



0030 SURVEYS 20

50 STATE STATUTORY SURVEYS: CRIMINAL LAWS: CRIMINAL PROCEDURE

EXPUNGEMENT OF CRIMINAL RECORDS

Thomson Reuters October 2018

Criminal records affect people's ability to find jobs, vote, and participate in society. Several states have recognized the barriers it creates to being a contributing member of society. As a result, laws have been adopted across the country to protect people from the chilling effect that occurs as a result of being arrested and convicted. Many states have adopted statutes to strike a balance between what crimes should be expunged and what crimes are so egregious as to create a threat to public safety that should permanently appear on a person's criminal record.

This table only covers expungement of adult criminal records as a result of arrest, conviction, or a combination of the two. This table does not cover juvenile records or DNA samples collected and maintained in a database as a result of a criminal charge, or expungement of non-criminal records.

Alabama

[AL ST § 13A-6-111](#) Transmitting obscene material to a child by computer

[AL ST § 15-27-1](#) Petition to expunge records—Misdemeanor criminal offense, traffic violation, municipal ordinance violation

[AL ST § 15-27-2](#) Petition to expunge records—Felony offense

[AL ST § 15-27-3](#) Submission of sworn statement and records; service Et seq.

[AL ST § 41-9-645](#) Purging, modification or supplementation of criminal records--Applications to agencies by individuals; appeals to circuit courts upon refusal of agencies to act, etc.; costs

[AL ST § 41-9-646](#) Purging, modification or supplementation of criminal records -- Entry of court order for purging, modification or supplementation of record and compliance therewith by agencies, etc.; notification of agencies, individual, etc., of deletions, amendments, etc., in records


Alaska


[AK ST § 12.62.180](#) Sealing of criminal justice information


[AK ST § 12.62.190](#) Purging of criminal justice information


[AK ST § 12.62.900](#) Definitions


Arizona


 [AZ ST § 13-610](#) DNA testing


 [AZ ST § 13-905](#) Restoration of civil rights; persons completing probation


 [AZ ST § 13-906](#) Applications by persons discharged from prison


 [AZ ST § 13-907](#) Setting aside judgment of convicted person on discharge; application; release from disabilities; firearm possession; exceptions


 [AZ ST § 13-907.01](#) Vacating the conviction of a sex trafficking victim requirements


 [AZ ST § 13-908](#) Restoration of civil rights in the discretion of the superior court judge

 [AZ ST § 13-909](#) Restoration of civil rights; persons completing probation for federal offense

 [AZ ST § 13-910](#) Applications by persons discharged from federal prison

 [AZ ST § 13-911](#) Restoration of civil rights in the discretion of the presiding judge of the superior court

 [AZ ST § 13-912](#) Restoration of civil rights for first offenders; exception

 [AZ ST § 13-912.01](#) Restoration of civil rights; persons adjudicated delinquent

Arkansas

AR ST § 5-4-205 Restitution


AR ST § 5-4-906 Record sealing upon completion

 AR ST § 16-90-1404 Definitions

AR ST § 16-90-1405 Eligibility to file a uniform petition to seal a misdemeanor offense or violation

AR ST § 16-90-1406 Felony convictions eligible for sealing


AR ST § 16-90-1407 Special procedures for sealing a controlled substance possession conviction

 AR ST § 16-90-1408 Felony convictions ineligible for sealing

AR ST § 16-90-1409 Sealing records of arrests

AR ST § 16-90-1410 Sealing records of nolle prosequi, dismissed cases, or cases where the disposition is an acquittal


AR ST § 16-90-1411 Sealing of records for a pardoned person—Pardons for youthful felony offenders

 AR ST § 16-90-1413 Procedure for sealing of records

AR ST § 16-90-1414 Uniform petition and uniform order to seal records


AR ST § 16-90-1415 Burden of proof—Standard of review, Et seq.


 AR ST § 16-90-1416 Release of sealed records

 AR ST § 16-90-1417 Effect of sealing

AR ST § 16-93-303 Probation--First time offenders—Procedure

AR ST § 16-93-314 Probation generally--Discharge

 AR ST § 16-93-1207 Order of court

 AR ST § 16-98-303 Drug court programs authorized

AR ST § 16-100-208 Completion of program—Dismissal of case—Sealing of record

California

CA PENAL § 236.14 Arrest for or conviction of nonviolent offense committed while victim of human trafficking; petition for vacatur relief; hearing; order

CA PENAL § 236.23 Coercion to commit offense as a direct result of being human trafficking victim; affirmative defense to charge of crime

