitimate interest of the licensing agency in protecting property and the safety and welfare of specific individuals or the general public.⁴

continued →



How does the review process work?

After reviewing your application, a Department EMS Representative may also conduct a personal interview, or a **“Hearing.”** After the interview, you will be notified in writing of the Department’s decision.

Appeal: You may be able to file an **“Article 78” Appeal** with the court. While you have four months to file this appeal, there may be several earlier required deadlines. The timeline and process can differ based on your specific application, so contact a lawyer as soon as possible.

What materials should you submit with your application?

You should send as much positive information about yourself as you can. NYSDOH may ask you to provide the following written documentation:

- A notarized sworn letter that you have only been convicted of the crime or crimes that have been currently identified. You must sign the document and, by signing, swear to the truth.
- A letter describing why you want to be an EMT.
- A letter describing the circumstances surrounding each conviction.
- A **“Certificate Of Disposition.”**
- A recommendation letter from your probation or parole officer if you are under supervision.
- Letters of recommendation.

Licensing Agency:

New York State Department of Health
Bureau of Emergency Medical Services
875 Central Avenue
Albany, NY 12206
Phone: (518) 402-0996
Web: <http://www.health.ny.gov/professionals/ems/>

This guide cannot replace legal advice from a qualified attorney. If you have questions or need legal advice, please use the accompanying **Resources** or **LawHelpNY.org** to find a lawyer.

Footnotes

- 1 For a list of training services, see: <https://www1.nyc.gov/nycbusiness/description/emergency-medical-services-ems-certification> or <https://www.health.ny.gov/professionals/ems/training.htm>
- 2 See https://www.health.ny.gov/professionals/ems/public_health_law/part_800.pdf, p. 7.
- 3 10 NYCRR § 800.6(f)
- 4 NY Correction Law § 753

Produced with support from:



GETTING TO WORK WITH A CRIMINAL RECORD IN NY STATE: Security Guard License

General requirements:

- ✓ Be at least 18 years old.
- ✓ Be a U.S. citizen or resident alien.
- ✓ Complete an 8-hour training course and required on-the-job training.¹
- ✓ Apply for a license through the New York State Department of State (DOS).

Once you obtain your license, you are required to renew every 2 years.²

What is the application process?

The application process requires all candidates to pass a fingerprint-based criminal background check, and provide all public criminal history information. If you have a “Serious Offense,” and you do not have a [“Certificate of Relief”](#) or a [“Certificate of Good Conduct,”](#) the DOS will deny your application. See the next page for the list of “Serious Offenses.”

How will a criminal record affect getting a license?

Will impact application

- “Serious Offense”: a felony conviction for any offense listed on the next page.
- “Certain Misdemeanors”: a conviction that the DOS thinks would affect your ability to be a security guard (at the discretion of the State to decide on an individual basis).
- An open case *may* also impact your application.

Will not impact application

- A case where you received an [“Executive Pardon”](#);
- A case that ended with a [“Youthful Offender \(YO\)”](#) adjudication;
- A case that ended with a [“Juvenile Delinquent \(JD\)”](#) adjudication;
- Other [“Sealed Cases.”](#)

If you have a [“Certificate of Relief”](#) or a [“Certificate of Good Conduct,”](#) your application should not be automatically denied, even if you have a “Serious Offense” or “Certain Misdemeanor” conviction.

What if you have a conviction that impacts your application?

DOS will mail you a letter asking for details on your case and any [“Evidence of Rehabilitation.”](#) They will review this information and either approve or propose to deny your license application. If they propose to deny your license application, you can ask for a [“Hearing”](#) within 35 days of receiving the notice. At the hearing, you can present evidence to show why you are still eligible and qualified to be approved for the license despite your criminal record.

What happens if you already have your license and you get arrested?

If you already have your security guard license, but you are arrested for a “Serious Offense” or “Certain Misdemeanor,” the State can try to suspend or revoke your license.³ A license can also be revoked or suspended if your employment as a security guard constitutes “a danger to the health, safety or wellbeing of the public.”⁴ Your license may be temporarily suspended and a revocation [“Hearing”](#) may be held within 30 days. You must attend the hearing and you can present evidence on your behalf.

continued



How does the DOS make decisions about criminal history?

