



NEW YORK STATE SENATOR

Frank Padavan

Fighting To Protect Our Community, Help Repeal The Seal

FRANK PADAVAN June 3, 2009

Over the past few years, the State Legislature has proactively and consistently enacted laws strengthening public safety by requiring background checks for numerous position of trust such as teachers, nursing home aides and day care center workers.

Now that progress is in jeopardy with a soon-to-be enacted dangerous provision that was included in the state budget. As you may be aware, considerable attention and debate has been focused on this provision that will be implemented into law on June 8th.

Specifically, the law empowers the court to seal the current conviction and up to three prior misdemeanor offenses in order to keep them from being disclosed during background checks for sensitive positions. If this law is not stopped from taking effect on Monday, a convicted criminal could have a total of four convictions hidden from potential employers. This just doesn't cover drug offenses. In effect, convictions for crimes such as burglary, robbery, auto theft, forgery and extortion could be sealed.

This dangerous provision of our state law defies all logic as it would wipe the slate clean for criminals who will face necessary criminal background checks for positions of confidence and public trust. Through this senseless law adopted in the state budget, convicted drug dealers and offenders with lengthy criminal records could be taking care of a parent or grandparent at a nursing home or through home care. They can be placed in a classroom or

in a day care facility with our children and grandchildren.

Nothing is more important than the safety of our children and those we love. That is why I am fighting to “repeal the seal” and bring common sense back to protecting our communities.

Your help is vital.

Voice your support for my legislation that will help keep criminal background checks strong and effective today and in the future by emailing me at padavan@senate.state.ny.us .