

0030 SURVEYS 20

50 STATE STATUTORY SURVEYS: Criminal Laws: Criminal Procedure

Expungement of Criminal Records

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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.

Jurisdiction and Relevant Law	What Criminal Records are Expungeable	When are the Records Expungeable	What Criminal Records are Specifically not Expungeable	Basis for Expungement
<p>ALABAMA</p> <p>AL ST § 13A-6-111 Transmitting obscene material to a child by computer</p> <p>AL ST § 15-27-1 Petition to expunge records—Misdemeanor criminal offense, traffic violation, municipal ordinance violation</p> <p>AL ST § 15-27-2 Petition to expunge records—Felony offense</p> <p>AL ST § 15-27-3 Submission of sworn statement and records; service Et seq.</p> <p>AL ST § 41-9-645 Purging, modification or supplementation of criminal records-- Applications</p>	<p>Court shall order expungement of all records in the custody of the court or other agency or official including law enforcement records; records include: arrest records, booking or arrest photographs, public records index references, other data relating to the arrest or charge</p> <p>AL ST § 15-27-6</p> <p>AL ST § 15-27-9</p>	<p>Records are expungeable when: charge dismissed with prejudice; charge has been no billed by a grand jury; found not guilty; charge was dismissed without prejudice more than 5 years ago, not been refiled and no other felony or misdemeanor convictions or violations; charge dismissed after successful completion of court ordered program; 90 days from dismissal with prejudice, no-bill, acquittal, or nolle prosequi and the charge has not been refiled; victim of human trafficking and would not have committed the offense but for being trafficked</p>	<p>Record of proceeding against person charged with transmitting obscene material to a child by computer</p> <p>AL ST § 13A-6-111</p> <p>Records person charged with a violent offense as listed in 12-25-32</p> <p>AL ST § 15-27-2</p>	<p>Should the record in question be found to be inaccurate, incomplete or misleading, the court shall order it to be appropriately purged, modified or supplemented by an explanatory notation</p> <p>AL ST § 41-9-646</p> <p>Records are expungeable when: charge dismissed with prejudice; charge has been no billed by a grand jury; found not guilty; charge was dismissed without prejudice more than 2 years ago, not been refiled and no other felony or misdemeanor convictions or violations; charge dismissed after successful completion of court ordered</p>

<p>to agencies by individuals; appeals to circuit courts upon refusal of agencies to act, etc.; costs</p> <p>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</p>		<p>AL ST § 15-27-1</p> <p>AL ST § 15-27-2</p>		<p>program; 90 days from dismissal with prejudice, no-bill, acquittal, or nolle prosequi and the charge has not been refiled</p> <p>AL ST § 15-27-1</p> <p>AL ST § 15-27-2</p>
<p>ALASKA</p> <p>AK ST § 12.62.180 Sealing of criminal justice information</p> <p>AK ST § 12.62.190 Purging of criminal justice information</p> <p>AK ST § 12.62.900 Definitions</p>	<p>Sealing of criminal justice information</p> <p>AK ST § 12.62.180</p>	<p>None</p>	<p>None</p>	<p>Criminal justice information may be purged if the agency determines that the information is devoid of usefulness to a criminal justice agency due to the: (1) death of the subject of the information; (2) age of the information; (3) nature of the offense or of the information; (4) volume of the agency's records or other record management considerations</p> <p>AK ST § 12.62.190</p>
<p>ARIZONA</p> <p>AZ ST § 13-610 DNA testing</p> <p>AZ ST § 13-905</p> <p>Setting aside judgment of convicted person on discharge; application; release from disabilities; firearm possession; exceptions</p>	<p>Person convicted, attorney or probation officer may apply to court, to have judgment of guilt set aside</p> <p>AZ ST § 13-905</p> <p>AZ ST § 13-908</p> <p>Setting aside of record is automatic for first offenders</p> <p>AZ ST § 13-907</p>	<p>If the conviction or adjudication of a person is overturned on appeal or post conviction relief and a final mandate has been issued, on petition of the person to the superior court in the county in which the conviction occurred, the court shall order that the person's deoxyribonucleic acid profile resulting</p>	<p>Exceptions listed include enumerated driving violations, enumerated game and fish violations, and convictions for a dangerous offense, sex offenses; offense against minor under 15</p> <p>AZ ST § 13-905</p>	<p>Restoration of civil rights</p> <p>AZ ST § 13-906</p> <p>Court considers: nature and circumstances of offense; applicants compliance with probation and/or sentence; prior or subsequent convictions; victims input and restitution; length of time since sentence;</p>

<p>AZ ST § 13-906 Restoration of civil rights; process</p> <p>AZ ST § 13-907 Automatic restoration of civil rights for first offenders; exception; definition</p> <p>AZ ST § 13-908 Restoration of civil rights; application; definition</p> <p>AZ ST § 13-909 Vacating the conviction of a sex trafficking victim</p> <p>AZ ST § 13-910 Restoration of right to possess firearm</p> <p>AZ ST RCRP Rule 30.1 Grounds; notice</p> <p>AZ ST RCRP Rule 30.2 Application</p>		<p>from that conviction or adjudication be expunged from the Arizona deoxyribonucleic acid identification system unless the person has been convicted or adjudicated delinquent of another offense that would require the person to submit to deoxyribonucleic acid testing</p> <p>AZ ST § 13-610</p> <p>On final discharge, first offender automatically restored civil rights after payment of victim restitution</p> <p>AZ ST § 13-907</p> <p>On final discharge, a person who: after 2 years from final discharge and previously convicted or who has not paid restitution; has completed probation; has received an absolute discharge from imprisonment; may file an application for restoration of civil rights</p> <p>AZ ST § 13-908</p>		<p>age of applicant any other relevant factors</p> <p>AZ ST § 13-905</p>
<p>ARKANSAS</p> <p>AR ST § 5-4-205 Restitution</p> <p>AR ST § 5-4-906 Record sealing upon completion</p> <p>AR ST § 16-90-1404 Definitions</p> <p>AR ST § 16-90-1405 Eligibility to file a uniform petition to seal</p>	<p>May petition to seal records when: Entry of an order nolle prosequi after 1 year; entry of an order of dismissal; an acquittal; a decision by the district attorney not to file charges; persons pardoned; court shall remove all petitions, orders, docket sheets, receipts, and documents relating to the record</p>	<p>After fulfillment of the terms and conditions of probation or release</p> <p>AR ST § 16-93-303</p> <p>Successful completion of program, aftercare programming, recommendation from prosecuting attorney, and judge determines sealing is appropriate</p> <p>AR ST § 16-98-303</p>	<p>Person found or pleads guilty or nolo contendere to a sexual offense or serious felony is not eligible for sealing record; an offense requiring registration as a sex offender, public sexual indecency, indecent exposure, bestiality, exposing another to HIV</p> <p>AR ST § 16-93-303</p>	<p>An individual who is eligible to have an offense expunged may file a uniform petition to seal records, unless the circuit court or district court is presented and finds that there is clear and convincing evidence that a misdemeanor or violation conviction should not be sealed, the circuit court or district court shall</p>

<p>a misdemeanor offense or violation</p> <p>AR ST § 16-90-1406 Felony convictions eligible for sealing</p> <p>AR ST § 16-90-1407 Special procedures for sealing a controlled substance possession conviction</p> <p>AR ST § 16-90-1408 Felony convictions ineligible for sealing</p> <p>AR ST § 16-90-1409 Sealing records of arrests</p> <p>AR ST § 16-90-1410 Sealing records of nolle prosequi, dismissed cases, or cases where the disposition is an acquittal</p> <p>AR ST § 16-90-1411 Sealing of records for a pardoned person— Pardons for youthful felony offenders</p> <p>AR ST § 16-90-1413 Procedure for sealing of records</p> <p>AR ST § 16-90-1414 Uniform petition and uniform order to seal records</p> <p>AR ST § 16-90-1415 Burden of proof— Standard of review, Et seq.</p> <p>AR ST § 16-90-1416 Release of sealed records</p> <p>AR ST § 16-90-1417 Effect of sealing</p> <p>AR ST § 16-93-303 Probation--First time offenders—Procedure</p>	<p>AR ST § 16-90-1410</p> <p>AR ST § 16-90-1411</p> <p>AR ST § 16-90-1413</p>	<p>Can file for sealing immediately after: completion of sentence or payment of restitution; payment of court costs or fees; immediately after of completion of sentence for offenses listed in statute; 5 years after completing sentence for violent class C or D felony</p> <p>AR ST § 16-90-1405</p> <p>AR ST § 16-90-1406</p> <p>Can file to seal record of prior arrest if charges not filed within 1 year</p> <p>AR ST § 16-90-1409</p>	<p>AR ST § 16-93-314</p> <p>Convictions not expungeable:</p> <p>Class A, B, Y felony; manslaughter; unclassified felony with max sentence of more than 10 years; felony sex offense; violent felony; felony with time served as inmate in Dept of Corrections; certain felony traffic offenses</p> <p>AR ST § 16-90-1408</p>	<p>seal the conviction for a person after the person files a petition; A petition for felony conviction may be granted if the court finds by clear and convincing evidence that doing so would further the interests of justice while considering factors enumerated by statute; A petition for controlled substance conviction may be granted if the court finds that doing so is in the best interest of the petitioner and that state; A petition for sealing arrest records of records of acquittal, dismissal or nolle prosequi shall be granted unless state shows that doing so would place the public at risk or not further the interests of justice; A petition for sealing record of pardon shall be granted if statutory requirements are met</p> <p>AR ST § 16-90-1415</p>
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<p>AR ST § 16-93-314 Probation generally-- Discharge</p> <p>AR ST § 16-93-1207 Order of court</p> <p>AR ST §16-98-303 Drug court programs authorized</p> <p>AR ST §16-100-208 Completion of program —Dismissal of case— Sealing of record</p>				
<p>CALIFORNIA</p> <p>CA PENAL § 236.14 Arrest for or conviction of nonviolent offense committed while victim of human trafficking; petition for vacatur relief; hearing; order</p> <p>CA PENAL § 236.23 Coercion to commit offense as a direct result of being human trafficking victim; affirmative defense to charge of crime</p> <p>CA PENAL § 299 Reversal, dismissal or acquittal; request for expungement of information; procedure; specimens from persons no longer considered suspects</p> <p>CA PENAL § 851.87 Completion of pretrial 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</p>	<p>A person may apply for expungement in any case in which a defendant has fulfilled the conditions of probation for the entire period of probation, or has been discharged prior to the termination of the period of probation, or in any other case in which a court, in its discretion and the interests of justice, determines that a defendant should be granted relief; DNA records related to criminal cases are also expungeable</p> <p>CA PENAL § 1203.4</p> <p>Sealing of certain misdemeanor convictions</p> <p>CA PENAL § 1203.45</p> <p>Sealing after pretrial diversions program</p> <p>CA PENAL § 1000.4</p>	<p>The defendant shall, at any time after the termination of the period of probation, if he or she is not then serving a sentence for any offense, on probation for any offense, or charged with the commission of any offense, be permitted by the court to withdraw his or her plea of guilty or plea of nolo contendere and enter a plea of not guilty; or, if he or she has been convicted after a plea of not guilty, the court shall set aside the verdict of guilty; and, in either case, the court shall thereupon dismiss the accusations or information against the defendant he or she shall thereafter be released from all penalties and disabilities resulting from the offense of which he or she has been convicted</p> <p>CA PENAL § 1203.4</p>	<p>No misdemeanor can be expunged that is within the provisions of subdivision (b) of Section 42001 of the Vehicle Code, to any violation of subdivision (c) of Section 286, Section 288, subdivision (c) of Section 288a, Section 288.5, or subdivision (j) of Section 289, any felony conviction pursuant to subdivision (d) of Section 261.5, or to any infraction</p> <p>CA PENAL § 1203.4</p>	<p>For DNA records, a person who has no past or present qualifying offense, and for whom there otherwise is no legal basis for retaining the specimen or sample or searchable profile, may make a written request to have his or her specimen and sample destroyed and searchable database profile expunged from the databank program if: (1) following arrest, no accusatory pleading has been filed within the applicable period allowed by law charging the person with a qualifying offense or if the charges which served as the basis for including the DNA profile in the state's DNA and Forensic Identification Database and Databank program have been dismissed prior to adjudication by a trier of fact; (2) underlying conviction or disposition serving as the basis for including the DNA profile has been reversed and the case dismissed; (3)</p>

[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 § 851.91](#)

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 § 851.92](#)

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 divertee regarding criminal justice agency continuing access to and use of sealed records

[CA PENAL § 1001.36](#)

Granting of pretrial diversion; defendants suffering from

person has been found factually innocent of the underlying offense; or (4) defendant has been found not guilty or the defendant has been acquitted of the underlying offense

[CA PENAL § 299](#)