The DOS is required to evaluate all “[Article 23-A](#)” factors, including:

- 1 The New York State policy to encourage the licensure and employment of people with criminal convictions;
- 2 The specific responsibilities related to the license or employment you want or have;
- 3 Any effect your criminal record has on your ability to complete those responsibilities;
- 4 The amount of time since the offense occurred;
- 5 Your age when the offense occurred;
- 6 The seriousness of the convictions;
- 7 Any “[Evidence of Rehabilitation](#),” which can include “[Certificates of Relief](#)” or a “[Certificate of Good Conduct](#)”; and
- 8 The legitimate interest of the licensing agency in protecting property and the safety and welfare of specific individuals or the general public.⁵



What are your legal options if denied a license?

If the license is still denied after the “[Hearing](#),” you may appeal to the Secretary of State within 30 days after you receive the hearing decision. If you are still denied by the Secretary of State, you may be able to have a judge review the decision by filing an “[Article 78](#)” [Appeal](#). While you have four months to file this appeal, there may be several earlier required deadlines. The timeline and process can differ based on your specific application, so contact a lawyer as soon as possible.

What is the definition of a “Serious Offense” under the Security Guard Act?

If you have a felony-level “Serious Offense,” or a felony conviction for solicitation, conspiracy, or attempt to commit any of these offenses, and you do not have a “[Certificate of Relief](#)” or a “[Certificate of Good Conduct](#),” the DOS will deny your application. The “Serious Offenses” are:⁶

- | | | |
|--|---|--|
| • Aggravated Assault and Reckless Endangerment | • Criminal Possession of a Controlled Substance | • Kidnapping or Coercion |
| • Aggravated Harassment in the First Degree | • Criminal Possession of Stolen Property | • Larceny and Offenses Involving Theft |
| • Arson | • Criminal Sale of a Controlled Substance | • Manslaughter |
| • Assault | • Criminal Sale of Marijuana | • Murder |
| • Bribery Involving Public Servants and Related Offenses | • Criminal Tampering and Tampering with a Consumer Product | • Offenses Involving Computers |
| • Burglary | • Criminal Trespass | • Perjury and related offenses |
| • Commercial Bribing and Commercial Bribe Receiving | • Crimes Against Public Safety | • Riot in the First Degree |
| • Criminal Impersonation and Scheme to Defraud | • Falsely Reporting an Incident in the Second or First Degree | • Robbery |
| • Criminal Mischief | • Forgery, false written statements, and related offenses | • Sex Offenses |
| • Criminal Nuisance in the First Degree | | • Tampering with Physical Evidence |
| | | • Tampering with a Witness or Intimidating a Victim or Witness |
| | | • Unlawful Imprisonment |
| | | • Vehicular Manslaughter |

Licensing Agency:

New York State Department of State
Division of Licensing Services

New York City Address:

123 William St., 2nd Fl. New York, NY 10038-3804

Mailing Address:

P.O. Box 22001, Albany, NY 12201-2001

Phone: (518) 474-7569

Web: <http://www.dos.ny.gov/licensing/securityguard/sguard.html>

This guide cannot replace legal advice from a qualified attorney. If you have questions or need legal advice, please use the accompanying [Resources](#) or [LawHelpNY.org](#) to find a lawyer.

Produced with support from:



Footnotes

- 1 For a list of training courses, see: <http://www.criminaljustice.ny.gov/ops/sgtraining/sgpcourses.htm>
- 2 NY General Business Law § 89-h
- 3 NY General Business Law § 89-l(2)(a)
- 4 NY General Business Law § 89-l(2)(d)
- 5 NY Correction Law § 753
- 6 NY General Business Law § 89-f(13)

GETTING TO WORK WITH A CRIMINAL RECORD IN NY STATE: Taxi/Uber/Lyft Driver/Chauffeur License

General requirements:

The following information outlines criteria for the New York City Taxi and Limousine Commission (TLC), which might not apply to other cities and towns in New York State.