CA PENAL § 299 Reversal, dismissal or acquittal; request for expungement of information; procedure; specimens from persons no longer considered suspects

CA PENAL § 851.87 Completion of prefiling diversion program; petition to seal records of arresting agency and related court files and records; order; use of record; disclosure of arrest; application of sealing order to records or documents maintained by the Department of Justice

CA PENAL § 851.8 Sealing and destruction of arrest records; determination of factual innocence

CA PENAL § 851.90 Drug diversion programs; deferred entry of judgement programs; successful completion of program; sealing of records and files; disclosure of arrest to Department of Justice


CA PENAL § 850.91 Sealing of arrest records where arrest does not result in conviction; petition requirements and forms; basis for granting petition; hearing; effect of successful petition

CA PENAL § 850.92 Sealing of arrest records; required court and police actions following issuance of sealing order; permissible uses of sealed arrest records

CA PENAL § 1000.4 Successful completion of program; record; disclosure of arrest

CA PENAL § 1001.9 Successful completion of program; record; disclosure of arrest; advice to diveree regarding criminal justice agency continuing access to and use of sealed records

CA PENAL § 1001.36 Granting of pretrial diversion; defendants suffering from mental disorders; reinstatement of criminal proceedings; dismissal of charges

 CA PENAL § 1203.4 Fulfillment of conditions of probation or discharge prior to termination; change of plea or vacation of verdict; dismissal and release from penalties and disabilities; exceptions; pardon

CA PENAL § 1203.4a Misdemeanor or infraction sentence served; dismissal of charge; release from penalties and disabilities; discretion of the court; exceptions


CA PENAL § 1203.45 Certain misdemeanor convictions; sealing of records

Colorado

CO ST § 18-7-201.3 Affirmative defense—human trafficking—expungement of record protective order—definitions

[CO ST § 24-72-701.5](#) Expungement of arrest record in case of mistaken identity--definitions
[CO ST § 24-72-702](#) Sealing of arrest and criminal records other than convictions
[CO ST § 24-72-703](#) Sealing criminal conviction records—advisements—discovery—order applicability—general provisions
[CO ST § 24-72-704](#) Sealing of criminal conviction records information for offenses involving controlled substances for convictions entered on or after July 1, 2011
[CO ST § 24-72-705](#) Sealing of criminal conviction records information for offenses involving controlled substances for convictions entered on or after July 1, 2008 and prior to July 1, 2011
[CO ST § 24-72-706](#) Sealing of criminal conviction records information for offenses committed by victims of human trafficking
[CO ST § 24-72-707](#) Sealing of criminal conviction records information for offenses involving theft of public transportation services
[CO ST § 24-72-709](#) Sealing of criminal conviction records information for posting an intimate photograph of a person on the internet









Connecticut

 [CT ST § 54-142a](#) Erasure of criminal records
[CT ST § 54-142b](#) Erasure of record of girl found guilty of being in manifest danger
[CT ST § 54-142c](#) Disclosure of erased records
[CT ST § 54-142d](#) Destruction of record of decriminalized offense
[CT ST § 54-142e](#) Duty of consumer reporting agency to update and delete erased criminal records. Judicial Department to make available information to identify erased records
[CT ST § 54-142g](#) Definitions
[CT ST § 54-142k](#) Availability of conviction information and nonconviction information


Delaware




[DE ST TI 11 § 787](#) Trafficking an individual, forced labor and sexual servitude; class D felony; class C felony; class B felony; class A felony
[DE ST TI 11 § 4371](#) Statement of policy
[DE ST TI 11 § 4372](#) Termination of criminal action in favor of accused
[DE ST TI 11 § 4373](#) Mandatory expungement
[DE ST TI 11 § 4374](#) Discretionary expungement
[DE ST TI 11 § 4375](#) Discretionary expungement following a pardon
[DE ST TI 11 § 4376](#) Disclosure of expunged records
[DE ST TI 11 § 4377](#) Notification to federal government

District of Columbia


 [DC CODE § 16-801](#) Definitions
 [DC CODE § 16-802](#) Sealing of criminal records on grounds of actual innocence
 [DC CODE § 16-803](#) Sealing of public criminal records in other cases
[DC CODE § 16-803.01](#) Sealing of arrest records of fugitives from justice
 [DC CODE § 16-803.02](#) Sealing of public records for decriminalized or legalized offenses
 [DC CODE § 16-804](#) Motion to seal
 [DC CODE § 16-805](#) Review by Court
 [DC CODE § 16-806](#) Availability of sealed records
[DC CODE § 16-807](#) Savings provision
 [DC CODE § 48-904.01](#) Prohibited acts A; penalties
[1 DC ADC § 1004](#) Adult records