<p>mental disorders; reinstatement of criminal proceedings; dismissal of charges</p> <p>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</p> <p>CA PENAL § 1203.4a Misdemeanor or infraction sentence served; dismissal of charge; release from penalties and disabilities; discretion of the court; exceptions</p> <p>CA PENAL § 1203.45 Certain misdemeanor convictions; sealing of records</p>				
<p>COLORADO</p> <p>CO ST § 18-7-201.3 Affirmative defense —human trafficking —expungement of record protective order —definitions</p> <p>CO ST § 24-72-702 Expungement of arrest records in case of mistaken identity-- definitions</p> <p>CO ST § 24-72-703 Sealing of arrest and criminal records— general provisions —order applicability —discovery and advisements</p> <p>CO ST § 24-72-704 Sealing of arrest records when no charges filed</p>	<p>The records are a record of official actions involving a criminal offense for which the person in interest completed a diversion agreement, or was not charged and the statute of limitations for the offense that has the longest statute of limitations has run or was not charged and the statute of limitations has not run but the person is not being investigated for the offense or in any case which was completely dismissed, or in any case in which said person in interest was acquitted</p> <p>CO ST § 24-72-704</p>	<p>Person may petition for sealing at any time after dismissal or acquittal by written motion</p> <p>CO ST § 24-72-705</p> <p>Motion for sealing may be filed 1 year after final disposition of all criminal proceedings or release from supervision of criminal conviction; for class 2,3 or drug misdemeanors, 2 years after final disposition of all criminal proceedings or release from supervision of criminal conviction; for class 4,5,6 felony or 3,4 drug felony, or class 1 misdemeanor 3 years after final disposition of all criminal proceedings</p>	<p>Arrest or criminal records information may not be sealed if: (A) an offense is not charged due to a plea agreement in a separate case; (B) dismissal occurs as part of a plea agreement in a separate case in which judgment or conviction has been entered; or (C) defendant still owes restitution, fines, court costs, late fees, or other fees ordered by the court in the case that is the subject of the petition to seal criminal records, unless the court that entered the order for restitution, fines, court costs, late fees, or other fees has vacated the order; class 1 or 2 misdemeanor traffic offenses; class</p>	<p>A person in interest may petition the district court of the district in which any arrest and criminal records information pertaining to the person in interest is located for the sealing of all of said records, except basic identification information, if the records are a record of official actions involving a case that was dismissed due to a plea agreement and not charged and the statute of limitations for the offense for which the person was arrested that has the longest statute of limitations has run or entered into a diversion agreement, in any case which was completely dismissed,</p>

<p>CO ST § 24-72-705 Sealing criminal justice records other than convictions—simplified process—processing fees—applicability</p> <p>CO ST § 24-72-706 Sealing criminal conviction records</p> <p>CO ST § 24-72-707 Sealing of criminal conviction records information for offenses committed by victims of human trafficking</p> <p>CO ST § 24-72-708 Sealing of criminal conviction records information for offenses involving municipal offenses for convictions</p>	<p>Sealing of criminal conviction records information for offenses involving controlled substances</p> <p>CO ST § 24-72-704</p> <p>Sealing of criminal conviction records information for offenses involving human trafficking</p> <p>CO ST § 24-72-707</p> <p>Mistaken identity</p> <p>CO ST § 24-72-702</p> <p>Expungement based on victim of human trafficking</p> <p>CO ST § 18-7-201.3</p> <p>Expedited procedure for sealing records in cases of dismissal, acquittal; completed diversion agreement or deferred judgement and sentence</p> <p>CO ST § 24-72-705</p> <p>Expungement when no charges were filed</p> <p>CO ST § 24-72-704</p>	<p>or release from supervision of criminal conviction; for all other offenses 5 years after</p> <p>CO ST § 24-72-706</p> <p>Motion for sealing records pertaining to a municipal violation may be filed 3 years after final disposition of all criminal proceedings or release from supervision of criminal conviction and defendant has not been charged or convicted of a felony, misdemeanor or traffic offense in 3 years CO ST § 24-72-706</p>	<p>A or B traffic offense; deferred judgment for motor vehicle license holder or felony offense for factual basis in unlawful sexual behavior</p> <p>CO ST § 24-72-703</p> <p>Enumerated offenses not subject to expungement</p> <p>CO ST § 24-72-706</p> <p>Misdemeanor traffic offense if committed by person holding learners permit or commercial license; domestic assault and battery; child abuse or unlawful sexual behavior violations;</p> <p>CO ST § 24-72-708</p>	<p>or in any case in which said person in interest was acquitted</p> <p>CO ST § 24-72-705</p> <p>Harm to privacy of defendant, dangers of adverse consequences outweigh the public interest in retaining access to records</p> <p>CO ST § 24-72-706</p> <p>CO ST § 24-72-708</p> <p>retaining access to records</p> <p>CO ST § 24-72-706</p>
<p>CONNECTICUT</p> <p>CT ST § 54-142a Erasure of criminal records</p> <p>CT ST § 54-142b Erasure of record of girl found guilty of being in manifest danger</p> <p>CT ST § 54-142c Disclosure of erased records</p>	<p>Any case where there is a finding of not guilty, dismissal of case, pardon</p> <p>CT ST § 54-142a</p> <p>Availability and erasure of information</p> <p>CT ST § 54-142k</p> <p>Erasure of record of girl found guilty of being in manifest danger</p>	<p>Upon the expiration of the time to file a writ of error or take an appeal; if an appeal is not taken, or upon final determination of the appeal sustaining a finding of not guilty or a dismissal, if an appeal is taken; anytime after a pardon is granted; Whenever any charge in a criminal case has been nolle in the Superior Court, or in the Court of</p>	<p>Nothing shall require the erasure of any record pertaining to a charge for which the defendant was found not guilty by reason of mental disease or defect or guilty but not criminally responsible by reason of mental disease or defect</p> <p>CT ST § 54-142a</p>	<p>Basis for expungement is as follows: where the defendant is found not guilty of the charge after final judgment; the charge is dismissed; there is a pardon</p> <p>CT ST § 54-142a</p>

<p>CT ST § 54-142d Destruction of record of decriminalized offense</p> <p>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</p> <p>CT ST § 54-142g Definitions</p> <p>CT ST § 54-142k Availability of conviction information and nonconviction information</p>	<p>CT ST § 54-142b Destruction of record of decriminalized offense</p> <p>CT ST § 54-142d</p>	<p>Common Pleas, if at least thirteen months have elapsed since such nolle, all police and court records and records of the state's or prosecuting attorney or the prosecuting grand juror pertaining to such charge shall be erased</p> <p>CT ST § 54-142a</p>		
<p>DELAWARE</p> <p>DE ST TI 10 § 1025 Expungement of adult police and court records</p> <p>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</p> <p>DE ST TI 11 § 4371 Statement of policy</p> <p>DE ST TI 11 § 4372 Applicability; definitions; effect of expungement</p> <p>DE ST TI 11 § 4373 Mandatory expungement; application through SBI</p> <p>DE ST TI 11 § 4374 Discretionary expungement; application to court</p>	<p>Expungement after disposition in favor of accused</p> <p>DE ST TI 11 § 4372</p> <p>Conditions for mandatory expungement for certain crimes</p> <p>DE ST TI 11 § 4373</p> <p>Discretionary expungement for certain crimes</p> <p>DE ST TI 11 § 4374</p> <p>Discretionary expungement for pardon</p> <p>DE ST TI 11 § 4375</p>	<p>Anytime after an acquittal, nolle prosequi is entered on all charges, accused is placed on probation before judgment and fulfills probation with an order discharging from probation or dismissal; all charges are dismissed</p> <p>DE ST TI 11 § 4372</p> <p>For discretionary expungement: 3 or 7 years since misdemeanor(s) conviction, incarceration or release with no prior or subsequent convictions based on offense; 7 years since felony conviction or release from incarceration and no prior or subsequent convictions</p> <p>DE ST TI 11 § 4374</p>	<p>Exceptions to mandatory expungement</p> <p>DE ST TI 11 § 4373</p> <p>Not expungable: second degree Vehicular assault, incest, third degree unlawful sexual assault, unlawfully dealing with a child; subsequent felony convictions after expungement; of prior expungement within 10 years; expungement not available if currently serving term of incarceration, parole, or probation; all fines, fees and restitution must be paid</p> <p>DE ST TI 11 § 4372</p>	<p>If a person is charged with or convicted of a crime in family court, expungement may be sought under Subchapter VII of Chapter 43 of Title 11</p> <p>DE ST TI 10 § 1025</p> <p>Criminal history are a hindrance</p> <p>DE ST TI 11 § 4371</p>

<p>DE ST TI 11 § 4375 Discretionary expungement following a pardon</p> <p>DE ST TI 11 § 4376 Disclosure of expunged records</p> <p>DE ST TI 11 § 4377 Notification to federal government</p>				
<p>DISTRICT OF COLUMBIA</p> <p>DC CODE § 16-801 Definitions</p> <p>DC CODE § 16-802 Sealing of criminal records on grounds of actual innocence</p> <p>DC CODE § 16-803 Sealing of public criminal records in other cases</p> <p>DC CODE § 16-803.01 Sealing of arrest records of fugitives from justice</p> <p>DC CODE § 16-803.02 Sealing of public records of decriminalized or legalized offenses</p> <p>DC CODE § 16-804 Motion to seal</p> <p>DC CODE § 16-805 Review by Court</p> <p>DC CODE § 16-806 Availability of sealed records</p> <p>DC CODE § 16-807 Savings provision</p> <p>DC CODE § 22-1844 Motion to vacate conviction or expunge</p>	<p>A person arrested for or charged with the commission of a criminal offense pursuant to the District of Columbia Official Code or the District of Columbia Municipal Regulations whose prosecution has been terminated without conviction may file a motion with the Clerk at any time to seal all of the records of the arrest and related court proceedings on grounds of actual innocence</p> <p>DC CODE § 16-802</p> <p>Sealing records of fugitives from justice</p> <p>DC CODE § 16-803.01</p>	<p>A defendant may file after for expungement in cases where there is no subject to enumerated conditions</p> <p>DC CODE § 16-803</p> <p>For actual innocence, may file at any time after termination of prosecution without conviction</p> <p>DC CODE § 16-802</p> <p>Person arrested, charged or convicted of offense that is decriminalized or legalized after the date of the arrest, charge, or conviction may file a motion to seal the record of the arrest, charge, conviction, and related Superior Court proceedings at any time</p> <p>DC CODE § 16-803.02</p>	<p>Cases not eligible for expungement are as follows: Ineligible felony means any felony other than a failure to appear. "Ineligible misdemeanor" means: (A) An interpersonal, intimate partner or intrafamily offense; (B) Driving while intoxicated, driving under the influence, and operating while impaired; (C) A misdemeanor offense for which sex offender registration is required, whether or not the registration period has expired; (D) Criminal abuse of a vulnerable adult; (E) Interfering with access to a medical facility; (F) Possession of a pistol by a convicted felon; (G) Failure to report child abuse; (H) Refusal or neglect of guardian to provide for child under 14 years of age; (I) Disorderly conduct (peeping tom); (J) Misdemeanor sexual abuse; (K) Violating the Sex Offender Registration Act; (L) Violating child labor laws; Election/Petition fraud; (N) Public assistance fraud; (O) Trademark</p>	<p>If filing an expungement based on innocence, the movant must establish that: (1) the offense for which the person was arrested or charged did not occur; or the movant did not commit the offense; if the motion is filed within 4 years after the prosecution has been terminated, the movant must satisfy the burden by a preponderance of the evidence; if the motion is filed more than 4 years after the prosecution has been terminated, the movant must satisfy the burden by clear and convincing evidence; an acquittal does not establish a presumption that the movant is innocent or entitled to relief pursuant to this section; with misdemeanors where the movant had to wait 2 years to file, the burden shall be on the prosecutor to establish by a preponderance of the evidence that it is not in the interests of justice to grant relief; if the movant had to wait 5 years to file, the burden shall be on the movant to establish by a preponderance</p>