- ✓ You must be at least 19 years old.
- ✓ You must have a valid Social Security Number.
- ✓ You must have a Chauffeur class driver's license (A, B, C, E).
- ✓ You must have a doctor complete a medical form proving you are physically and mentally fit.
- ✓ You must pass a drug test after your application is submitted.
- ✓ You must complete all education requirements.¹
- ✓ You cannot have 6 or more points on your DMV license within the 15 months before your most recent violation date.
- ✓ You must pay all parking and traffic tickets and cannot have outstanding judgments.
- ✓ You cannot have pending criminal charges that will not be resolved within 90 days after your application is submitted.
- ✓ There are more restrictions based on traffic infractions, accidents, and violations of TLC rules.
- ✓ You must be of **“Good Moral Character.”**

Be sure to read the full list of Fitness Rules at: http://www.nyc.gov/html/tlc/downloads/pdf/new_fitness_rules_english.pdf.

How will a criminal record affect getting a license?

The TLC application will ask about your criminal history. You will also be fingerprinted, so it is essential to provide accurate information to protect your rights. If you make a mistake or fail to disclose a conviction, your application may be denied.

TLC may deny an application if they believe the applicant is not fit to have a license based on the requirements listed above and in the full list of Fitness Rules.

If your application is denied, the Chairperson may ask for additional information from you. This request may be an in-person interview, telephone call, letter, email, or other method of communication. It is important to appear at an in-person interview, if requested, or provide the requested information within the time frame you are given. Any failure to comply with the Chairperson's request will result in your application being denied.²

How does the TLC make decisions about criminal history?

If you do not fall under any of the mandatory restrictions listed in the Fitness Rules, the TLC must evaluate all **“Article 23-A”** factors, including:

- 1 The New York State policy to encourage the licensure and employment of people with criminal convictions;
- 2 The specific responsibilities related to the license or employment you want or have;
- 3 Any effect your criminal record has on your ability to complete those responsibilities;
- 4 The amount of time since the offense occurred;
- 5 Your age when the offense occurred;
- 6 The seriousness of the convictions;
- 7 Any **“Evidence of Rehabilitation,”** which can include **“Certificates of Relief”** or a **“Certificate of Good Conduct”**; and
- 8 The legitimate interest of the licensing agency in protecting property, and the safety and welfare of specific individuals or the general public.³

continued

Can the TLC license be suspended or revoked?

If you are arrested, the TLC is notified and may suspend your license while you are awaiting a decision on criminal charges in criminal court. You will have the right to a trial at the Office of Administrative Trials and Hearings (OATH) to try to get your license reinstated.⁴

If you are convicted of a crime, fail a drug test, or the TLC alleges you acted fraudulently, such as using someone else's ID, your license may be suspended or revoked. You will have the right to a fitness trial at OATH where you can tell your side of the story and/or provide the judge with positive facts, such as how much time has passed since your conviction and whether anything has since changed in your life.⁵

Your license will be revoked if you are convicted of homicide or assault arising out of the operation of a vehicle or criminal negligence in the operation of a vehicle resulting in death.⁶

Always talk to your criminal defense lawyer before testifying at OATH or any other hearing while you have an open criminal case.



What are your legal options if your license is denied or revoked?

If your application is denied after the Chairperson's review or your license is revoked after a hearing, you may be able to have a judge review the decision by filing an **"Article 78" Appeal** with the court. While you have four months to file this appeal, there may be several earlier required deadlines. The timeline and process can differ based on your specific application, so contact a lawyer as soon as possible.

Licensing Agency:

NYC Taxi & Limousine Commission
Licensing and Standards Division

Queens:

32-02 Queens Boulevard
Long Island City, NY 11101-2324

Phone: (212) 227-6324

Web: www.nyc.gov/tlc

Staten Island:

1893 Richmond Terrace
Staten Island, NY 10302

This guide cannot replace legal advice from a qualified attorney. If you have questions or need legal advice, please use the accompanying **Resources** or **LawHelpNY.org** to find a lawyer.

Footnotes

- 1 For a list of driver education requirements and courses, see:
http://www.nyc.gov/html/tlc/html/licenses/driver_education.shtml
- 2 35 RCNY § 80-08
- 3 NY Correction Law § 753
- 4 See Taxi and TLC-Licensee Cases: A Guide to Your Trial at the OATH Trials Division, p. 13:
https://www1.nyc.gov/assets/oath/downloads/pdf/OATH_taxicases_guide.pdf
- 5 See Taxi and TLC-Licensee Cases: A Guide to Your Trial at the OATH Trials Division, p. 18:
https://www1.nyc.gov/assets/oath/downloads/pdf/OATH_taxicases_guide.pdf
- 6 NY Vehicle & Traffic Law § 510(2)(i)

Produced with support from:



GETTING TO WORK WITH A CRIMINAL RECORD:

Glossary Terms

Appeal: Asking someone of higher position or power to review a decision. For example, you can Appeal to the New York State Supreme Court to review and overturn a decision by a city agency.