Florida


[FL ST § 943.0581](#) Administrative expunction
[FL ST § 943.0582](#) Diversion program expunction
 [FL ST § 943.0583](#) Human trafficking victim expunction

-  [FL ST § 943.0585](#) Court-ordered expunction of criminal history records
-  [FL ST § 943.059](#) Court-ordered sealing of criminal history records
- [FL ST RCRP Rule 3.692](#) Petition to seal or expunge
- 11  [FL ADC 11C-7.006](#) Procedures on court-ordered expunctions

Georgia

-  [GA ST § 42-8-60](#) When applicable; violation of probation
- [GA ST § 42-8-62](#) Transmission of filings, orders, and notices to the Georgia crime information center
- [GA ST § 42-8-62.1](#) Limitation of public access to information
- [GA ST § 42-8-65](#) Pleading and proof of finding of guilt on subsequent prosecutions; release of records
- [GA ST § 42-8-66](#) Discharge and exoneration petition





Hawaii

- [HI ST § 706-622.5](#) Sentencing for drug offences; expungement
- [HI ST § 706-622.9](#) Sentencing for first-time property offenders; expungement
- [HI ST § 712-1256](#) Expunging of court records
-  [HI ST § 831-3.2](#) Expungement orders









Idaho

- [ID ST § 18-8310](#) Release from registration requirements--Expungement
- [ID ST § 67-3004](#) Fingerprinting and identification
- [ID ST § 67-3014](#) Expungement for victims of human trafficking

Illinois

-  [IL ST CH 20 § 2630/5](#) Arrest reports
-  [IL ST CH 20 § 2630/5.2](#) Expungement, sealing and immediate sealing
-  [IL ST CH 20 § 2630/12](#) Entry of order; effect of expungement or sealing records
-  [IL ST CH 20 § 2630/13](#) Retention and release of sealed records
- [IL ST CH 20 § 2630/14](#) Expungement Backlog Accountability Law
- [IL ST Rule 8.25](#) Petitions to expunge records of arrest
- [IL ADC § 1205.20](#) Definitions
- [20 IL ADC § 1205.30](#) Expungement order requirements

Indiana

- [IN ST ADMIN Rule 9](#) Access to Court Records
- [IN ST MADISON RC Rule 14.5 LR48-CR00 Rule 17](#) Expungement of conviction procedure
- [IN ST 35-38-5-5](#) Petition to limit access to limited criminal history of person discharged from probation, imprisonment, or parole
- [IN ST 35-38-5-6](#) Violation of chapter
-  [IN ST 35-38-9-1](#) Application to persons whose arrest did not result in conviction or juvenile adjudication or whose conviction was vacated; sealing of records
-  [IN ST 35-38-9-2](#) Persons convicted of a misdemeanor; expungement of conviction records; conditions
-  [IN ST 35-38-9-3](#) Persons convicted of a Class D felony; expungement of conviction records; conditions
-  [IN ST 35-38-9-4](#) Persons convicted of a felony; expungement of conviction records; conditions
-  [IN ST 35-38-9-5](#) Elected officials convicted of a felony while serving term and persons convicted of a felony resulting in serious bodily injury; expungement of conviction records; conditions
-  [IN ST 35-38-9-6](#) Duties of court concerning expungement of records under IC 35-38-9-2 and 35-38-9-3
-  [IN ST 35-38-9-7](#) Persons who have filed a petition under IC 35-38-9-4 or 35-38-9-5; public records; marked as expunged
-  [IN ST 35-38-9-8](#) Petition to expunge conviction records under IC 35-38-9-2 through 35-38-9-5; filing of petition; contents

[IN ST 35-38-9-8.5](#) Persons seeking to expunge offenses punishable by an indeterminate sentence under a law other than IC 35-50


[IN ST 35-38-9-9](#) Actions taken on petition

Iowa

[IA ST § 901C.2](#) Not-guilty verdicts and criminal-charge dismissals--expungement

[IA ST § 907.1](#) Definitions

[IA ST § 907.9](#) Discharge from probation


 [IA ST § 907.3](#) Deferred judgment, deferred sentence or suspended sentence


[IA ST § 907.9](#) Discharge from probation—procedure—expungement of deferred judgments


Kansas


[KS ST 12-4516](#) Expungement of certain convictions, arrest records and diversion agreements


[KS ST 12-4516a](#) Expungement of city ordinance violations; disclosure limited upon filing of petition


 [KS ST 12-4516d](#) Expungement of certain convictions, arrests records and diversion agreements (Repealed)