<p>criminal records for victims of trafficking</p> <p>DC CODE § 48-904.01</p> <p>Prohibited acts A; penalties</p> <p>1 DC ADC § 1004</p> <p>Adult records</p>			<p>counterfeiting; (P) Attempted trademark counterfeiting; (Q) Fraud in the second degree; (R) Attempted fraud; (S) Credit card fraud; (T) Attempted credit card fraud; (U) Misdemeanor insurance fraud; (V) Attempted insurance fraud; (W) Telephone fraud; (X) Attempted telephone fraud; (Y) Identity theft, second degree; (Z) Attempted identity theft; (AA) Fraudulent statements or failure to make statements to employee; (BB) Fraudulent withholding information or failure to supply information to employer; (CC) Fraud and false statements; (DD) False statement/ dealer certificate; (EE) False information/ registration; (FF) No school bus driver's license; (GG) False statement on Department of Motor Vehicles document; (HH) No permit--2nd or greater offense; (II) Altered title; (JJ) Altered registration; (KK) No commercial driver's license; (LL) A violation of building and housing code regulations; (MM) A violation of the Public Utility Commission regulations; and (NN) Attempt or conspiracy to commit any of the foregoing offenses</p> <p>DC CODE § 16-801</p>	<p>of the evidence that it is in the interests of justice to grant relief; if the movant had to wait 10 years to file, the burden shall be on the movant to establish by clear and convincing evidence that it is in the interests of justice to grant relief</p> <p>DC CODE § 16-802</p>
<p>FLORIDA</p> <p>FL ST § 98.0751</p> <p>Restoration of voting</p>	<p>Any case in which the movant has acquired a certificate for eligibility of expungement</p>	<p>After a certificate has been acquired and after there has been an acquittal, dismissal,</p>	<p>Criminal history record that relates to a violation of s. 784.011, 784.03, 784.07(2)(a),</p>	<p>The court may expunge any case that is not in the previous category and is in one of the</p>

<p>rights; termination of ineligibility subsequent to a felony conviction</p>	<p>FL ST § 943.0585</p>	<p>or an adjudication other than guilty that does not result in a conviction</p>	<p>790.01(1), 790.053, 790.115, 790.1615(1), 790.22(5), 800.03, 839, s. 847.0133, s. 847.0135, s. 847.0145, 806.031(1), 812.014(3), 827.03(1)(e), 828.12(1), 943.0584</p>	<p>following categories: that an indictment, information, or other charging document was not filed or issued in the case; that an indictment, information, or other charging document, if filed or issued in the case, was dismissed or nolle prosequi by the state attorney or statewide prosecutor, or was dismissed by a court of competent jurisdiction, or judgment of acquittal or verdict of not guilty; person has no prior felony conviction or listed misdemeanors or ineligible history under 943.0584; no longer under court supervision; no prior expunction within 10 years</p>
<p>FL ST § 943.0578 Lawful self-defense expunction</p>	<p>Automatic sealing of criminal history records</p>	<p>FL ST § 943.0585</p>	<p>FL ST § 943.0585</p>	<p>FL ST § 943.0585</p>
<p>FL ST § 943.0581 Administrative expunction for arrests made contrary to law or by mistake</p>	<p>FL ST § 943.0595</p>	<p>Any court of competent jurisdiction may order criminal justice agency to seal criminal history record of minor or adult who complies with statute</p>	<p>Records which may not be sealed</p>	<p>FL ST § 943.0585</p>
<p>FL ST § 943.0582 Diversion program expunction</p>	<p>FL ST § 943.059</p>	<p>Administrative expunction of arrest records</p>	<p>FL ST § 943.059</p>	<p>FL ST § 943.0584</p>
<p>FL ST § 943.0583 Human trafficking victim expunction</p>	<p>FL ST § 943.0581</p>	<p>Human trafficking victim expunction</p>	<p>FL ST § 943.0584</p>	<p>FL ST § 943.0585</p>
<p>FL ST § 943.0584 Criminal history ineligible for court-ordered expunction or court-ordered sealing</p>	<p>FL ST § 943.0583</p>	<p>Self-defense expunction</p>	<p>FL ST § 943.0584</p>	<p>FL ST § 943.0578</p>
<p>FL ST § 943.0585 Court-ordered expunction of criminal history records</p>	<p>FL ST § 943.0578</p>	<p>Court-ordered sealing of criminal history records</p>	<p>FL ST § 943.0585</p>	<p>FL ST § 943.0595</p>
<p>FL ST § 943.059 Court-ordered sealing of criminal history records</p>	<p>FL ST § 943.0595</p>	<p>Automatic sealing of criminal history records</p>	<p>FL ST RCRP Rule 3.692</p>	<p>FL ST RCRP Rule 3.692</p>
<p>FL ST RCRP Rule 3.692 Petition to seal or expunge</p>	<p>FL ST RCRP Rule 3.692</p>	<p>11 FL ADC 11C-7.006 Procedures on court-ordered expunctions</p>	<p>FL ST RCRP Rule 3.692</p>	<p>FL ST RCRP Rule 3.692</p>
<p>11 FL ADC 11C-7.006 Procedures on court-ordered expunctions</p>	<p>FL ADC 11C-7.012</p>	<p>11 FL ADC 11C-7.012 Procedures on lawful self-defense expunctions</p>	<p>FL ADC 11C-7.013</p>	<p>FL ADC 11C-7.013</p>
<p>11 FL ADC 11C-7.012 Procedures on lawful self-defense expunctions</p>	<p>FL ADC 11C-7.013</p>	<p>11 FL ADC 11C-7.013 Procedures for</p>	<p>FL ADC 11C-7.013</p>	<p>FL ADC 11C-7.013</p>
<p>11 FL ADC 11C-7.013 Procedures for</p>	<p>FL ADC 11C-7.013</p>	<p>11 FL ADC 11C-7.013 Procedures for</p>	<p>FL ADC 11C-7.013</p>	<p>FL ADC 11C-7.013</p>

<p>automatic sealing of criminal history records</p>				
<p>GEORGIA</p> <p>GA ST § 42-8-60 When applicable; violation of probation</p> <p>GA ST § 42-8-62 Transmission of filings, orders, and notices to the Georgia crime information center</p> <p>GA ST § 42-8-62.1 Limitation of public access to information</p> <p>GA ST § 42-8-65 Pleading and proof of finding of guilt on subsequent prosecutions; release of records</p> <p>GA ST § 42-8-66 Discharge and exoneration petition</p>	<p>None</p>	<p>Individuals exonerated of guilt and discharged may petition for order to seal records</p> <p>GA ST § 42-8-62.1</p>	<p>First offender exoneration of guilt</p> <p>GA ST § 42-8-60</p>	<p>When considering request for expungement court shall weigh public interest in criminal record and defendants privacy</p> <p>GA ST § 42-8-62.1</p>
<p>HAWAII</p> <p>HI ST § 706-622.5 Sentencing for drug offenders; expungement</p> <p>HI ST § 706-622.9 Sentencing for first-time property offenders; expungement</p> <p>HI ST § 712-1200 Prostitution</p> <p>HI ST § 712-1256 Expunging of court records</p> <p>HI ST § 831-3.2 Expungement orders</p>	<p>In any case without a conviction; for conditional discharge cases, upon the dismissal of such person and discharge of the proceeding against the person, this person, if the person was not over twenty years of age at the time of the offense, may apply to the court for an order to expunge their criminal record</p> <p>HI ST § 712-1256</p> <p>Drug offences under certain circumstances</p> <p>HI ST § 706-622.5</p>	<p>After the case has either been acquitted, dismissed, or does not result in a conviction</p> <p>HI ST § 712-1256</p> <p>Three years after discharge for prostitution</p> <p>HI ST § 712-1200</p>	<p>An expungement order shall not be issued: (1) in the case of an arrest for a felony or misdemeanor where conviction has not been obtained because of bail forfeiture; (2) for a period of five years after arrest or citation in the case of a petty misdemeanor or violation where conviction has not been obtained because of a bail forfeiture; (3) in the case of an arrest of any person for any offense where conviction has not been obtained because the person has rendered prosecution impossible by absencing oneself from the jurisdiction; (4) in the case of a</p>	<p>None</p>

			<p>person acquitted who was involuntarily hospitalized or acquitted or charge dismissed due to physical or mental disorder, disease or defect; and (5) for a period of one year upon discharge of the defendant and dismissal of the charge against the defendant in the case of a deferred acceptance of guilty plea or nolo contendere plea</p> <p>HI ST § 831-3.2</p>	
<p>IDAHO</p> <p>ID ST § 18-8310 Release from registration requirements-- Expungement</p> <p>ID ST § 67-3004 Fingerprinting and identification</p> <p>ID ST § 67-3014 Expungement for victims of human trafficking</p>	<p>Any person who was arrested or served a criminal summons and who subsequently was not charged by indictment or information within one (1) year of the arrest or summons, and any person who was acquitted of all offenses arising from an arrest or criminal summons, or who has had charges dismissed, may have the fingerprint and criminal history record taken in connection with the incident expunged pursuant to the person's written request directed to the department and may have the official court file thereof sealed</p> <p>ID ST § 67-3004</p> <p>Court may order expungement of information in central registry for sex offenders</p> <p>ID ST § 18-8310</p>	<p>One year after the arrest or summons</p> <p>ID ST § 67-3004</p>	<p>If the person eligible for expungement does get charged with a crime within a year of the initial summons</p> <p>ID ST § 67-3004</p>	<p>No charge or conviction occurred</p> <p>ID ST § 67-3004</p>

	<p>Human trafficking victim expunction</p> <p>ID ST § 67-3014</p>			
<p>ILLINOIS</p> <p>IL ST CH 20 § 2630/5 Arrest reports</p> <p>IL ST CH 20 § 2630/5.2 Expungement, sealing and immediate sealing</p> <p>IL ST CH 20 § 2630/12 Entry of order; effect of expungement or sealing records</p> <p>IL ST CH 20 § 2630/13 Retention and release of sealed records</p> <p>IL ST CH 20 § 2630/14 Expungement Backlog Accountability Law</p> <p>IL ST Rule 8.25 Petitions to expunge records of arrest</p> <p>20 IL ADC § 1205.20 Definitions</p> <p>20 IL ADC § 1205.30 Expungement order requirements</p> <p>IL ST CH 430 § 67/80 Expungement or sealing of order</p> <p>IL ST CH 730 § 5/3-3-2 Powers and duties</p>	<p>May petition for expungement records of arrests and charges not initiated by arrest when each charge resulted in acquittal, dismissal, or release without charging, or conviction was vacated or reversed, or an order of supervision or probation was completed; states attorney may object to expungement; Arrests or charges not initiated by arrest resulting in acquittal or dismissal with prejudice, except as excluded, that occur after effective date may be sealed immediately if petition is file with clerk of circuit court on the same day at the same hearing in which the case is disposed</p> <p>IL ST CH 20 § 2630/5.2</p> <p>Automatic expunction in certain cases</p> <p>IL ST CH 20 § 2630/5.2</p>	<p>When arrest or charge not initiated by arrest results in acquittal, dismissal, or release, there is no waiting period; where case resulted in supervision, wait period is five or two years; where case resulted in probation, must wait five years</p> <p>IL ST CH 20 § 2630/5.2</p>	<p>Those records that result from a supervision for a violation of Section 11-501 of the Illinois Vehicle Code or a similar provision of a local ordinance, shall not be expunged; statute does not further identify which charges may not be expunged or sealed; instead, statute identifies which charges and convictions may be expunged or sealed</p> <p>IL ST CH 20 § 2630/5.2</p>	<p>The Chief Judge of the circuit wherein the charge was brought, any judge of that circuit designated by the Chief Judge, or in counties of less than 3,000,000 inhabitants, the presiding trial judge at the petitioner's trial may upon verified petition of the defendant order the record of arrest expunged from the official records of the arresting authority and the Department and order that the records of the clerk of the circuit court be sealed until further order of the court upon good cause shown and the name of the defendant obliterated on the official index required to be kept by the circuit court clerk</p> <p>IL ST CH 20 § 2630/5.2</p>
<p>INDIANA</p> <p>IN ST ADMIN Rule 9 Court Records and Fees</p> <p>IN ST MADISON RC Rule 10 LR48-CR00 Rule 10 Expungement of conviction procedure</p>	<p>Where there was arrest and charge with offense but did not result in conviction, conviction was vacated on appeal, and not currently participating in pretrial diversion program, may petition</p>	<p>Limitation on access may be petitioned for after 15 years</p> <p>IN ST 35-38-5-5</p> <p>For felony conviction, not earlier than ten years from date of</p>	<p>An elected official convicted of an offense while serving the official's term or as a candidate for public office, A sex or violent offender (as defined in IC 11-8-8-5), a person convicted of a felony</p>	<p>If the court finds by a preponderance of the evidence that: the period required by this section has elapsed; no charges are pending against the person; the person has paid all fines, fees</p>

