

ATTACHMENT AA-4:
Assessing Justice-Involved Applicants
for New York City-Funded and/or -Assisted Housing¹

APPLICABLE NEW YORK STATE PENAL CONVICTIONS

	Code	Offense	Offense Level	Class
1	105.10	Conspiracy in 4th degree	Felony	E
2	105.13	Conspiracy in 3rd degree	Felony	D
3	105.15	Conspiracy in 2nd degree	Felony	B
4	105.17	Conspiracy in 1st degree	Felony	A-I
5	115.08	Criminal facilitation in 1st degree	Felony	B
6	120.00	Assault in 3rd degree	Misdemeanor	A
7	120.02	Reckless assault of a child	Felony	D
8	120.05	Assault in 2nd degree	Felony	D
9	120.06	Gang assault in the 2nd degree	Felony	C
10	120.07	Gang assault in the 1st degree	Felony	B
11	120.08	Assault on a peace officer, police officer, fireman, or emergency medical services professional	Felony	C
12	120.09	Assault on a judge	Felony	C
13	120.10	Assault in 1st degree	Felony	B
14	120.11	Aggravated assault upon a police officer or peace officer	Felony	B
15	120.12	Aggravated assault upon a person less than eleven years old	Felony	E
16	120.13	Menacing in 1st degree	Felony	E
17	120.18	Menacing a police officer or peace officer	Felony	D
18	120.25	Reckless endangerment in 1st degree	Felony	D
19	120.55	Stalking 2nd degree	Felony	E
20	120.60	Stalking 1st degree	Felony	D
21	120.70	Luring a child	Felony	E
22	121.11	Criminal obstruction of breathing or blood circulation	Misdemeanor	A
23	121.12	Strangulation in 2nd degree	Felony	D
24	121.13	Strangulation in 1st degree	Felony	C
25	125.11	Aggravated criminally negligent homicide	Felony	C
26	125.20	Manslaughter in 1st degree	Felony	B
27	125.21	Aggravated manslaughter in 2nd degree	Felony	C

¹ For the purposes of this documents, the term New York City-funded and/or -assisted housing is used it refers to HDC-funded and/or -assisted housing, as well as New York City-funded and/or -assisted housing.

	Code	Offense	Offense Level	Class
28	125.22	Aggravated manslaughter in 1st degree	Felony	B
29	125.25	Murder in 2nd degree	Felony	A-I
30	125.26	Aggravated murder	Felony	A-I
31	125.27	Murder in 1st degree	Felony	A-I
32	130.20	Sexual misconduct	Misdemeanor	A
33	130.25	Rape in 3rd degree	Felony	E
34	130.30	Rape in 2nd degree	Felony	D
35	130.35	Rape in 1st degree	Felony	B
36	130.40	Criminal Sexual Act in 3rd degree	Felony	E
37	130.45	Criminal Sexual Act in 2nd degree	Felony	D
38	130.50	Sodomy in the 1st degree (Criminal Sexual Act in 1st degree)	Felony	B
39	130.52	Forcible touching	Misdemeanor	A
40	130.53	Persistent sexual abuse	Felony	E
41	130.55	Sexual abuse in 3rd degree	Misdemeanor	B
42	130.60	Sexual abuse in 2nd degree	Misdemeanor	A
43	130.65	Sexual abuse in 1st degree	Felony	D
44	130.65-A	Aggravated sexual abuse in 4th degree	Felony	B
45	130.66	Aggravated sexual abuse in 3rd degree	Felony	D
4 6	130.67	Aggravated sexual abuse in 2nd degree	Felony	C
47	130.70	Aggravated sexual abuse in 1st degree	Felony	B
48	130.75	Course of sexual conduct against a child in 1st degree	Felony	B
49	130.80	Course of sexual conduct against a child in 2nd degree	Felony	D
50	130.85	Female genital mutilation	Felony	E
51	130.90	Facilitating a sex offense with a controlled substance	Felony	D
52	130.91	Sexually motivated felony	Felony	B
53	130.95	Predatory sexual assault	Felony	A-II
54	130.96	Predatory sexual assault against a child	Felony	A-II
55	135.10	Unlawful imprisonment in 1st degree	Felony	E
56	135.20	Kidnapping in 2nd degree	Felony	B
57	135.25	Kidnapping in 1st degree	Felony	A-I
58	135.35	Labor trafficking	Felony	D
59	140.17	Criminal trespass in 1st degree	Felony	D
60	140.25	Burglary in 2nd degree	Felony	C
61	140.30	Burglary in 1st degree	Felony	B
62	145.12	Criminal mischief in 1st degree	Felony	B
63	145.15	Criminal tampering in 2nd degree	Misdemeanor	A