 [KS ST 12-4516f](#) Expungement of certain convictions, arrest records and diversion agreements (Repealed)

 [KS ST 21-6614](#) Expungement of certain convictions, arrest records and diversion agreements

 [KS ST 21-6614g](#) Expungement of certain convictions, arrest records and diversion agreements (Repealed)


 [KS ST 21-6614h](#) Expungement of certain convictions, arrest records and diversion agreements (Repealed)

 [KS ST 22-2410](#) Expungement of arrest records; docket fee; disclosure limited upon finding of petition


[KS R 7 Dist Rule 5](#) Expungement of sentence/records


[KS R 17 Dist Rule 716](#) Expungement


Kentucky

 [KY ST § 431.073](#) Certain felony convictions may be vacated and the records expunged; application; hearing; vacating conviction without hearing; order to vacate and expunge; application form and fee; retroactivity

[KY ST § 431.074](#) Index of expungement orders; restricted access

 [KY ST § 431.076](#) Expungement of criminal records for those found not guilty of crimes or for whom charges have been dismissed with prejudice, or against whom charges have not resulted in an indictment

 [KY ST § 431.078](#) Expungement of misdemeanor and violation conviction records

 [KY ST § 431.079](#) Petition seeking expungement to include certification of eligibility for expungement from Department of Kentucky State Police and Administrative Office of the Courts; administrative regulations

[KY ST § 529.160](#) Expungement of records relating to violation of chapter when person charges of convicted was a victim of human trafficking at time of offense; motion; finding; presumption

Louisiana

[LA C.Cr.P. Art. 971](#) Legislative findings

[LA C.Cr.P. Art. 972](#) Definitions

[LA C.Cr.P. Art. 973](#) Effect of expunged record of arrest or conviction

[LA C.Cr.P. Art. 975](#) Individuals incarcerated; ineligible to file motion to expunge records

[LA C.Cr.P. Art. 976](#) Motion to expunge record of arrest that did not result in a conviction

[LA C.Cr.P. Art. 977](#) Motion to expunge a record of arrest and conviction of a misdemeanor offense

[LA C.Cr.P. Art. 978](#) Motion to expunge a record of arrest and conviction of a felony offense

[LA C.Cr.P. Art. 980](#) Contradictory hearing, Et seq.




Maine

[ME ST T. 15 § 3308](#) Court records; inspection


[ME ST T. 16 § 707](#) Unlawful dissemination of confidential criminal history record information

Maryland


[MD CRIM PROC § 6-232](#) Expungement

-  [MD CRIM PROC § 10-101](#) Definitions
- [MD CRIM PROC § 10-102](#) Documents subject to expungement
- [MD CRIM PROC § 10-103](#) Expungement of police record when no charge is filed
- [MD CRIM PROC § 10-103.1](#) Expungement upon release without charges
- [MD CRIM PROC § 10-104](#) Expungement ordered by district court
-  [MD CRIM PROC § 10-105](#) Expungement of record after charge is filed
-  [MD CRIM PROC § 10-107](#) Charges arising from same incident, transaction, or set of facts
- [MD CRIM PROC § 10-108](#) Opening, review, or disclosure of expunged records
- [MD CRIM PROC § 10-109](#) Disclosure of expunged information prohibited
- [MD R CR RULE § 4-504](#) Petition for expungement when charged filed




Massachusetts

-  [MA ST 258D § 7](#) Expungement or sealing of records; hearings
- [MA ST 276 § 100G](#) Petition for expungement of record of conviction
- [MA ST 276 § 100I](#) Certification of eligibility for expungement
- [MA ST 276 § 100J](#) Offenses excluded from eligibility of record for expungement
- [MA ST 276 § 100K](#) Expungement of record resulting in false identification, an offense no longer a crime at time of expungement, error or fraud




Michigan

-  [MI ST 780.621](#) Application for order to set aside conviction; eligibility; filing; time limitations; contents; submission of fingerprints; report by department of state police; fee; copies; contest of application by attorney general or prosecuting attorney, notice to victim; affidavits and proofs; court order
- [MI ST 780.621a](#) Definitions
- [MI ST 780.622](#) Entry of order; effect
- [MI ST 780.623](#) Entry of order; nonpublic record; disclosure
- [MI ST 780.624](#) Maximum number of convictions set aside


Minnesota

- [MN ST § 609A.01](#) Expungement of criminal records
-  [MN ST § 609A.02](#) Grounds for order
-  [MN ST § 609A.025](#) No petition required in certain cases with prosecutor agreement and notification
-  [MN ST § 609A.03](#) Petition to expunge criminal records
- [MN ST § 609A.04](#) Remedy

