

**Title: 8.11 Seal Orders**

Document Owner: Joseph Boisclair (Chief of Police)	Date Created: 11/13/2015
Approver(s): Joseph Boisclair (Chief of Police)	Date Approved: 03/03/2021
NYS Law Enforcement Accreditation Standards:	03/03/2022:

**Printed copies are for reference only. Please refer to the electronic copy for the latest version.**

**I. PURPOSE**

To establish a Policy and Procedures for complying with court mandated sealing orders pursuant to sections 160. 50, 160.55, 720.35, and 725.15 of the New York State Criminal Procedure Law (CPL) and sections 375.1 and 375.2 of the Family Court Act. (FCA)

**II. POLICY**

It is the Policy of the Glens Falls Police Department to comply with all court mandated sealing orders received. Orders pursuant to Sections 160.50, 160.55, 720.35 and 725.15 of the New York State Criminal Procedure Law (CPL) require that all records pertaining to the arrest be sealed and/or that the fingerprint cards and photographs be destroyed.

**III. PROCEDURES**

A. Search departmental files to determine if any fingerprints, palm prints, photographs, computer generated photo images, computer generated reports or general reports are on file. Any such documents generated from an unrelated action or proceedings are not to be affected by the order.

B. Locate specific arrest documented on sealing order, in the Glens Falls Police Department's official computerized record management system and seal the record(s) using the record management software sealing function.

C. LiveScan Finger prints will be sealed using the sealing functionality in the software.

D. All other records maintained pursuant to the order:

1. Stamp fingerprint log where applicable that the case has been sealed.
2. Shred fingerprint card and arrest photograph (if applicable) of the defendant specified in the court order.
3. Any additional documentation retained by this department will be put in a manila envelope labeled with the defendant's name and case number across the top of the envelope e.g.(SMITH, JOHN CR98-0991). The envelope will then be stamped SEALED By

**Title: 8.11 Seal Orders**

Order of Court CPL 160.50 on (specify date of seal). The envelope will then be secured in the designated file cabinet.

4. This order also applies to all juvenile records pursuant to the appropriate sealing order.

5. See that any records sealed pursuant to these procedures only be made available to the person named in the order or to such persons designated agency. In addition, such records may be made available to (I) prosecutor in any proceeding in which the accused has moved for an order pursuant to section 170.56 or 210.46 of the Criminal Procedure Law (CPL) or (II) a law enforcement agency upon expert motion in any superior court, if such agency demonstrates to the satisfaction of the court that justice requires that such records be made available to it or (III) any state or local officer or agency with responsibility for the issuance of licenses to possess guns, when the accused has made application for such license. All requests for access to sealed agency records will be forwarded to the Chief of Police.

Authority:

A handwritten signature in black ink, appearing to read 'J Boisclair', with a stylized flourish at the end.

Joseph Boisclair  
Chief of Police