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64	145.20	Criminal tampering in 1st degree	Felony	D
65	150.01	Arson in 5th degree	Misdemeanor	A
66	150.05	Arson in 4th degree	Felony	E
67	150.10	Arson in 3rd degree	Felony	C
68	150.15	Arson in 2nd degree	Felony	B
69	150.20	Arson in 1st degree	Felony	A-I
70	160.10	Robbery in 2nd degree	Felony	C
71	160.15	Robbery in 1st degree	Felony	B
72	178.15	Criminal diversion of prescription medications and prescriptions in 3rd degree	Felony	E
73	178.20	Criminal diversion of prescription medications and prescriptions in 2nd degree	Felony	D
74	178.25	Criminal diversion of prescription medications and prescriptions in 1st degree	Felony	C
75	215.16	Intimidating a victim or witness in 2nd degree	Felony	D
76	215.17	Intimidating a victim or witness in 1st degree	Felony	B
77	215.51	Criminal contempt in 1st degree	Felony	E
78	215.52	Aggravated criminal contempt	Felony	D
79	220.16	Criminal possession of a controlled substance in 3rd degree	Felony	B
80	220.18	Criminal possession of a controlled substance in 2nd degree	Felony	A-II
81	220.21	Criminal possession of a controlled substance in 1st degree	Felony	A-I
82	220.28	Use of a child to commit a controlled substance offense	Felony	E
83	220.31	Criminal sale of controlled substance in 5th degree	Felony	D
84	220.34	Criminal sale of controlled substance in 4th degree	Felony	C
85	220.39	Criminal sale of controlled substance in 3rd degree	Felony	B
86	220.41	Criminal sale of a controlled substance in 2nd degree	Felony	A-II
87	220.43	Criminal sale of a controlled substance in 1st degree	Felony	A-I
88	220.44	Criminal sale of a controlled substance in or near school grounds	Felony	B

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89	220.48	Criminal sale of a controlled substance to a child	Felony	B
90	220.70	Criminal possession of methamphetamine manufacturing material in 2nd degree	Misdemeanor	A
91	220.71	Criminal possession of Methamphetamine material in the first degree	Felony	E
92	220.72	Criminal possession of precursors of methamphetamine	Felony	E
93	220.73	Unlawful manufacture of methamphetamine in 3rd degree	Felony	D
94	220.74	Unlawful manufacture of methamphetamine in 2nd degree	Felony	C
95	220.75	Unlawful manufacture of methamphetamine in 1st degree	Felony	B
96	220.76	Unlawful disposal of methamphetamine laboratory material	Felony	E
97	220.77	Operating as a major trafficker	Felony	A-I
98	230.04	Patronizing a prostitute in 3rd degree	Misdemeanor	A
99	230.05	Patronizing a prostitute in 2nd degree	Felony	E
100	230.06	Patronizing a prostitute in 1st degree	Felony	D
101	230.25	Promoting prostitution in 3rd degree	Felony	D
102	230.30	Promoting prostitution in 2nd degree	Felony	C
103	230.32	Promoting prostitution in 1st degree	Felony	B
104	230.33	Compelling prostitution	Felony	B
105	230.34	Sex trafficking	Felony	B
106	235.21	Disseminating indecent material to minors in 2nd degree	Felony	E
107	235.22	Disseminating indecent material to minors in 1st degree	Felony	D
108	240.31	Aggravated harassment in 1st degree	Felony	E
109	240.46	Criminal nuisance in 1st degree	Felony	E
110	240.60	Falsely reporting an incident 1st degree	Felony	D
111	240.61	Placing a false bomb or hazardous substance in 2nd degree	Felony	E
112	240.62	Placing a false bomb 1st degree	Felony	D
113	240.63	Placing a false bomb in a sports stadium or arena, mass transportation facility, or enclosed shopping mall	Felony	D
114	242.15	Harassment of a service animal in 1st degree	Felony	E
115	250.45	Unlawful surveillance in 2nd degree	Felony	E
116	250.50	Unlawful surveillance in 1st degree	Felony	D

