**ATTACHMENT AA-4:**

**Assessing Justice-Involved Applicants**

**for New York City-Funded and/or -Assisted Housing[[1]](#footnote-1)**

**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 |
| 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 |
| 46 | 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 |
| 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 |
| 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 1stdegree | | Felony | | E |
| 115 | 250.45 | Unlawful surveillance in 2nd degree | | Felony | | E |
| 116 | 250.50 | Unlawful surveillance in 1st degree | | Felony | | D |
| 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 |
| 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 |

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. [↑](#footnote-ref-1)