Mississippi

-  [MS ST § 9-23-23](#) Completion of program; expunction of record
-  [MS ST § 9-27-19](#) Charge and prosecution dismissed upon completion of program; expungement
- [MS ST § 45-33-55](#) Exemptions for expunction
-  [MS ST § 99-19-71](#) Expungement of conviction; eligible offenses; notice; procedure; order; effect expungement of arrest record
- [MS ST § 6-11-30](#) Operation under influence of alcohol or other impairing substance

Missouri

- [MO ST 610.105](#) Effect of nolle pros, dismissal, finding of not guilty, suspension of sentence--records closed, exceptions
- [MO ST 610.106](#) Suspended sentence prior to September 28, 1981, procedure to close records
- [MO ST 610.110](#) Failure to recite closed record excused--exceptions
- [MO ST 610.115](#) Penalty
-  [MO ST 610.120](#) Records to be confidential--accessible to whom, purposes--child care, defined
- [MO ST 610.122](#) Arrest records expunged, requirements
- [MO ST 610.123](#) Procedure to expunge, supreme court to promulgate rules—similar to small claims
- [MO ST 610.124](#) Destruction of arrest records—removal from all electronic files—FBI requested to expunge--protest to

expungement, procedure

[MO ST 610.125](#) Failure to comply with expungement order, penalty—knowingly using expunged record for gain, penalty

[MO ST 610.126](#) Expungement does not deem arrest invalid—department of revenue may retain records necessary for administrative actions on driver’s license—power to close or expunge record, limitation


[MO ST 610.130](#)

Intoxication-related traffic offenses or intoxication-related boating offenses, expunged from records, when—procedures, effect—limitations

 [MO ST 610.140](#)

Expungement of certain criminal records, petition, contents, procedure—effect of expungement on employer inquiry—lifetime limits


[MO ST 610.145](#) Charges dismissed as a result of mistaken identity—application for expungement, procedure

 [MO ST 650.055](#) Felony convictions for certain offenses to have biological samples collected, when--use of sample--highway patrol and department of corrections, duty--DNA records and biological materials to be closed record, disclosure, when--expungement of record, when

Montana

[MT ST 46-23-510](#) Expungement of records on reversal of conviction

[MT ST 46-18-204](#) Dismissal after deferred imposition

 [MT ST 46-18-1101](#) Expungement of misdemeanor records—petition to district court—criteria for expungement--definitions


Nebraska

[NE ST § 29-3523](#) Criminal history record information; notation of an arrest; dissemination; limitations; removal; expungement


Nevada

[NV ST 176A.295](#) Sealing of records after discharge

 [NV ST 176A.870](#) Dishonorable discharge

 [NV ST 179.245](#) Sealing records after conviction: Persons eligible; petition; notice; hearing; order

[NV ST 179.247](#) Vacating judgement and sealing of records after conviction of certain offenses; persons eligible; petition; notice; order

 [NV ST 179.259](#) Sealing records after completion of program for reentry; persons eligible; procedure; order; inspection of sealed records by certain entities

[NV ST 179.255](#) Sealing records after dismissal or acquittal: Petition; notice; hearing; order

[NV ST 179.265](#) Rehearings after denial of petition: Time for; number

[NV ST 179.275](#) Order sealing records: Distribution to Central Repository and persons named in order; compliance

[NV ST 179.285](#) Order sealing records: Effect; proceedings deemed never to have occurred; restoration of civil rights

[NV ST 179.295](#) Reopening of sealed records


[NV ST 179.2595](#)

Sealing more than one record; procedure


[NV ST 179.301](#) Inspection of sealed records by certain agencies


New Hampshire

[NH ST § 318-B:28-a](#) Annulments of Criminal Records

 [NH ST § 651:5](#) Annulment of Criminal Records


New Jersey









 [NJ ST 2C:52-1](#) Definition of expungement

 [NJ ST 2C:52-2](#) Indictable offenses


 [NJ ST 2C:52-3](#) Disorderly persons offenses and petty disorderly persons offenses