<p>IN ST 35-38-5-5 Petition to limit access to limited criminal history of person discharged from probation, imprisonment, or parole</p>	<p>for expungement not earlier than 1 year after date of the arrest or criminal charge (whichever is later) or date the vacating opinion becomes final or earlier time if prosecuting attorney agrees in writing</p>	<p>conviction, or five years from completion of sentence, unless the prosecuting attorney consents in writing to an earlier period, the person convicted of the felony may petition the sentencing court to expunge conviction records including records of a collateral action</p>	<p>that resulted in serious bodily injury or death to another person, a person convicted of official misconduct (IC 35-44.1-1-1), a person convicted of an offense described in: (A) IC 35-42-1; (B) IC 35-42-3.5; or (C) IC 35-42-4; a person convicted of 2 or more felonies involving unlawful use of deadly weapon and not committed as part of same episode of criminal conduct; person convicted of a felony that resulted in death to another person</p>	<p>and court costs, and satisfied any restitution obligation placed as part of sentence; and the person has not been convicted of a crime within the previous ten years the court shall order the conviction records expunged and prosecutor has consented in writing</p>
<p>IN ST 35-38-5-6 Violation of chapter</p>	<p>IN ST 35-38-9-1</p>	<p>IN ST 35-38-9-4</p>	<p>IN ST 35-38-9-4</p>	<p>IN ST 35-38-9-2</p>
<p>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</p>	<p>Court files, files of the department of correction; files of the bureau of motor vehicles; and files of any other person who provided treatment or services to the petitioning person under a court order that relate to the person's felony conviction</p>	<p>Not earlier than five years after the date of conviction (unless the prosecuting attorney consents in writing to an earlier period), for the misdemeanor or felony reduced to misdemeanor pursuant to 35-1-1.5 or 35-50-2-7, the person convicted of the misdemeanor or felony reduced to misdemeanor may petition a court to expunge all conviction records</p>	<p>IN ST 35-38-9-5</p>	<p>IN ST 35-38-9-3</p>
<p>IN ST 35-38-9-2 Persons convicted of a misdemeanor; expungement of conviction records; conditions</p>	<p>IN ST 35-38-9-4</p>	<p>IN ST 35-38-9-2</p>	<p>Convictions of 2 or more felony offenses that involved use of deadly weapon and not committed as part of the same episode of criminal conduct, sex or violent offender as defined in 11-8-8-5</p>	<p>IN ST 35-38-9-4</p>
<p>IN ST 35-38-9-3 Persons convicted of a Class D felony; expungement of conviction records; conditions</p>	<p>Court files, files of the department of correction; the files of the bureau of motor vehicles; and the files of any other person who provided treatment or services to the petitioning person under a court order;</p>	<p>IN ST 35-38-9-2</p>	<p>IN ST 35-38-9-2</p>	<p>IN ST 35-38-9-4</p>
<p>IN ST 35-38-9-4 Persons convicted of a felony; expungement of conviction records; conditions</p>	<p>that relate to the person's misdemeanor conviction including records of collateral action</p>	<p>IN ST 35-38-9-2</p>	<p>IN ST 35-38-9-3</p>	<p>IN ST 35-38-9-4</p>
<p>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</p>	<p>IN ST 35-38-9-2</p>	<p>IN ST 35-38-9-2</p>	<p>IN ST 35-38-9-4</p>	<p>IN ST 35-38-9-5</p>
<p>IN ST 35-38-9-6 Duties of court concerning expungement of records under IC</p>	<p>IN ST 35-38-9-1</p>	<p>IN ST 35-38-9-1</p>	<p>IN ST 35-38-9-5</p>	<p>IN ST 35-38-9-4</p>

<p>35-38-9-2 and 35-38-9-3</p> <p>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</p> <p>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</p> <p>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</p> <p>IN ST 35-38-9-9 Actions taken on petition</p> <p>IN ST 35-38-9-9.5 Collateral action adjudicated or conducted on a county other than the county in which a court granted expungement; hearing records; filing</p>				
<p>IOWA</p> <p>IA ST § 123.46 Consumption or intoxication in public places—notifications—chemical tests—expungement</p> <p>IA ST § 901C.2 Not-guilty verdicts and criminal-charge dismissals—expungement</p>	<p>In cases where judgment has been deferred and the petitioner has successfully completed the requirements of probation for judgment not to be entered</p> <p>IA ST § 907.9</p>	<p>Upon completion of probation and payment of fees the defendant shall be discharged without entry of judgment</p> <p>IA ST § 907.3</p> <p>the court's record shall not be expunged until the person has paid the restitution, civil penalties, court costs, fees, or other financial obligations ordered by the court or assessed by</p>	<p>The following cases cannot be discharged without entry of judgment: forcible felony; a violation of chapter 709 committed by a person who is a mandatory reporter of child abuse under section 232.69 in which the victim is a person who is under the age of eighteen; (1) defendant previously has been convicted of a felony; (2) prior to the commission of the</p>	<p>The trial court may, upon a plea of guilty, a verdict of guilty, or a special verdict upon which a judgment of conviction may be rendered, exercise any of the options to expunge provided that the offense qualifies for expungement per the statute</p> <p>IA ST § 907.3</p> <p>Court finds defendant has established case</p>

<p>IA ST § 901C.3 Misdemeanor-- expungement</p> <p>IA ST § 907.1 Definitions</p> <p>IA ST § 907.9 Discharge from probation</p> <p>IA ST § 907.3 Deferred judgment, deferred sentence or suspended sentence</p> <p>IA ST § 907.9 Discharge from probation—procedure —expungement of deferred judgments</p>		<p>the clerk of the district court in the case that includes the deferred judgment,</p> <p>IA ST § 907.9</p> <p>Misdemeanor offense after 8 years with no pending criminal charges, more than 2 deferred judgements or any outstanding financial obligations; one lifetime expungement</p> <p>IA ST § 901C.3</p> <p>Public intoxication or consumption expungement after 2 years with no additional criminal convictions</p> <p>IA ST § 123.46</p>	<p>offense the defendant had been granted a deferred judgment or similar relief, two or more times anywhere in the United States; (3) prior to the commission of the offense the defendant had been granted a deferred judgment or similar relief in a felony prosecution anywhere in the United States within the preceding five years; (4) Defendant is a corporation; (5) Offense is violation of 124.401 subsection 1 a or b and the controlled substance is methamphetamine; (6) offense is a violation of section 321J.2 and the person has been convicted of a violation of that section or the person's driver's license has been revoked under chapter 321J, and any of the following apply: (a) if the defendant's alcohol concentration exceeds .15; (b) if the defendant has previously been convicted of a violation of section 321J.2, subsection 1, or a violation of a statute in another state substantially corresponding to section 321J.2, subsection 1; (c) if the defendant has previously received a deferred judgment or sentence for a violation of section 321J.2, subsection 1, or for a violation of a statute in another state substantially corresponding to section 321J.2, subsection 1; (d) if</p>	<p>contains one or more criminal charges in which an acquittal was entered or all criminal charges were otherwise dismissed; all court costs, fees, ordered by the court have been paid; minimum of 180 days have passed since entry of the judgment of acquittal or of the order dismissing the case unless the court finds good cause to waive this requirement; the case was not dismissed due to the defendant being found not guilty by reason of insanity; The defendant was not found incompetent to stand trial in the case</p> <p>IA ST § 901C.2</p>
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the defendant refused to consent to testing;

(e) if the offense under chapter 321J results in bodily injury to a person other than the defendant;

(f) if offense was committed in violation of 321.279, sub 3, para a, subpara (2); (7) offense is a violation of section 462A.14, and a mandatory minimum sentence must be served or mandatory minimum fine must be paid by the defendant; (8) offense is a conviction for or plea of guilty to a violation of section 664A.7 or a finding of contempt pursuant to section 664A.7; (9) offense is a violation of chapter 692A; (10) offense is a violation of section 707.6A, subsection 1; or a violation of section 707.6A, subsection 4, involving operation of a motor vehicle while intoxicated; (11) Defendant committed the assault as defined in 708.1 against a peace officer in the performance of their duty; (12) prior to the commission of the offense the defendant had been granted a deferred judgment or deferred sentence for a violation of section 708.2 or 708.2A which was issued on a domestic abuse assault, or was granted similar relief anywhere in the United States concerning that jurisdiction's statutes which substantially correspond to domestic abuse assault and the

			<p>current offense is a violation of section 708.2A; (013) the offense is a violation of 709.2A subsection 4; (13) the offense is a violation of 709.8 and the child is 12 years of age or under</p> <p>IA ST § 907.3</p> <p>Misdemeanors that may not be expunged</p> <p>IA ST § 901C.3</p>	
<p>KANSAS</p> <p>KS ST 12-4516 Expungement of certain convictions, arrest records and diversion agreements</p> <p>KS ST 12-4516a Expungement of city ordinance violations; disclosure limited upon filing of petition</p> <p>KS ST 12-4516d Expungement of certain convictions, arrests records and diversion agreements (Repealed)</p> <p>KS ST 12-4516f Expungement of certain convictions, arrest records and diversion agreements</p> <p>(Repealed)</p> <p>KS ST 21-6614 Expungement of certain convictions, arrest records and diversion agreements</p> <p>KS ST 21-6614g Expungement of certain convictions, arrest records and diversion agreements (Repealed)</p>	<p>In state court, traffic infraction, cigarette or tobacco infraction, misdemeanor, Class D or Class E felony; for crimes committed on or after July 1, 1993, nondrug felony rank 6-10 or crimes after July 1, 2012 level 4 or crimes after July 1 2012 felony ranked level 5; additionally, other convictions or arrest records may be expunged; statute lists those that may not be expunged; convictions or diversion program for prostitution, 1 year after satisfaction of agreement, sentence or probation and coercion was motivation for offense</p> <p>KS ST 21-6614</p> <p>In municipal court, any person who has been convicted of a violation of a city ordinance of this state may petition the convicting court for the expungement of such conviction and related arrest records; diversion agreements</p> <p>KS ST 12-4516a</p>	<p>In municipal court, after three or more years have elapsed since the person: (A) satisfied the sentence imposed; or (B) was discharged from probation, parole or a suspended sentence; any person who has fulfilled the terms of a diversion agreement based on a violation of this state may petition the court for the expungement of such diversion agreement and related arrest records if three or more years have elapsed since the terms of the diversion agreement were fulfilled; no person may petition for expungement until five or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence, if such person was convicted of the violation of a city ordinance which would</p>	<p>Generally, no expungement for rape, indecent liberties with child, criminal sodomy, indecent solicitation of child, sexual exploitation of child, internet trading in child pornography, aggravated incest, endangering a child, abuse of child, murder, voluntary manslaughter, involuntary manslaughter, sexual battery, any conviction for any offense prior to July 1, 2011 that is a comparable offense</p> <p>KS ST 21-6614</p> <p>In municipal court, there shall be no expungement of convictions or diversions for a violation of a city ordinance, which would also constitute a violation of K.S.A. 8-1567 or 8-2,144, and amendments</p> <p>KS ST 12-4516</p> <p>There shall be no expungement of convictions for the</p>	<p>In municipal court, individual must submit a petition to the court on which the relief of expungement can be granted</p> <p>KS ST 12-4516</p> <p>Court shall order the petitioner's arrest record, conviction or diversion expunged if the court finds that:</p> <p>The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against the petitioner; (2) the circumstances and behavior of the petitioner warrant the expungement; (3) the expungement is consistent with the public welfare</p> <p>KS ST 12-4516f</p> <p>KS ST 21-6614</p>

[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

also constitute: (1) vehicular homicide; (2) driving while the privilege to operate a motor vehicle on the public highways of this state has been canceled, suspended or revoked; (3) perjury resulting from a violation of [K.S.A. 8-261a](#), and amendments; (4) a violation of the provisions of the fifth clause of [K.S.A. 8-142](#), and amendments thereto, relating to fraudulent applications; (5) any crime punishable as a felony wherein a motor vehicle was used in the perpetration of such crime; (6) failing to stop at the scene of an accident and perform the duties required by [K.S.A. 8-1603](#) or [8-1602](#) or [8-1604](#), and amendments; (7) a violation of the provisions of [K.S.A. 40-3104](#), and amendments thereto, relating to motor vehicle liability insurance coverage; or (8) a violation of [K.S.A. 21-3405b](#), and amendments

[KS ST 12-4516h](#)

No person may petition for expungement until five or more years or 10 or more years have elapsed since the person satisfied the sentence imposed, the terms of a diversion agreement or was discharged from probation, a community correctional services program, parole, postrelease supervision, conditional release or a

following offenses or of convictions for an attempt to commit any of the following offenses: (1) Rape; (2) indecent liberties with a child or aggravated indecent liberties with a child; (3) criminal sodomy; (4) aggravated criminal sodomy; (5) indecent solicitation of a child or aggravated indecent solicitation of a child; (6) sexual exploitation of a child; (7) internet trading in child pornography (8) aggravated incest; (9) endangering a child or aggravated endangering a child; (10) abuse of a child; (11) capital murder as defined in [K.S.A. 21-5401](#), and amendments thereto; (12) murder in the first degree; (13) murder in the second degree; (14) voluntary manslaughter; (15) involuntary manslaughter as defined in [K.S.A. 21-5405](#), and amendments thereto; (16) sexual battery when the victim was less than 18 years of age at the time the crime was committed; (17) aggravated sexual battery; (18) a violation of [K.S.A. 8-2,144](#), and amendments thereto, including any diversion for such violation; or (19) any conviction for any offense in effect at any time prior to July 1, 2011 that is comparable to any offense as provided in this subsection; for any offender required to register as provided in Kansas offender registration act 22-4901