Article 23-A (Correction Law 23-A): A New York law that protects people who have a criminal conviction or multiple convictions from illegal discrimination when applying for employment or licenses. The law says that an application for a license or employment cannot be denied based upon a criminal record, unless:

1. There is a direct relationship between one or more of the previous criminal offenses and the specific license or employment sought or held by the individual; or
2. The issuance or continuation of the license or employment would involve an unreasonable risk to property or to the safety or welfare of specific individuals or the general public.

Employers are required to consider eight factors to decide if they can deny you based on your criminal record. The eight factors are:

1. The New York State policy to encourage the licensure and employment of people with criminal convictions;
2. The specific responsibilities related to the license or employment you want or have;
3. Any effect your criminal record has on your ability to complete those responsibilities;
4. The amount of time since the offense occurred;
5. Your age when the offense occurred;
6. The seriousness of the convictions;
7. Any “Evidence of Rehabilitation,” including “Certificates of Relief” or a “Certificate of Good Conduct;” and
8. The legitimate interest of the licensing agency in protecting property and the safety and welfare of specific individuals or the general public.

Article 78: A lawsuit that challenges a final decision made by a New York State, New York City, or other local administrative agency. Article 78 proceedings must be filed in court within a few months of the agency’s decision. It is possible to file the appeal on your own, but we recommend that you find a lawyer to help you. Legal information is [available online](#). Additional legal services in NYC can be found on the Resources page. The lawsuit is filed pursuant to NY CPLR § 7801.

Certificate of Disposition: An official paper from the court stating what offense(s) you were charged with, how the case ended, and the sentence you received. You must get a separate Certificate for each arrest. You can get Certificates of Disposition from the court where your criminal case was heard. A \$10 fee and government ID may be required. If your case was sealed, the Certificate of Disposition will be given to you but not to the public. Talk to a lawyer before showing the Certificate to anyone.

Certificates of Rehabilitation: There are two types of Certificates of Rehabilitation in New York: a “Certificate of Relief” and a “Certificate of Good Conduct.” While they have different names, they both do the same thing: help prove that you have been “rehabilitated” since the conviction. While these Certificates of Rehabilitation do not seal your case, they will appear as a positive mark on your record and also remove certain collateral consequences of a criminal conviction. You do not need a Certificate of Rehabilitation if your case ended without a conviction.

1. **Certificate of Relief:** You can apply if you have any number of misdemeanor convictions and up to one felony conviction. There is no “waiting period” to apply.
2. **Certificate of Good Conduct:** If you have two or more felony convictions, you are eligible to apply for a Certificate of Good Conduct. There is a “waiting period” to apply, however. You must wait five years if the most serious felony on your record is an “A” or “B” felony, three years if a “C,” “D,” or “E” felony.

Collateral Consequences: A conviction from court can have a long-term impact on your life, whether or not you serve jail time. A conviction, or even sometimes just an arrest, can affect your job, housing, government benefits, immigration status, student loans, and more. Collateral Consequences is a term that covers all these negative results.

Conviction: A finding of guilt or a guilty plea to a crime or offense.

Crime: A felony or misdemeanor offense.

GETTING TO WORK WITH A CRIMINAL RECORD:

Glossary Terms

Crimes Involving Moral Turpitude: The law sometimes classifies certain crimes in the category of “moral turpitude.” Convictions for crimes involving “moral turpitude” may be grounds to deny or revoke a professional license in New York State. However, which crimes are considered to be crimes involving “moral turpitude” depends on the law and circumstances of your case, so it’s a good idea to speak to a lawyer about your specific situation if you are applying for a license that has restrictions based on crimes involving moral turpitude.