 [NJ ST 2C:52-4](#) Ordinances

 [NJ ST 2C:52-5](#) Expungement of records of young drug offenders

-  [NJ ST 2C:52-6](#) Arrests not resulting in conviction
-  [NJ ST 2C:52-7](#) Petition for expungement
-  [NJ ST 2C:52-8](#) Statement to accompany petition
- [NJ ST 2C:52-9](#) Order fixing time for hearing
- [NJ ST 2C:52-10](#) Order directing expungement where no objection prior to hearing
- [NJ ST 2C:52-12](#) Denial of relief although no objection entered
- [NJ ST 2C:52-13](#) When hearing on petition for expungement shall not be held
-  [NJ ST 2C:52-14](#) Grounds for denial of relief
-  [NJ ST 2C:52-15](#) Records to be removed; control
- [NJ ST 2C:52-16](#) Expunged record including names of persons other than petitioner
-  [NJ ST 2C:52-23.1](#) Collection of outstanding court-ordered financial assessments; use of expunged records by comprehensive enforcement program; nullification of expungement for failure to comply or cooperate
- [NJ ST 2C:52-27](#) Effect of expungement
- [NJ ST 2C:52-28](#) Motor vehicle offenses
-  [NJ ST 2C:52-29](#) Fee
- [NJ ST 2C:52-30](#) Disclosure of expungement order
- [NJ ST 2C:52-31](#) Limitation
-  [NJ ST 2C:52-32](#) Construction of chapter
- [NJ ST 2C:52-32.1](#) Identity theft victims; judicial determination of factual innocence; court order to delete, seal, label, or correct certain personal information in government records involving identity the victim









New Mexico

-  [NM ST § 29-3-8.1](#) Petition to expunge arrest information
- [NM ST § 30-52-1.2](#) Sealing of records of human trafficking victims


New York

-  [NY CRIM PRO § 160.59](#) Sealing of certain convictions



North Carolina

-  [NC ST § 15A-145.5](#) Expunction of certain misdemeanors and felonies; no age limitation
-  [NC ST § 15A-145.6](#) Expunctions for certain defendants convicted of prostitution
-  [NC ST § 15A-146](#) Expunction of records when charges are dismissed or there are findings of not guilty
-  [NC ST § 15A-147](#) Expunction of records when charges are dismissed or there are findings of not guilty as a result of identity theft or mistaken identity
-  [NC ST § 15A-148](#) Expunction of DNA records when charges are dismissed on appeal or pardon of innocence is granted
-  [NC ST § 15A-149](#) Expunction of records when pardon of innocence is granted
-  [NC ST § 15A-150](#) Notice requirements
-  [NC ST § 15A-151](#) Confidential agency files; exceptions to expunction

North Dakota


- [ND ST 12-60-16.3](#) Criminal history record information--Rulemaking required
-  [ND ST 19-03.1-23](#) Prohibited acts A--Mandatory terms of imprisonment and fines-- Unclassified offenses—Penalties
- [ND ADC 10-13-11-01](#) Court order required

Ohio

-  [OH ST § 2953.31](#) Definitions
-  [OH ST § 2953.32](#) Sealing of record of first offense; application; hearing; fee; re-examination of sealed record
- [OH ST § 2953.321](#) Confidentiality of investigatory work product; violations; exceptions
- [OH ST § 2953.33](#) Restoration of rights upon sealing of record

OH ST § 2953.34 Other remedies not precluded

OH ST § 2953.35 Divulging sealed records prohibited

 OH ST § 2953.36 Convictions precluding sealing

 OH ST § 2953.37


Expungement of conviction for improperly handling firearms in a motor vehicle

 OH ST § 2953.38

Expungement of the criminal record of a human trafficking victim

OH ST § 2953.521

Expungement of human trafficking victim found not guilty or against whom charges are dismissed

 OH ST § 2953.61 Effect of multiple offenses with different dispositions

Oklahoma

OK ST T. 11 § 28-123 Execution of sentence--Modification, reduction or suspension-- Probation--Deferred sentence

 OK ST T. 22 § 18 Expungement of records--Persons authorized


OK ST T. 22 § 19 Sealing and unsealing of records

OK ST T. 22 § 19c Arrest or charge as result of human trafficking—Expungement on motion of court or defendant

OK R 14 DIST CT Rule 16 Expunge orders

OK R 7 DIST CT Rule 41 Expungements

Oregon

 OR ST § 137.225 Order setting aside conviction or record of arrest

OR LAWS 2016 Ch. 23, § 26 Expungement

Pennsylvania

 PA ST 18 Pa.C.S.A. § 9122 Expungement

234 PA ADC § 490 Procedure for obtaining expungement in summary cases; expungement order

234 PA ADC § 513.1 Sealing of arrest warrant

234 PA ADC § 790 Procedure for obtaining expungement in court cases; expungement order

PA ST RCRP Rule 490 Procedure for obtaining expungement in summary cases; Expungement order

PA ST RCRP Rule 790 Procedure for obtaining expungement in court cases; Expungement order