		<p>suspended sentence for enuneted offenses</p> <p>KS ST 12-4516f</p> <p>For conviction of violation of a city ordinance, one or more years have elapsed since the person satisfied the sentence imposed or the terms of a diversion agreement or was discharged from probation, parole, conditional release or a suspended sentence, and such person can prove they were acting under coercion caused by the act of another</p> <p>KS ST 12-4516f</p>	<p>et seq., there shall be no expungement while offender is required to register as provider by the offender registration act</p> <p>KS ST 21-6614</p>	
<p>KENTUCKY</p> <p>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</p> <p>KY ST § 431.074 Index of expungement orders; restricted access</p> <p>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</p> <p>KY ST § 431.078 Expungement of misdemeanor and</p>	<p>Automatic expungement if court enters acquittal or order dismissing with prejudice all charges court shall order expungement within 30 days; a person who has been charged with a criminal offense and who has acquitted of the charge, or against whom charges have been dismissed, and not in exchange for a guilty plea to another charge, and whose records have been expunged, may petition the court in which the disposition of the charges were made, to expunge all charges; a person against whom felony charges foled have not resulted in an indictment or information may petition the district court to dismiss and expunge all charges</p> <p>KY ST § 431.076</p>	<p>In cases where there is a dismissal or acquittal, the expungement petition shall be filed no sooner than sixty (60) days following the order of acquittal or dismissal with prejudice by the court, 6 months following the date of the court decision to hold the matter to the grand jury, or 3 years following the order of dismissal without prejudice for felon cases and one year following the dismissal for misdemeanor cases; a person convicted of misdemeanor</p> <p>and violation cases, petition shall be filed no sooner than one (5) year after the completion of the person's sentence or five (5) years after the successful completion of the person's probation,</p>	<p>None</p>	<p>In cases of misdemeanor, violation or traffic violation arising from one incident, the court may grant the motion and order the expunging of all records in the custody of the court and any records in the custody of any other agency or official, including law enforcement records; in misdemeanor and violation cases, court shall order expunged all records in the custody of the court and any records in the custody of any other agency or official, including law enforcement records, if at the hearing the court finds that: offense was not a sex offense or an offense committed against a child; person had not in 5 years prior to filing been convicted of a felony or misdemeanor, no</p>

<p>violation conviction records</p> <p>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</p> <p>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</p>	<p>Every petition for expungement of a conviction shall include a certification of eligibility for expungement</p> <p>KY ST § 431.079</p> <p>Expungement of records relating to victims of human trafficking</p> <p>KY ST § 529.160</p>	<p>whichever occurs later; In cases of misdemeanor, violation or traffic violation arising from one incident,</p> <p>KY ST § 431.076</p> <p>KY ST § 431.078</p>	<p>proceeding concerning a felony, misdemeanor, is pending or being instituted against the person, and offense is not subject to enhancement; for petitions involving a series of misdemeanors, violations or infractions not arising from a single incident, court may order expungement if court finds that: no offense against child or sex offense, no felony or misdemeanor convictions or pending in previous 5 years, offense not subject to enhancement</p> <p>KY ST § 431.078</p> <p>Any person who has been convicted of a listed Class D felony, or a series of Class D felony violations of enumerated sections arising from a single incident, or who has been granted a full pardon, may file with the court to have the judgment vacated if the person had not previously had a felony conviction vacated and the record expunged pursuant to this section; The person had not in the 5 years prior to the filing have the judgment vacated or been convicted of a felony or a misdemeanor; and no proceeding concerning a felony or misdemeanor is pending or being instituted against the person; if no objection to the application to have the judgment</p>
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				<p>vacated, or if one hundred twenty (120) days have elapsed since the filing of the application and no response has been received, the court may, without a hearing, vacate the judgment and upon entry of an order vacating and expunging a conviction, the original conviction shall be vacated and the record shall be expunged</p> <p>KY ST § 431.076</p> <p>Factors for expungement for felony convictions with commonwealth objection</p> <p>KY ST § 431.073</p>
<p>LOUISIANA</p> <p>LA C.Cr.P. Art. 971 Legislative findings</p> <p>LA C.Cr.P. Art. 972 Definitions</p> <p>LA C.Cr.P. Art. 973 Effect of expunged record of arrest or conviction</p> <p>LA C.Cr.P. Art. 975 Individuals incarcerated; ineligible to file motion to expunge records</p> <p>LA C.Cr.P. Art. 976 Motion to expunge record of arrest that did not result in a conviction</p> <p>LA C.Cr.P. Art. 977 Motion to expunge a record of arrest and conviction of a misdemeanor offense</p>	<p>Motion to expunge record of arrest for felony or misdemeanor offense that did not result in conviction if not prosecuted for the offense or dismissed, quashed or acquitted</p> <p>LA C.Cr.P. 976</p> <p>May file motion to expunge record for arrest and conviction of misdemeanor offense if conviction was set aside more than 5 years has passed, not convicted of felony and no pending charges; expungement of operating motor vehicle while intoxicated only once in 10 year period</p> <p>LA C.Cr.P. 977</p> <p>Motion to expunge record of arrest and conviction for felony</p>	<p>May petition for expungement of felony offense if: conviction was set aside and prosecution dismissed or more than 10 years have elapsed since completion of sentence, deferred adjudication, probation or parole, and no other convictions or charges pending, the person is entitled to a first offender pardon provided no crime of violence or sex offense</p> <p>LA C.Cr.P. 978</p> <p>May file motion for expungement for misdemeanor if: the conviction was set aside and the prosecution was dismissed or five or more years has elapsed between the date of the motion and the</p>	<p>No person is entitled to expungement under the following circumstances: Misdemeanor conviction related to sex offense (limited expungement may be available under Article 985.1), conviction for domestic abuse battery or stalking; no person arrested for operating a vehicle while intoxicated, and placed by the prosecuting authority into a pretrial diversion program, shall be entitled to an expungement of the record until five years have elapsed since the date of arrest for that offense</p> <p>LA C.Cr.P. 976</p> <p>No expungement granted or filed for felony offense</p>	<p>If, after a contradictory hearing or no objection filed, the court finds that the mover is entitled to expungement in accordance with law, it shall order all law enforcement agencies to expunge the same; however, the arresting agency may preserve the name and address of the person arrested and the facts of the case for investigative purposes only</p> <p>LA C.Cr.P. 980</p> <p>LA C.Cr.P. 973</p> <p>Court may order expungement for conviction of aggravated or second degree battery, aggravated criminal damage to property, simple robbery, purse</p>

<p>LA C.Cr.P. Art. 978 Motion to expunge a record of arrest and conviction of a felony offense</p> <p>LA C.Cr.P. Art. 980 Contradictory hearing, Et seq.</p>	<p>offense if: conviction was set aside and prosecution dismissed, more than 10 years since conviction adjudication, probation or parole, not other convictions for criminal offense and no charges pending; person is entitled to first offender pardon provided offense is not crime of violence or sex offense</p> <p>LA C.Cr.P. 978</p>	<p>successful completion of any sentence, deferred adjudication, or period of probation or parole, and person has not been convicted of felony in 5 years and no felony charges pending</p> <p>LA C.Cr.P. 977</p> <p>Wrongful conviction for person judicially determined to be factually innocent; district attorney declined to prosecute</p> <p>LA C.Cr.P. 976</p>	<p>if conviction for following offenses: crime of violence as defined by R.S. 14:2(B); sex offense or criminal offense against a minor as defined by R.S. 15:541, involving a child; carnal knowledge of a juvenile (limited expungement may be available for convictions prior to August 2001); Violation of Uniform Controlled Dangerous Substances Law (expungement may be available for possession or first offender pardon), conviction for domestic abuse battery</p> <p>LA C.Cr.P. 978</p>	<p>snatching, illegal use of weapon if proven that: more than 10 years since sentence, probation or parole, no convictions or pending charges</p> <p>LA C.Cr.P. 978</p>
<p>MAINE</p> <p>ME ST T. 15 § 3308 Court records; inspection</p> <p>ME ST T. 16 § 707 Unlawful dissemination of confidential criminal history record information</p>	<p>Juveniles may have records sealed</p> <p>ME ST T. 15 § 3308</p>	<p>Three years must pass for juvenile sealing</p> <p>ME ST T. 15 § 3308</p>	<p>None</p>	<p>Limits are placed on dissemination of nonconviction data</p> <p>ME ST T. 16 § 707</p>
<p>MARYLAND</p> <p>MD CRIM PROC § 6-232 Expungement</p> <p>MD CRIM PROC § 10-101 Definitions</p> <p>MD CRIM PROC § 10-102 Documents subject to expungement</p> <p>MD CRIM PROC § 10-103 Expungement of police record when no charge is filed</p>	<p>In a criminal case, when all of the charges against the defendant are disposed of by acquittal, dismissal, probation before judgment, nolle prosequi, or stet, the court shall advise the defendant that the defendant may be entitled to expunge the records and any DNA sample and DNA record relating to the charge or charges against the defendant</p>	<p>Petition for expungement based on an acquittal, a nolle prosequi, or a dismissal may not be filed within 3 years after the disposition, unless the petitioner files with the petition a written general waiver and release of all the petitioner's tort claims arising from the charge</p> <p>MD CRIM PROC § 10-105</p>	<p>Expungement is not permitted if the person is charged with a violation of § 21-902 of the Transportation Article or Title 2, Subtitle 5 or § 3-211 of the Criminal Law Article or the person is convicted with a crime of violence</p> <p>MD CRIM PROC § 10-105</p>	<p>Unless the State objects and shows cause why a record should not be expunged, if the State enters a nolle prosequi as to all charges in a criminal case within the jurisdiction of the District Court with which a defendant has not been served, the District Court may order expungement of each court record, police record, or other record that the State or a political subdivision</p>

[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 CRIM PROC § 10-110](#) Expungement of certain misdemeanors from records

[MD R CR RULE § 4-504](#) Petition for expungement when charged filed

[MD CRIM PROC § 6-232](#)

For arrests, detentions, or confinements occurring before October 1, 2007, a person who is arrested or confined by a law enforcement unit and then is released without being charged with the commission of a crime may request the expungement of the police records

[MD CRIM PROC § 10-103.1](#)

Person who has been charged may file petition listing relevant facts for expungement of records if: (1) the person is acquitted; (2) the charge is otherwise dismissed; (3) a probation before judgment is entered; (4) a nolle prosequi or nolle prosequi with the requirement of drug or alcohol treatment is entered; (5) the court indefinitely postpones trial of a criminal charge by marking the criminal charge "stet" or stet with the requirement of drug or alcohol abuse treatment on the docket; (6) the case is compromised under § 3-207 of the Criminal Law Article; (7) the charge was transferred to the juvenile court under § 4-202 of this article; (8) the person: (i) is convicted of only one criminal act, and that act is not a crime of violence; and (ii) is granted a full and unconditional pardon by the Governor;

For release without charges, law enforcement units must expunge within 60 days after release of person entitled to expungement of police record

[MD CRIM PROC § 10-103.1](#)

For arrests, detentions or confinements before October 1, 2007, that resulted in release with no charge must request expungement within 8 years after date of incident

[MD CRIM PROC § 10-103](#)

For felony violations of -104, 5-602(2) and 6-202(a), 6-203, 6-204, or solicitation of listed offenses: petition filed after 10 years upon completion of sentence; 15 years for domestically related crimes and felony convictions

[MD CRIM PROC § 10-110](#)

of the State keeps as to the charges

[MD CRIM PROC § 10-104](#)

Person and crime is eligible for expungement, person is no risk to public safety and in interest of justice (hearing if expungement is objected to)

[MD CRIM PROC § 10-110](#)

Expungement not allowed for sodomy conviction committed without consent against minor under 16, anyone individual could not marry, with a mentally incapacitated, substantially cognitively impaired or physically helpless individual

[MD CRIM PROC § 10-110](#)