Evidence of Rehabilitation: Any documents to show an employer, landlord, government agency, or other person the positive things you have done since your most recent conviction. This typically includes letters of recommendation, copies of awards, graduation certificates from programs, educational achievements, or any other positive documents. The more documents the better!

Executive Pardon: A rare form of relief in New York State issued by the governor to individuals who have completed their sentences but remain disadvantaged by their criminal history. There are two types of pardons in New York State. The first type is a standard pardon, which does not seal an individual’s record, and is similar to a “Certificate of Relief” from disabilities. The second type is a pardon for non-violent convictions received at age 16 or 17, which may be granted to individuals if they meet a number of requirements. This type of pardon may seal public access to the conviction.

Good Moral Character: A legal phrase sometimes used by agencies in determining whether your prior criminal record can exclude you from a job or license. To help them make this decision, it is important to show your “Evidence of Rehabilitation.”

Hearing: A formal meeting in which at least one person presents evidence to prove their case to an objective decision-maker, often a judge or hearing officer. Licensing hearings are usually held in a government office, where an impartial “Hearing Officer” is in charge of the hearing. In most cases, both the license applicant and the agency will present evidence. Evidence can be either physical (like a document) or testimonial evidence. After listening to the evidence, the hearing officer makes a decision. However, there is often a waiting period of several weeks for the hearing officer’s decision.

Hearing Officer: A hearing officer is similar to a judge because they are in charge of the rules and make decisions during and after a hearing.

Juvenile Delinquent (JD): A child over the age of 7 who is found to have committed an act which would be considered a crime if committed by an adult. JD status is considered confidential and is sealed to the public. In October 2018, the automatic age of adult criminal responsibility in New York will increase from 16 to 17. In October 2019, it will increase again to 18. 16- and 17-year olds will then be eligible for JD status. 16- and 17-year olds tried as adults for certain felonies will be called “Adolescent Offenders” and will be eligible for “Youthful Offender (YO)” status.

License: Just as you need a license to drive a car, you must ask permission from the State before doing certain jobs. Depending on the license, there may be a lot of requirements or only a few. Requirements can include paying a fee, attending a class, and/or passing a test. If you don’t have the license, even if the employer wants to hire you, they cannot. Some licenses have restrictions based on criminal records. These **NYS License Guides** address some of the most frequently asked questions about criminal record restrictions.

Sealed Case: All records of a case will be sealed from the public when a person is found not guilty, a prosecutor declines to prosecute a case, a case is dismissed, or the person convicted was given “Youthful Offender (YO)” status. All cases heard in family court, which are called juvenile delinquency cases, are automatically sealed from the public. If you have questions about your own case and whether you are eligible for sealing, please use the Resources page to find a lawyer.

Youthful Offender (YO): A special status granted by a judge to a youth who is 16, 17, or 18 years old, and who has been charged as an adult for committing a crime. YO status can also be granted to a youth who is 13, 14, or 15 years old, and is charged as an adult. YO status is considered an adjudication and not a criminal conviction. It is considered confidential and is not visible to most employers, other than law enforcement or the military.

Produced with support from:



GETTING TO WORK WITH A CRIMINAL RECORD:

Resources

Legal Resources

For information on where to find legal services in New York State, visit lawhelpny.org. Click on "Find a Lawyer" and enter your county and legal issue to search for legal services near you.

Legal Services Organizations in New York City

Before visiting the organizations listed below, please call first, as many organizations have restrictions on service areas and types of services they can provide.

The Bronx Defenders

The Bronx Defenders serves low-income Bronx residents navigating legal issues.

Phone: 718-838-7878 **Community Office:** x 303

Web: bronxdefenders.org

Address: 360 East 161st Street, Bronx, NY 10451

Walk-ins accepted: Monday-Friday, 9AM-4PM

Brooklyn Defender Services (BDS)

BDS provides legal representation and related services to low-income Brooklyn residents.

Phone: 718-254-0700

Web: bds.org

Main Office Address: 177 Livingston Street, 7th Floor, Brooklyn, New York 11201

Community Office Address: 566 Livonia Avenue, Brooklyn, New York 11207

Walk-ins accepted: Monday-Friday, 9AM-5PM at the Community Office

Legal Action Center (LAC)

LAC provides legal advice and information to New York State residents who have a criminal record, substance use disorder, or HIV. In limited cases, LAC provides legal representation.