Rhode Island

RI ST § 3-8-12 Expungement of certain criminal records

RI ST § 11-67.1-17 Motion to vacate and expunge conviction


RI ST § 12-1-12 Destruction or sealing of records of persons acquitted or otherwise exonerated

RI ST § 12-1-12.1 Motion for sealing of records of persons acquitted or otherwise exonerated

RI ST § 12-1-12.2 Sealing of arrest records for wrongful arrest due to mistaken identity or any other reason--notification

RI ST § 12-1.3-1 Definitions

 RI ST § 12-1.3-2 Motion for expungement

 RI ST § 12-1.3-3 Motion for expungement--Notice--Hearing--Criteria for granting


RI ST § 12-1.3-4 Effect of expungement of records--Access to expunged records--Wrongful disclosure

RI ST § 31-11-18 Driving after denial, suspension, or revocation of license


RI ST § 31-41.1-10 Expungement

South Carolina

SC ST § 17-22-910 Applications for expungement; administration

 SC ST § 22-5-910 Expungement of criminal records

SC ST § 22-5-930 Expungement; first drug offense



 SC ST § 16-3-2020 Trafficking in persons; penalties; minor victims; defenses

South Dakota




SD ST § 23A-3-26 Definition of expungement

[SD ST § 23A-3-27](#) Motion for expungement of arrest record
[SD ST § 23A-3-28](#) Service of motion--Fee
[SD ST § 23A-3-29](#) Hearing on motion for expungement
[SD ST § 23A-3-30](#) Order of expungement
[SD ST § 23A-3-31](#) Report to Division of Criminal Investigation--Retention and use of nonpublic records--Sealing of records
[SD ST § 23A-3-32](#) Effect of order of expungement
[SD ST § 23A-3-33](#) No time limit for making application
[SD ST § 23A-3-35](#) Eligibility of person placed in diversion program for expungement of record
[SD ST § 23A-3-37](#) Expungement of record on filing of dismissal and notice
[SD ST § 23A-27-17](#) Sealing of records on discharge of probationer--Effect of order--Future statements by defendant as to conviction
[SD ST § 26-7A-115.1](#) Expungement of delinquency record of victim of human trafficking or sexual exploitation



Tennessee

[TN ST § 38-6-118](#) Expunged criminal offender and pretrial diversion database
 [TN ST § 40-32-101](#) Expunction of criminal records
 [TN ST § 40-35-313](#) Probation; conditions; discharge and expungement
[TN ST § 40-39-209](#) Removal of records; expungement order

Texas

 [TX CRIM PRO Art. 55.01](#) Right to Expunction
 [TX CRIM PRO Art. 55.011](#) Right of Close Relative to Seek Expunction on Behalf of Deceased Person
 [TX CRIM PRO Art. 55.02](#) Procedure for Expunction
[TX CRIM PRO Art. 55.03](#) Effect of Expunction
[TX CRIM PRO Art. 55.04](#) Violation of Expunction Order
[TX CRIM PRO Art. 55.05](#) Notice of Right to Expunction
[TX CRIM PRO Art. 55.06](#) License Suspensions and Revocations

Utah




[UT ST § 77-27-5.1](#) Board authority to order expungement
[UT ST § 77-40-101](#) Title
 [UT ST § 77-40-102](#) Definitions
[UT ST § 77-40-103](#) Expungement procedure overview
 [UT ST § 77-40-104](#) Eligibility for expungement of records of arrest, investigation, and detention--Requirements
[UT ST § 77-40-105](#) Eligibility for expungement of conviction--Requirements
[UT ST § 77-40-106](#) Application for certificate of eligibility--Fees
[UT ST § 77-40-107](#) Petition for expungement--Prosecutorial responsibility--Hearing--Standard of proof--Exception
[UT ST § 77-40-108](#) Distribution of order--Redaction--Receipt of order--Administrative proceedings--Bureau requirements
[UT ST § 77-40-109](#) Retention and release of expunged records--Agencies
[UT ST § 77-40-110](#) Use of expunged records--Individuals--Use in civil actions, Et seq.
[UT R RAP Order 12](#)
Regarding expungement of appellate records in criminal cases

Vermont



[VT ST T. 3 § 163](#) Juvenile court diversion project
[VT ST T. 3 § 164](#) Adult court diversion project
[VT ST T. 12 § 5138](#) Enforcement
[VT ST T. 13 § 2658](#) Prostitution conviction; motion to vacate by victim of human trafficking
[VT ST T. 13 § 5413](#) Expungement of records
[VT ST T. 13 § 7041](#) Deferred sentence
[VT ST T. 13 § 7602](#) Expungement and sealing of record, postconviction; procedure
[VT ST T. 13 § 7603](#) Expungement and sealing of record, no conviction; procedure
[VT ST T. 13 § 7604](#) New charge