	<p>(9) the person was convicted of a crime or found not criminally responsible for enumerated acts, (10) person was found not criminally responsible under law that prohibits misdemeanor trespass, disturbing the peace or telephone misuse (11) the person was convicted of a crime and the act on which the conviction was based is no longer a crime, (12) person was convicted of possession of marijuana, and must be filed within 3 years of that finding; A personal representative may file a petition for expungement if the person died before deposition of the charge by nolle prosequi or dismissal</p> <p>MD CRIM PROC § 10-105</p>			
<p>MASSACHUSETTS</p> <p>MA ST 258D § 7 Expungement or sealing of records; hearings</p> <p>MA ST 276 § 100G Petition for expungement of record of conviction</p> <p>MA ST 276 § 100I Certification of eligibility for expungement</p> <p>MA ST 276 § 100J Offenses excluded from eligibility of record for expungement</p> <p>MA ST 276 § 100K Expungement of record resulting in</p>	<p>Upon the entry of a judgment in favor of a claimant claiming erroneous felony convictions and following a separate hearing on the matter, the court may enter an order either directing expungement of those records of the claimant maintained by the criminal history systems board, the probation department, and the sex offender registry that directly pertain to the claimant's erroneous felony conviction case, including documents and other materials and any samples obtained from the claimant</p>	<p>After entry of judgment for a claimant who is claiming an erroneous felony conviction was entered on their record; expungement cannot be filed until after the entry of judgment</p> <p>MA ST 258D § 7</p>	<p>Offense resulting in or with intent to cause death or serious bodily injury; offense committed armed with deadly weapon; against elderly or disabled; sex offenses; driving under the influence; firearms offenses; violation of domestic relations orders</p> <p>MA ST 276 § 100J</p>	<p>Expungement for clear and convincing evidence of identity theft; offense no longer a crime; demonstrable error by law enforcement or witness; fraud on court; court discretion to order expungement based on best interests of justice</p> <p>MA ST 276 § 100K</p>

<p>false identification, an offense no longer a crime at time of expungement, error or fraud</p>	<p>MA ST 258D § 7</p> <p>Certification of eligibility for expungement</p> <p>MA ST 276 § 100I</p>			
<p>MICHIGAN</p> <p>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</p> <p>MI ST 780.621a Definitions</p> <p>MI ST 780.622 Entry of order; effect</p> <p>MI ST 780.623 Entry of order; nonpublic record; disclosure</p> <p>MI ST 780.624 Maximum number of convictions set aside</p>	<p>Person convicted of no more than 1 offense may file an application to set aside conviction; (a) person convicted of not more than 1 felony offense and not more than 2 misdemeanor offenses may petition to set aside the felony offense, (b) Except as provided in subdivision (c), a person who is convicted of not more than 2 misdemeanor offenses and no other felony or misdemeanor offenses may petition court(s) to set aside 1 or both of the misdemeanor convictions, (c) person who is convicted of a violation or an attempted violation of section 750.520e before the effective date of the amendatory act, may petition the court to set aside the conviction if the individual has not been convicted of another offense other than not more than 2 minor offenses; if offense was committed as a result of victim of human trafficking</p> <p>MI ST 780.621</p>	<p>Must wait five years to petition to have conviction set aside; may only have 1 conviction set aside</p> <p>MI ST 780.621</p> <p>MI ST 780.624</p>	<p>Crime for which penalty is life imprisonment may not be set aside, nor may violations of criminal sexual offenses, or traffic offenses including DWI, listed enumerated offenses, violation or attempted violation of 750.520e, felony conviction for domestic violence if prior misdemeanor conviction, violation of former section 462i or 462j of chapter LXVIIA or LXXXIII-A of penal code, MCL 750.42a to h and 750.543a to z</p> <p>MI ST 780.621</p>	<p>None</p>
<p>MINNESOTA</p> <p>MN ST § 609A.01 Expungement of criminal records</p>	<p>Upon the dismissal and discharge of proceedings against a person under section 152.18, subdivision 1, for violation of section 152.024,</p>	<p>Following a dismissal, acquittal, or outcome in favor of the petitioner</p> <p>MN ST § 609A.02</p>	<p>Records of a conviction of an offense for which registration is required under section 243.166 (predatory offenders) may not be expunged</p>	<p>The remedy available is expungement of a criminal record is an extraordinary remedy to be granted only upon clear and convincing evidence</p>

<p>MN ST § 609A.02 Grounds for order</p> <p>MN ST § 609A.025 No petition required in certain cases with prosecutor agreement and notification</p> <p>MN ST § 609A.03 Petition to expunge criminal records</p> <p>MN ST § 609A.04 Remedy</p>	<p>152.025, or 152.027 for possession of a controlled substance, the person may petition under section 609A.03 for the sealing of all records relating to the arrest, indictment or information, trial, and dismissal and discharge; a petition may be filed under section 609A.03 to seal all records relating to an arrest, indictment or information, trial, or verdict if the records are not subject to section 299C.11, subdivision 1, paragraph (b), and if all pending actions or proceedings were resolved in favor of the petitioner; for purposes of this chapter, a verdict of not guilty by reason of mental illness is not a resolution in favor of the petitioner, completed diversion program or stay and for petty misdemeanor has not been charged with new crime for 1 year, for gross misdemeanor not charged with crime in 4 years or 5 years for enumerated felonies</p> <p>MN ST § 609A.02</p> <p>Expungement available if nexus between crime and defendants status as a victim</p> <p>MN ST § 609A.03</p>		<p>MN ST § 609A.02</p>	<p>that it would yield a benefit to the petitioner commensurate with the disadvantages to the public and public safety of: (1) sealing the record; and (2) burdening the court and public authorities to issue, enforce, and monitor an expungement order; except as otherwise provided by this paragraph, if the petitioner is petitioning for the sealing of a criminal record under section 609A.02, subdivision 3, paragraph (a) clause 1 or 2, the court shall grant the petition to seal the record unless the agency or jurisdiction whose records would be affected establishes by clear and convincing evidence that the interests of the public and public safety outweigh the disadvantages to the petitioner of not sealing the record, and court shall consider 12 factors enumerated in section; if the court issues an expungement order it may require that the criminal record be sealed, the existence of the record not be revealed, and the record not be opened except as required under subdivision 7; records must not be destroyed or returned to the subject of the record</p> <p>MN ST § 609A.03</p>
<p>MISSISSIPPI</p>	<p>If the participant completes all</p>	<p>Any person who has been convicted of</p>	<p>No expunction of any implied consent</p>	<p>Any person who has been convicted a</p>

<p>MS ST § 9-23-23 Completion of program; expunction of record</p> <p>MS ST § 9-27-19 Charge and prosecution dismissed upon completion of program; expungement</p> <p>MS ST § 45-33-55 Exemptions for expunction</p> <p>MS ST § 99-19-71 Expungement of conviction; eligible offenses; notice; procedure; order; effect expungement of arrest record</p> <p>MS ST § 99-15-26 Release after successful completion of conditions</p> <p>MS ST § 99-15-57 Relief under previous law; expunging of record</p> <p>MS ST § 63-11-30 Operation under influence of alcohol or other impairing substance</p>	<p>requirements imposed upon him by the intervention court, including the payment of fines and fees assessed and not waived by the court, the charge and prosecution shall be dismissed; if the defendant or participant was sentenced at the time of entry of plea of guilty, the successful completion of the intervention court order and other requirements of probation or suspension of sentence will result in the record of the criminal conviction or adjudication being expunged; any person who has been convicted of a misdemeanor, that is not a traffic violation, and who is a first offender, may petition the justice, county, circuit or municipal court, as may be applicable, for an order to expunge any such conviction from all public records</p> <p>MS ST § 9-23-23</p> <p>MS ST § 99-19-71</p>	<p>one of the following felonies and has paid fines and costs may petition the court in which the conviction was had for an order to expunge one conviction from all public records five (5) years after the successful completion of all terms and conditions of the sentence; A person is eligible for only one felony expunction under this paragraph</p> <p>MS ST § 99-19-71</p>	<p>violation shall be allowed; sex offenses are exempted from laws or court orders authorizing the destroying, expunging, purging or sealing of criminal history records to the extent such information is authorized for dissemination; No public official is eligible for expunction under this section for any conviction related to his official duties</p> <p>MS ST § 9-23-23</p> <p>MS ST § 45-33-55</p> <p>MS ST § 99-19-71</p> <p>Enumerated felonies not expungable</p> <p>MS ST § 99-19-71</p>	<p>felony and who has paid all fines and costs may petition the court in which the conviction was had for an order to expunge one (1) conviction from all public records five (5) years after the successful completion of all terms and conditions of the sentence for the conviction upon hearing however a person is not eligible to expunge a felony classified as: a crime of violence in 97-3-2, arson in 97-17-1 and 97-17-3, trafficking in a controlled substance 41-29-139, third, fourth or subsequent DUI in 63-11-30(2)(c) and (2)(d), felon in possession of a firearm in 97-37-5, failure to register as a sex offender in 45-33-33, voyeurism in 97-29-61, witness intimidation in 97-9-113, abuse, neglect or exploitation of a vulnerable person in 40-47-19 or embezzlement in 97-11-25 and 97-23-19; A person is eligible for only one (1) felony expunction; no expunction of convictions related to public official duties</p> <p>MS ST § 99-19-71</p>
<p>MISSOURI</p> <p>MO ST 610.105 Effect of nolle pros, dismissal, finding of not guilty, suspension of sentence--records closed, exceptions</p>	<p>Record of arrest may be expunged if court finds that arrest was based on false information and there is no probable cause to believe person committed offense, no charges will be pursued and there was no suspended sentence, or</p>	<p>Official records may be closed upon termination of case if case is nolle prossed, dismissed, or if accused is found not guilty or sentence is suspended; exception in latter situation for child-related offenses</p>	<p>Only arrest records may be closed, and only under certain circumstances</p> <p>MO ST 610.105</p> <p>MO ST 610.122</p>	<p>Under certain circumstances, arrest records may be expunged if court finds arrest was based on false information</p> <p>MO ST 610.122</p>

<p>MO ST 610.106 Suspended sentence prior to September 28, 1981, procedure to close records</p>	<p>court determines person was arrested or charged with misdemeanor offense or moving violation under 302.010 except for intoxication-related offense and each offense related to the arrest was subsequently nolle prossed, dismissed or found not guilty and not commercial drivers license holder or operating commercial vehicle at time of arrest; eligible for expungement if no civil action pending related to arrest and no prior or subsequent convictions</p>	<p>MO ST 610.105 7 years since felony offense; 3 years from misdemeanor</p>	<p>Class A felony; dangerous felony; offense requiring registration as sex offender; offense where death is an element of the offense.</p>	<p>Must file verified petition for expungement of record of arrest in civil division of circuit court in county of arrest</p>
<p>MO ST 610.110 Failure to recite closed record excused--exceptions</p>	<p>each offense related to the arrest was subsequently nolle prossed, dismissed or found not guilty and not commercial drivers license holder or operating commercial vehicle at time of arrest; eligible for expungement if no civil action pending related to arrest and no prior or subsequent convictions</p>	<p>MO ST 610.140</p>	<p>Felony assault; domestic assault; felony kidnapping; offense listed or previously listed in chapter 566; offenses under 577.054 or 610.130; intoxication related traffic, aircraft or boating offense; violations by commercial driver; offense of 571.030 where guilty or convicted prior to January 1, 2017</p>	<p>MO ST 610.123</p>
<p>MO ST 610.115 Penalty</p>	<p>Official records may be closed if case is nolle prossed, dismissed, or if accused is found not guilty or sentence is suspended; exception in latter situation for child-related offenses</p>	<p>MO ST 610.122</p>	<p>MO ST 610.140</p>	<p>Procedure for expunging DNA record or DNA profile on grounds that conviction has been reversed, or plea has been set aside</p>
<p>MO ST 610.120 Records to be confidential--accessible to whom, purposes--child care, defined</p>	<p>Expungement for mistaken identity</p>	<p>MO ST 610.105</p>	<p>MO ST 610.140</p>	<p>MO ST 650.055</p>
<p>MO ST 610.122 Arrest records expunged, requirements</p>	<p>Expungement for mistaken identity</p>	<p>MO ST 610.145</p>	<p>MO ST 610.140</p>	<p>No subsequent convictions; satisfaction of all obligations related to disposition including fines or restitution; no pending charges; petitioner is not a threat to public safety and expungement is consistent with public welfare and interests of justice warrant expungement ; limitations enumerated for number of expungements</p>
<p>MO ST 610.123 Procedure to expunge, supreme court to promulgate rules—similar to small claims</p>	<p>MO ST 610.145</p>	<p>MO ST 610.145</p>	<p>MO ST 610.140</p>	<p>MO ST 610.140</p>
<p>MO ST 610.124 Destruction of arrest records—removal from all electronic files—FBI requested to expunge--protest to expungement, procedure</p>	<p>MO ST 610.145</p>	<p>MO ST 610.145</p>	<p>MO ST 610.140</p>	<p>MO ST 610.145</p>
<p>MO ST 610.125 Failure to comply with expungement order, penalty—knowingly using expunged record for gain, penalty</p>	<p>MO ST 610.145</p>	<p>MO ST 610.145</p>	<p>MO ST 610.140</p>	<p>MO ST 610.145</p>
<p>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</p>	<p>MO ST 610.145</p>	<p>MO ST 610.145</p>	<p>MO ST 610.140</p>	<p>MO ST 610.145</p>
<p>MO ST 610.130</p>	<p>MO ST 610.145</p>	<p>MO ST 610.145</p>	<p>MO ST 610.140</p>	<p>MO ST 610.145</p>