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117	255.25	Incest in 3rd degree	Felony	E
118	255.26	Incest in 2nd degree	Felony	D
119	255.27	Incest in 1st degree	Felony	B
120	263.05	Use of a child in sexual performance	Felony	C
121	263.10	Promoting an obscene sexual performance by a child	Felony	D
122	263.11	Possessing an obscene sexual performance by a child	Felony	E
123	263.15	Promoting a sexual performance by a child	Felony	D
124	263.16	Possessing a sexual performance by a child	Felony	E
125	263.30	Facilitating a sexual performance by a child with a controlled substance/alcohol	Felony	B
126	265.01-A	Criminal possession of a weapon on school grounds	Felony	E
127	265.01-B	Criminal possession of a firearm	Felony	E
128	265.02	Criminal possession of a weapon in 3rd degree	Felony	D
129	265.03	Criminal possession of a weapon in 2nd degree	Felony	C
130	265.04	Criminal possession of a dangerous weapon in 1st degree	Felony	B
131	265.08	Criminal use of a firearm in 2nd degree	Felony	C
132	265.09	Criminal use of a firearm in 1st degree	Felony	B
133	265.11	Criminal sale of a firearm in 3rd degree	Felony	D
134	265.12	Criminal sale of a firearm in 2nd degree	Felony	C
135	265.13	Criminal sale of a firearm in 1st degree	Felony	B
136	265.14	Criminal sale of a firearm with the aid of a minor	Felony	C
137	265.16	Criminal sale of a firearm to a minor	Felony	C
138	265.17	Criminal purchase or disposal of a weapon	Felony	D
139	265.19	Aggravated criminal possession of a weapon	Felony	C
140	265.36	Unlawful possession of a large capacity ammunition feeding device	Misdemeanor	A

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141	265.45	Safe storage of rifles, shotguns, and firearms	Misdemeanor	A
142	270.20	Unlawful wearing of a body vest	Felony	E
143	405.18	Aggravated unpermitted use of indoor pyrotechnics in 1st degree	Felony	D
144	460.22	Aggravated enterprise corruption	Felony	A-I
145	470.21	Money laundering in support of terrorism in 4th degree	Felony	E
146	470.22	Money laundering in support of terrorism in 3rd degree	Felony	D
147	470.23	Money laundering in support of terrorism in 2nd degree	Felony	C
148	470.24	Money laundering in support of terrorism in 1st degree	Felony	B
149	490.10	Soliciting or providing support for an act of terrorism in 2nd degree	Felony	D
150	490.15	Soliciting or providing support for an act of terrorism in 1st degree	Felony	C
151	490.20	Making a terroristic threat	Felony	D
152	490.25	Crime of terrorism	Felony	AI-E
153	490.30	Hindering prosecution of terrorism in 2nd degree	Felony	C
154	490.35	Hindering prosecution of terrorism in 1st degree	Felony	B
155	490.37	Criminal possession of a chemical or biological weapon in 3rd degree	Felony	C
156	490.40	Criminal possession of a chemical or biological weapon in 2nd degree	Felony	B
157	490.45	Criminal possession of a chemical or biological weapon in 1st degree	Felony	A-I
158	490.47	Criminal use of a chemical or biological weapon in 3rd degree	Felony	B
159	490.50	Criminal use of a chemical or biological weapon in 2nd degree	Felony	A-II
160	490.55	Criminal use of a chemical or biological weapon in 1st degree	Felony	A-I