[VT ST T. 13 § 7605](#) Denial of petition
[VT ST T. 13 § 7606](#) Effect of expungement
[VT ST T. 13 § 7607](#) Effect of sealing



Virginia

 [VA ST § 18.2-57.3](#) Persons charged with first offense of assault and battery against a family or household member may be placed on local community-based probation; conditions; education and treatment programs; costs and fees; violations; discharge
[VA ST § 18.2-186.5](#) Expungement of false identity information from police and court records; identity theft passport
[VA ST § 19.2-392.1](#) Statement of policy
 [VA ST § 19.2-392.2](#) Expungement of police and court records
[VA ST § 19.2-392.3](#) Disclosure of expunged records
 [VA ST § 19.2-392.4](#) Prohibited practices by employers, educational institutions, agencies, etc., of state and local governments

Washington

 [WA ST 9.94A.640](#) Vacation of offender's record of conviction
[WA ST 9.96.070](#) Vacating records of conviction-- prostitution offenses
 [WA ST 9.96.060](#) Misdemeanor or gross misdemeanor offenses, persons convicted of prostitution who committed the offense as a result of being a victim of trafficking, promoting prostitution in the first degree, or trafficking in persons—Vacating records
[WA R GEN GR 15](#) Destruction, Sealing, and Redaction of Court Records


West Virginia

[WV ST § 5-1-16a](#) Expungement of criminal record upon full and unconditional pardon
 [WV ST § 60A-4-407](#) Conditional discharge for first offense of possession
[WV ST § 61-14-9](#) Human trafficking; criminal penalties
[WV ST § 61-11-25](#) Expungement of criminal records for those found not guilty of crimes or against whom charges have been dismissed
 [WV ST § 61-11-26](#) Petition to vacate and expunge conviction of sex trafficking


Wisconsin

[WI ST 973.015](#) Special disposition
[WI ST RETENTION CT RECS SCR 72.06](#) Expunction

Wyoming

 [WY ST § 7-13-1401](#) Petition for expungement; records of arrest, dismissal of charges, disposition; eligibility; no filing fee
[WY ST § 7-13-1501](#) Petition for expungement of records of conviction of misdemeanors; filing fee; notice; objections; hearing; definitions
[WY ST § 7-13-1502](#) Petition for expungement of records of conviction of certain felonies; filing fee; notice; objections; hearing; definitions; restoration of rights

United States

 [18 U.S.C.A. § 3607](#) Special probation and expungement procedures for drug possessors

Guam

[9 G.C.A § 67.412](#) Conditional discharge and dismissal for first offenders: permitted
[8 G.C.A. § 11.10](#) Expungement: When
[8 G.C.A. § 11.11](#) Same: Defined

Puerto Rico

[9 L.P.R.A. § 5072a](#) Expunging administrative faults from the record of the driver

24 L.P.R.A. § 2404 Penalty for simple possession, conditional discharge and [expungement] of records for first offense

Virgin Islands

5 V.I.C. § 3711 Suspension of sentence and probation

5 V.I.C. § 3731 Definitions

5 V.I.C. § 3732 Expungement of criminal records--when they may be expunged

5 V.I.C. § 3733 Expungement of criminal records--when expungement required

5 V.I.C. § 3734 Expungement of misdemeanor conviction

5 V.I.C. § 3735 Expungement petition

5 V.I.C. § 3736 Hearing on petition for expungement

5 V.I.C. § 3737 Non-appealable

5 V.I.C. § 3738 Effect of expungement

5 V.I.C. § 3739 Expunged records

5 V.I.C. § 3740 Enforcement

14 V.I.C. § 146 Motion to vacate and expunge conviction

VI ST R SUPERIOR CT Rule 400.1 Applicability of expungement statute

VI ST R SUPERIOR CT Rule 400.2 Petition to expunge criminal record

VI ST R SUPERIOR CT Rule 400.3 Hearing on petition for expungement

VI ST R SUPERIOR CT Rule 400.4 Expungement of criminal records

VI ST R SUPERIOR CT Rule 400.5 Expungement for no conviction

VI ST R SUPERIOR CT Rule 400.6.1 Eligible misdemeanors

VI ST R SUPERIOR CT Rule 400.7 Expungement prohibited

End of Document

© 2019 Thomson Reuters. No claim to original U.S. Government Works.