<p>Intoxication-related traffic offenses or intoxication-related boating offenses, expunged from records, when—procedures, effect—limitations</p> <p>MO ST 610.140</p> <p>Expungement of certain criminal records, petition, contents, procedure—effect of expungement on employer inquiry—lifetime limits</p> <p>MO ST 610.145</p> <p>Charges dismissed as a result of mistaken identity—application for expungement, procedure</p> <p>MO ST 650.055</p> <p>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</p>				
<p>MONTANA</p> <p>MT ST 46-23-510</p> <p>Expungement of records on reversal of conviction</p> <p>MT ST 46-18-204</p> <p>Dismissal after deferred imposition</p> <p>MT ST 46-18-1103</p> <p>Definitions</p> <p>MT ST 46-18-1104</p> <p>Eligibility for</p>	<p>Records are expunged upon reversal of conviction</p> <p>MT ST 46-23-510</p> <p>A person convicted of one or more misdemeanor offenses, whether in one court or multiple courts and whether in one case or multiple cases, and who has not had the person's records expunged under 46-18-1102 through 46-18-1111</p>	<p>Upon dismissal after deferred imposition, records are sealed except upon court order</p> <p>MT ST 46-18-204</p>	<p>Assault; domestic offense; stalking; violation of protective order; dui</p> <p>MT ST 46-18-1101</p> <p>Expungement not presumed if charged with listed offenses</p> <p>MT ST 46-18-1108</p>	<p>No subsequent convictions for 5 years since completion of sentence or person is in military academy, armed forces or national guard; and not currently detained or charges pending for new offense</p> <p>MT ST 46-18-1101</p> <p>Expungement presumed if not detained, not charged or charges pending and</p>

<p>misdemeanor expungement</p> <p>MT ST 46-18-1105 Venue</p> <p>MT ST 46-18-1106 Notice</p> <p>MT ST 46-18-1107 When expungement is presumed</p> <p>MT ST 46-18-1108 When expungement is not presumed</p> <p>MT ST 46-18-1109 Procedure</p> <p>MT ST 46-18-1110 Expungement orders</p>	<p>previously, may petition a district court for an order requiring the expungement of all records of arrest, investigation, and detention, if any, and any court proceedings that may have been held related to the misdemeanor offense or offenses.</p> <p>MT ST 46-18-1104</p>			<p>no convictions within 5 years, satisfaction of all financial obligations, person has applied to military academy or is in armed forces; court considers: age at time of offense, length of time since offense, rehabilitation and likelihood of reoffending and any other relevant factors based on preponderance of the evidence</p> <p>MT ST 46-18-1107</p> <p>MT ST 46-18-1109</p>
<p>NEBRASKA</p> <p>NE ST § 29-3523 Criminal history record information; notation of an arrest; dissemination; limitations; removal; expungement</p>	<p>Any person arrested due to the error of a law enforcement agency may file a petition with the district court for an order to expunge the criminal history record information related to such error; automatic expungement occurs in the following cases: the notation of arrest shall be removed from the public record as follows: (a) in the case of an arrest for which no charges are filed as a result of the determination of the prosecuting attorney, the arrest shall not be part of the public record after one year from the date of arrest; (b) in the case of an arrest for which charges are not filed as a result of a completed diversion, the arrest shall not be part of the public record after two years from the date of arrest; and (c) in the case of an arrest</p>	<p>None</p>	<p>None</p>	<p>The court may grant the petition and issue an order to expunge if the petitioner shows by clear and convincing evidence that the arrest was due to error by the arresting law enforcement agency; one time expunction</p> <p>NE ST § 29-3523</p>

	<p>for which charges are filed, but dismissed by the court on motion of the prosecuting attorney or as a result of a hearing not the subject of a pending appeal, acquittal, deferred judgment or completion of program of problem solving court, the arrest shall not be part of the public record after three years from the date of arrest; victim of sex trafficking or pardon</p> <p>NE ST § 29-3523</p>			
<p>NEVADA</p> <p>NV ST 176A.245 Sealing of records after discharge</p> <p>NV ST 176A.265 Sealing of records after discharge or dismissal</p> <p>NV ST 176A.295 Sealing of records after discharge, dismissal or conditional dismissal</p> <p>NV ST 179.245 Sealing records after conviction: Persons eligible; petition; notice; hearing; order</p> <p>NV ST 179.247 Vacating judgment and sealing of records after conviction of certain offenses; persons eligible; petition; notice; order</p> <p>NV ST 179.259 Sealing records after completion of program for reentry; persons eligible; procedure; order; inspection of sealed records by certain entities</p>	<p>A person may petition the court in which the person was convicted for the sealing of all records relating to a conviction of: A category A felony, a crime of violence under 200.408 or residential burglary a category B, C or D felony, a category E felony, any gross misdemeanor, violations of NRS 422.540 to 422.570, inclusive, other than a felony, a violation of NRS 484C.110 or 484C.120 other than a felony, or a battery which constitutes domestic violence pursuant to NRS 33.018 other than a felony, if offense punished as misdemeanor, a battery, harassment, stalking or order of protection violation or any other misdemeanor</p> <p>NV ST 179.245</p> <p>Sealing after competing program for reentry; for conviction of engaging</p>	<p>Person may request sealing of records 10 years after release from custody or probation for category A felony or crime of violence or residential burglary, B, C or D felony 5 years, Category E felony or domestic violence 2 years, gross misdemeanor 2 years, A violation of NRS 422.540 to 422.570, inclusive, other than a felony, a violation of NRS 484C.110 or 484C.120 other than a felony, or a battery which constitutes domestic violence pursuant to NRS 33.018 other than a felony, after 7 years from the date of release from actual custody or from the date when the person is no longer under a suspended sentence, whichever occurs later; if offense is punished as a misdemeanor, a battery, harassment, stalking, or violation of order for protection, after 2 years from</p>	<p>No sealing of records for crime against child or sexual offense, home invasion with deadly weapon, violation of 484C.110 or 484C.120 that is punishable as a felony or violation of 484C.400(1), violation of 484C.430, or homicide resulting from driving while under the influence of alcohol or controlled substance; violation of 488.410 punishable as a felony or violation of 488.420 or 488.425</p> <p>NV ST 179.245</p>	<p>If court finds petitioner has not been convicted or any charges pending, court may order records sealed</p> <p>NV ST 179.245</p> <p>NV ST 179.247</p> <p>Sealing of records after discharge from probation or case dismissal without hearing unless division petitions court for good cause shown not to seal</p> <p>NV ST 176A.245</p>

<p>NV ST 179.255 Sealing records after dismissal or acquittal: Petition; notice; hearing; order</p> <p>NV ST 179.265 Rehearings after denial of petition: Time for; number</p> <p>NV ST 179.271 Sealing records after decriminalization of offense: Written request; notice; hearing; no fee; exception</p> <p>NV ST 179.275 Order sealing records: Distribution to Central Repository and persons named in order; compliance</p> <p>NV ST 179.285 Order sealing records: Effect; proceedings deemed never to have occurred; restoration of civil rights</p> <p>NV ST 179.295 Reopening of sealed records</p> <p>NV ST 179.2595 Sealing more than one record; procedure</p> <p>NV ST 179.301 Inspection of sealed records by certain agencies</p> <p>involuntary servitude</p> <p>NV ST 179.259 Petitions to seal records of criminal proceedings</p> <p>NV R PAHRUMP JC Rule 43</p>	<p>in prostitution; a crime under laws of the state other than a crime of violence; violation of loitering for purpose of prostitution, and victim of human trafficking or involuntary servitude</p> <p>NV ST 179.259</p> <p>NV ST 179.247 Decriminalization of offense</p> <p>NV ST 179.271</p>	<p>the date of releaser from actual custody or from the date when the person is no longer under a suspended sentence, whichever occurs later; or 1 year for most misdemeanors</p> <p>NV ST 179.245 After a defendant is discharged from probation, or a case is dismissed pursuant to 176A.290, the justice court, municipal court or district court, as applicable, shall order sealed all documents, papers and exhibits in the defendant's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order if the defendant fulfills the terms and conditions imposed by the court and the Division; If the defendant is charged with a violation of 200.485, 484C.110 or 484C.120 and the charges are conditionally dismissed as provided in subsection 5 of 176A.290, not sooner than 7 years after such a conditional dismissal and upon the filing of a petition by the defendant</p> <p>NV ST 176A.295 Sealing of records after dismissal, decline of prosecution or acquittal; anytime after charges dismissed, anytime after limitations period, 8</p>		
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		<p>years after arrest or pursuant to stipulation; anytime after date of acquittal; anytime after conviction set aside</p> <p>NV ST 179.255</p> <p>Sealing 4 years after competing program for reentry</p> <p>NV ST 179.259</p>		
<p>NEW HAMPSHIRE</p> <p>NH ST § 318-B:28-a Annulments of Criminal Records</p> <p>NH ST § 651:5 Annulment of Criminal Records</p>	<p>Except as provided in paragraphs V-VIII, the record of arrest, conviction and sentence of any person may be annulled by the sentencing court at any time in response to a petition for annulment which is timely brought in accordance with the provisions of this section if in the opinion of the court, the annulment will assist in the petitioner's rehabilitation and will be consistent with the public welfare. The court may grant or deny an annulment without a hearing, unless a hearing is requested by the petitioner</p> <p>NH ST § 651:5</p>	<p>Any person before January 1, 2019 whose arrest has resulted in a finding of not guilty, or whose case was dismissed or not prosecuted, may petition for annulment of the arrest record at any time; any person after January 1, 2019 whose conviction resulted in not guilty or dismissed shall have the record annulled 30 days from dismissal if no appeal or upon final determination if appeal is taken; any person convicted of an offense may petition for annulment of the record of arrest, conviction, and sentence when the petitioner has completed all the terms and conditions of the sentence and has thereafter been convicted of no other crime, except a motor vehicle offense classified as a violation other than driving while intoxicated under RSA 265-A:2, I, for a period of time as follows: (a)(1) for a violation with conviction date prior to January 1, 2019 or a date on or after January 1, 2019 that was not</p>	<p>No petition shall be brought and no annulment granted in the case of any violent crime, of any crime of obstruction of justice, or of any offense for which the petitioner was sentenced to an extended term of imprisonment under RSA 651:6; if conviction for more ; than one offense no annulment if any part of the record is barred by statute or until the required time has been met; if, prior to disposition by the court of a petition for annulment, the petitioner is charged with an offense conviction for which would bar such annulment or would extend the time requirements, the petition shall not be acted upon until the charge is disposed; a subsequent domestic violence offense not expugnable if earlier conviction, and shall not be eligible for annulment until the most recent conviction has become eligible for annulment</p> <p>NH ST § 651:5</p>	<p>None</p>

the highest offense of conviction, one year, unless the underlying conviction was for an offense specified under RSA 259:39;

(2) for a violation with conviction date on or after January 1, 2019 for a conviction that was that was not the highest offense of conviction, unless the underlying conviction was for an offense specified under RSA 259:39, or another violation for which there is an enhanced penalty for subsequent conviction, one year;

(b)(1) for a class B misdemeanor, with conviction date prior to January 1, 2019 or class B misdemeanor with a conviction date on or after January 1, 2019 that was not the highest offense of conviction, 2 years;

(2) for a class B misdemeanor, with conviction date on or after January 1, 2019 where the class B misdemeanor was the highest offense of conviction, 2 years after completion of terms of sentence; for a class A misdemeanor except as provided in subparagraph (f) and (i), 3 years; (d) for a class B felony except as provided in subparagraph (g) and (i), 5 years; (e) for a class A felony, except as provided in subparagraph (i) 10 years; (f) for sexual assault under RSA 632-A:4, 10 years; (g) for felony indecent exposure or lewdness under RSA 645:1, II,