Phone: 212-243-1313

Web: lac.org

No walk-ins; call phone number above

The Legal Aid Society

The Legal Aid Society provides free legal services to low-income individuals and families throughout New York City.

Phone: 888-663-6880 on Tuesdays, Wednesdays, and Thursdays, 9:30AM-12:30PM

Web: legal-aid.org

No walk-ins; call phone number above

Legal Services NYC (LSNYC)

LSNYC provides civil legal services with neighborhood-based offices and outreach sites across all five boroughs.

Phone: 917-664-4500

Web: legalservicesnyc.org

No walk-ins; call phone number above

Mobilization for Justice (MFJ), Workplace Justice Project

MFJ's Workplace Justice Project provides city-wide free legal assistance for low-wage and immigrant workers on various employment issues.

Phone: 212-417-3838 on Mondays and Tuesdays, 2-5PM

Web: mobilizationforjustice.org/projects/workplace-justice-project

No walk-ins; call phone number above

Neighborhood Defender Service of Harlem (NDS)

NDS provides legal representation to residents of upper Manhattan, primarily 96th street and above.

Phone: 212-876-5500

Web: ndsny.org

Address: 317 Lenox Avenue, 10th Floor, New York, NY 10027

Walk-ins accepted: Wednesdays, 9AM-5PM

Youth Represent

Youth Represent serves people under the age of 25 who have had involvement in the criminal justice system.

Phone: 646-759-8080

Web: youthrepresent.org

No walk-ins; call first or fill out the contact form at youthrepresent.org/contact



GETTING TO WORK WITH A CRIMINAL RECORD:

Resources

Reentry and Career Resources

CUNY Graduate Center Labor Market Information Service (CUNY LMIS)

The CUNY LMIS has a variety of career exploration tools and labor market data, including employment projections by industry or occupation.

Web: gc.cuny.edu/lmis/resources

NYC Justice Corps Toolboxes

The NYC Justice Corps' free online toolboxes contain program resources for practitioners working with justice-involved young adults: how to design and implement peer-led community benefit projects and how to create a culture of positive youth development.

Community Benefit Project Toolbox:

nycjusticecorps.org/toolbox/community-benefit-project

Youth Development Toolbox:

nycjusticecorps.org/toolbox/youth-development

The New York Public Library's Correctional Services

The New York Public Library publishes Connections, an annual reentry guide for people returning to New York City after incarceration. Connections includes a Job Search guide and listings of over 500 community organizations.

Web: nypl.org/corrections

Prisoner Reentry Institute (PRI) at John Jay College of Criminal Justice

PRI is engaged in educational initiatives for currently and formerly incarcerated individuals, fellowships for undergraduate and graduate students at John Jay, research projects and convenings on topics related to reentry, and the New York City Justice Corps.

Web: johnjaypri.org

PRI's College Initiative

The Prisoner Reentry Institute's College Initiative (CI) assists people who have had involvement with the criminal justice system in enrolling in and succeeding in college. CI provides academic counseling, assistance with college and financial aid applications, peer mentoring, scholarships, and support.

Phone: 212-393-6010

Web: johnjaypri.org/educational-initiatives/college-initiative

Reentry Net

Reentry Net is a support network and information clearinghouse on reentry from jail and prison and the collateral consequences of criminal charges and proceedings. The website has information about finding a job, cleaning up your RAP sheet, Certificates of Relief from Disabilities and Good Conduct, and challenging employment discrimination.

Web: reentry.net/ny/employment_licensing/

Produced with support from:



What are the New York State License Guides?

These brief guides explain the process to obtain an occupational license if you have a criminal record. There are guides for ten high-demand licenses and a glossary of key legal terms, as well as information on additional resources.

Which occupations are covered in the guides?

1. Barber Operator
2. Bus Driver (Passenger & School)
3. Certified Nurse Aide (CNA)
4. Childcare/Daycare Employee
5. Cosmetologist
6. Dental Hygienist
7. Electrician (NYC Specific)
8. Emergency Medical Services (EMT/Ambulance Driver/Certified First Responder)
9. Security Guard
10. Taxi/Uber/Lyft Driver/Chauffeur (NYC Specific)

JohnJayPRI.org | YouthRepresent.org

Produced with support from:

