

Legal Assistance of Western New York, Inc. ®

Cleaning Up Your Rap Sheet

We provide free legal aid to people with civil legal problems in western New York.

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How common are mistakes on RAP sheets?

RAP sheets often contain mistakes. If you have a copy of your RAP sheet and see one or more mistakes, you can get those mistakes fixed. This article will explain how to fix mistakes on your RAP sheet.

Common mistakes on RAP sheets include:

- incorrect information about your arrests or convictions
- the outcome or disposition is not reported
- old warrants that were taken care of are still open
- cases that should be sealed are not

How do I fix a mistake on my RAP sheet?

The New York State Division of Criminal Justice Services, also known as DCJS is the organization that maintains and creates New York State RAP sheets. Depending on the mistake, DCJS has different ways for you to correct the problem.

Fixing mistakes about your arrest information

If there is a problem with your arrest information, contact the agency that arrested you (such as the police department). Ask the agency that arrested you to send written notice to DCJS about the mistake on your RAP sheet. If you think you have open warrants against you, you will be arrested if you go to the police station.

Fixing mistakes with the disposition

The disposition is the final outcome of what happened in the case. For example: dismissed, convicted, etc. If the disposition is wrong or there is no disposition reported at

all, contact the court that heard your case. The court can provide you with a certified copy of the disposition (called a disposition slip). The certified copy must contain a raised seal to show that is an official court document. You cannot just receive a photocopy of the disposition. DCJS needs something official from the court. Once you have the certified copy of the disposition, send it to the DCJS Record Review Unit with a brief letter asking for the mistake to be corrected.

Fixing mistakes with sealed cases

If a case was supposed to be sealed and is not sealed on your RAP sheet, you need to contact the court that heard your case. Ask the court to provide you with a certified record sealing order. DCJS will not accept photocopies of the record sealing order unless they have a raised seal and are certified by the court. Send the certified record to the DCJS Record Review Unit with a letter asking for the case to be sealed on your RAP sheet.

You may still be able to see sealed information on your RAP sheet. If the information is sealed, only you and a limited group of people or agencies will be able to see it.

Fixing open warrants

If your RAP sheet shows that there is an open warrant for your arrest, and you believe the warrant was taken care of, contact the attorney who represented you right away. If you contact the police directly, you may be arrested before the mistake is corrected. You can also contact the court that heard your case and ask the clerk to let DCJS know that the warranted was returned.

How long will it take for the mistake to be fixed by DCJS?

It usually takes DCJS 7 to 10 business days to respond to your requests, but fixing certain mistakes on your RAP sheet, such as an open warrant, could take longer. If you have any questions, call DCJS.

Contacting DCJS

If you have any questions or need to send information, contact the DCJS Record Review Unit. The information is listed below:

Phone: (518) 485-7675

(518) 457-9847

1-800-262-3257

Email: RecordReview@dcjs.ny.gov

Mail: DCJS Record Review Unit

New York State Division of Criminal Justice Services

4 Tower Place, 5th Floor

Albany, New York 12203-3764

Additional information

For additional information see the Legal Action Center's online resource bank at <http://www.lac.org/index.php/lac/132>.

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This article provides general information about this subject. Laws affecting this subject may have changed since this article was written. For specific legal advice about a problem you are having, get the advice of a lawyer. Receiving this information does not make you a client of our office.

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