		<p>10 years; (h) for any misdemeanor domestic violence offense 10 years, if convicted of subsequent domestic violence offense the earlier conviction shall not be eligible for annulment until the most recent conviction has become eligible for annulment; (i) for a class A misdemeanor or felony offense under 318B:26, 2 years; if a petition for annulment is denied, no further petition shall be brought more frequently than every 3 years thereafter</p> <p>NH ST § 651:5</p> <p>For drug offenses, no annulment until 7 years after date of conviction</p> <p>NH ST § 318-B:28-a</p>		
<p>NEW JERSEY</p> <p>NJ ST 2C:52-1 Definition of expungement</p> <p>NJ ST 2C:52-2 Indictable offenses</p> <p>NJ ST 2C:52-3 Disorderly persons offenses and petty disorderly persons offenses</p> <p>NJ ST 2C:52-4 Ordinances</p> <p>NJ ST 2C:52-5 Expungement of records of young drug offenders</p> <p>NJ ST 2C:52-5.1 Petition for expungement; persons eligible to apply</p>	<p>In all cases where a person has been convicted of one crime under the laws of this State and does not otherwise have any subsequent conviction for another crime, within this State or other jurisdiction, subject to 2C:52-14 when a person has had a previous conviction expunged, a prior conviction for another crime shall not bar presentment of application seeking expungement or person has been convicted of one crime and no more than three disorderly persons or petty disorderly person convictions and no subsequent conviction for another crime or</p>	<p>A petitioner may file for expungement after the expiration of a period of 5 years from the date of his most recent conviction, payment of court-ordered financial assessment, satisfactory completion of probation or parole, or release from incarceration for that crime or disorderly persons offense, whichever is later; court may grant an expungement although less than 6 years has expired where the court finds: (1) less than 5 years has expired from the satisfaction of a court-ordered financial assessment, but the 5–year time requirement</p>	<p>Records of conviction pursuant to statues repealed for enumerated crimes may not be expunged; records of conviction for enumerated crimes are not expungable: Criminal homicide, strict liability vehicular homicide, luring or enticing, kidnapping, human trafficking, sexual or aggravated sexual assault, aggravated criminal sexual conduct criminal sexual conduct, criminal restraint, false imprisonment, robbery, arson, endangering welfare of child, sexual offenses in relation to child, perjury, false swearing, terrorism, producing or possessing chemical</p>	<p>A petition for expungement filed pursuant to this chapter shall be denied when: a. any statutory prerequisite, including any provision of this chapter, is not fulfilled or there is any other statutory basis for denying relief; b. the need for the availability of the records outweighs the desirability of having a person freed from any disabilities as otherwise provided in this chapter; an application may be denied under this subsection only following objection of a party given notice pursuant to N.J.S.2C:52-10 and the burden of asserting such grounds shall</p>

<p>NJ ST 2C:52-5.2 System for sealing records pertaining to offenses or delinquent acts involving marijuana or hashish; establishment; terms</p> <p>2C:52-5.3 "Clean slate" expungement by petition; terms</p> <p>NJ ST 2C:52-6 Arrests not resulting in conviction</p> <p>NJ ST 2C:52-7 Petition for expungement</p> <p>NJ ST 2C:52-8 Statement to accompany petition</p> <p>NJ ST 2C:52-9 Order fixing time for hearing</p> <p>NJ ST 2C:52-10 Order directing expungement where no objection prior to hearing</p> <p>NJ ST 2C:52-12 Denial of relief although no objection entered</p> <p>NJ ST 2C:52-13 When hearing on petition for expungement shall not be held</p> <p>NJ ST 2C:52-14 Grounds for denial of relief</p> <p>NJ ST 2C:52-15 Records to be removed; control</p> <p>NJ ST 2C:52-16 Expunged record including names of persons other than petitioner</p> <p>NJ ST 2C:52-23.1 Collection of outstanding court-</p>	<p>disorderly person offense so that the total number of convictions for disorderly persons offenses would exceed 3 in this state or other jurisdiction may file subject to 2C:52-14 for expungement or convicted of multiple crimes and one or more disorderly offenses in this state where crimes were interdependent or closely related in circumstances or part of a sequence of events and no subsequent conviction</p> <p>NJ ST 2C:52-2 Any person who has been convicted of one or more disorderly persons or petty disorderly persons offenses under the laws of this State who has not been convicted of any crime, whether within this State or any other jurisdiction, on more than 5 occasions, may file for expungement</p> <p>NJ ST 2C:52-3 When a person has been arrested or held to answer for a crime, disorderly persons offense, petty disorderly persons offense, or municipal ordinance violation under the laws of this State or of any governmental entity thereof and proceedings against the person were dismissed, the person was acquitted, or the person was discharged without a conviction or finding of guilt, the Superior Court shall, at</p>	<p>is otherwise satisfied, and the court finds that the person substantially complied with any payment plan or could not do so due to compelling circumstances affecting his ability to satisfy the assessment; or (2) at least 4 but less than 5 years has expired from the date of conviction, payment of court-ordered financial assessment, satisfactory completion of probation or parole, or release from incarceration, whichever is later; the person has not been convicted of a crime, disorderly persons offense, or petty disorderly persons offense since the time of the conviction; and the court finds in its discretion that compelling circumstances exist to grant expungement,</p> <p>NJ ST 2C:52-2 In disorderly cases, after a period of 5 years from date of most recent conviction, payment of fine, satisfactory completion of probation or release from incarceration, whichever is later; in cases involving ordinances, 2 years after conviction, payment of fine, satisfactory completion of probation or release from incarceration, whichever is later; dismissals, acquittals, and any disposition in favor of the petitioner can file at any time</p>	<p>weapons, biological agents or nuclear or radiological devices, or a conspiracy or any attempt to commit any of the foregoing; records of conviction for any crime committed by a person holding any public office, position or employment, elective or appointive, under the government of this State or any agency or political subdivision thereof and any conspiracy or attempt to commit such a crime shall not be subject to expungement if the crime involved or touched such office, position or employment; in the case of conviction for the sale or distribution of a controlled dangerous substance or possession thereof with intent to sell, expungement shall be denied with limited exceptions; physician or podiatrist offense involving drugs or alcohol</p> <p>NJ ST 2C:52-2 Any person who has been arrested or held to answer for a crime shall be barred from the relief provided in this section where the dismissal, discharge, or acquittal resulted from a determination that the person was insane or lacked the mental capacity to commit the crime charged</p> <p>NJ ST 2C:52-6</p>	<p>be on the objector; c. in connection with a petition under N.J.S.2C:52-6, the acquittal, discharge or dismissal of charges resulted from a plea bargaining agreement involving the conviction of other charges; his bar, however, shall not apply once the conviction is itself expunged; d. the arrest or conviction sought to be expunged is, at the time of hearing, the subject matter of civil litigation between the petitioner or his legal representative and the State, any governmental entity thereof or any State agency and the representatives or employees of any such body; e. a person has had a previous criminal conviction expunged regardless of the lapse of time between the prior expungement, or sealing under prior law, and the present petition; this provision shall not apply: (1) when the person is seeking the expungement of a municipal ordinance violation or, (2) when the person is seeking the expungement of records pursuant to N.J.S.2C:52-6</p> <p>NJ ST 2C:52-14 Court may grant expungement when less than 5 years from satisfaction of fine, 3 years from financial assessment, incarceration, conviction, parole,</p>
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<p>ordered financial assessments; use of expunged records by comprehensive enforcement program; nullification of expungement for failure to comply or cooperate</p> <p>NJ ST 2C:52-27 Effect of expungement</p> <p>NJ ST 2C:52-28 Motor vehicle offenses</p> <p>NJ ST 2C:52-29 Fee</p> <p>NJ ST 2C:52-30 Disclosure of expungement order</p> <p>NJ ST 2C:52-31 Limitation</p> <p>NJ ST 2C:52-32 Construction of chapter</p> <p>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</p>	<p>the time of dismissal, acquittal, or discharge, or, in any case set forth in paragraph (1) of this subsection, order the expungement of all records and information relating to the arrest</p> <p>NJ ST 2C:52-6</p> <p>The following drug crimes by young drug offenders are expungeable: (1) marijuana, where the total quantity sold, distributed or possessed with intent to sell was less than 1 ounce, or (2) hashish, where the total quantity sold, distributed or possessed with intent to sell was less than five grams</p> <p>NJ ST 2C:52-5</p> <p>Clean slate expungement by petition</p> <p>NJ ST 2C:52-5.3</p>	<p>NJ ST 2C:52-3</p> <p>For arrests not resulting in conviction, at the time of dismissal, acquittal, or discharge, order the expungement of all records and information relating to the arrest; no person who has had charges dismissed against him pursuant to a program of supervisory treatment pursuant to 2C:43-12, or conditional discharge pursuant to 2C:36A-1, or conditional dismissal, shall be barred from the relief provided in this section until six months after the entry of the order of dismissal or service member successfully participated in a veterans diversion program</p> <p>NJ ST 2C:52-6</p> <p>Clean slate expungement by petition after 10 years</p> <p>NJ ST 2C:52-5.3</p>		<p>not convicted of crime or disorderly persons offense and if compelling circumstances exist to grant the expungement</p> <p>NJ ST 2C:52-3</p>
<p>NEW MEXICO</p> <p>NM ST § 29-3A-1 Short title</p> <p>NM ST § 29-3A-2 Definitions</p> <p>NM ST § 29-3A-3 Expungement of records upon identity theft</p> <p>NM ST § 29-3A-4 Expungement of records upon release without conviction</p>	<p>A person may petition to expunge if the person was released without conviction for violation of ordinance, misdemeanor or felony</p> <p>NM ST § 29-3A-4</p> <p>A person convicted of violation of ordinance, misdemeanor or felony following completion of sentence and payment of fines may petition in court where</p>	<p>One year from the date of final disposition, person may petition to expunge if the person was released without conviction for violation of ordinance, misdemeanor or felony</p> <p>NM ST § 29-3A-4</p>	<p>Expungement not available for offense committed against a child, offense that caused great bodily harm or death to another person, sex offense as defined by 29-11A-3, embezzlement pursuant to 30-16-8, or offense involving driving while under the influence of intoxicating liquor or rugs</p> <p>NM ST § 29-3A-5</p>	<p>After hearing court shall issue order to expunge within 30 days if it finds no other charges pending and petitioner was released without conviction</p> <p>NM ST § 29-3A-4</p> <p>A person convicted of violation of ordinance, misdemeanor or felony following completion of sentence and payment of fines may petition in court</p>

<p>NM ST § 29-3A-5 Expungement of records upon conviction</p> <p>NM ST § 29-3A-6 Notices; rulemaking</p> <p>NM ST § 29-3A-7 Effect of an order to expunge</p> <p>NM ST § 30-52-1.2 Sealing of records of human trafficking victims</p>	<p>convicted for order to expunge</p> <p>NM ST § 29-3A-5</p> <p>Provision for sealing conviction records for victims of human trafficking</p> <p>NM ST § 30-52-1.2</p> <p>Provision for expunging records for victims of identity theft</p> <p>NM ST § 29-3A-3</p>			<p>where convicted for order to expunge and court shall issue order within 30 days after hearing requiring expungement if no other charges pending, justice will be served by expungement, petitioner has fulfilled restitution and no other criminal convictions within 2 years for ordinance or misdemeanors, 4 years if misdemeanor aggravated battery or fourth degree felony, 6 years if third degree felony, 8 years if second degree felony or 10 years if first degree felony for offense provided in the crimes against household members Act</p> <p>NM ST § 29-3A-5</p>
<p>NEW YORK</p> <p>NY CRIM PRO § 160.59 Sealing of certain convictions</p> <p>NY CRIM PRO § 160.50 Expungement of certain marihuana-related records</p>	<p>A defendant who has been convicted of up to two eligible offenses but not more than one felony offense may apply to the court in which he or she was convicted of the most serious offense to have such conviction or convictions sealed</p> <p>NY CRIM PRO § 160.59</p>	<p>Any eligible offense may be sealed only after at least ten years have passed since the imposition of the sentence on the defendant's latest conviction or, if the defendant was sentenced to a period of incarceration, including a period of incarceration imposed in conjunction with a sentence of probation, the defendant's latest release from incarceration. In calculating the ten year period under this subdivision, any period of time the defendant spent incarcerated after the conviction for which the application for sealing is sought, shall be excluded and such ten year period</p>	<p>Sex offense, felony offense defined in section 125, violent felony defined in 70.2, a class A felony offense defined in the penal law, a felony offense defined in 125 of the penal law where the underlying offense is not an eligible offense, an attempt to commit an offense that is not an eligible offense if the attempt is a felony, or an offense for which registration as a sex offender is required pursuant to article six-C of the correction law</p> <p>NY CRIM PRO § 160.59</p>	<p>In considering any such application, the sentencing judge or county or supreme court shall consider any relevant factors, including but not limited to: (a) the amount of time that has elapsed since the defendant's last conviction;</p> <p>(b) the circumstances and seriousness of the offense for which the defendant is seeking relief, including whether the arrest charge was not an eligible offense;</p> <p>(c) the circumstances and seriousness of any other offenses for which the defendant stands convicted; (d) the character of the</p>

		<p>shall be extended by a period or periods equal to the time served under such incarceration</p> <p>NY CRIM PRO § 160.59</p>		<p>defendant, including any measures that the defendant has taken toward rehabilitation, such as participating in treatment programs, work, or schooling, and participating in community service or other volunteer programs; (e) any statements made by the victim of the offense for which the defendant is seeking relief; (f) the impact of sealing the defendant's record upon his or her rehabilitation and upon his or her successful and productive reentry and reintegration into society; and (g) the impact of sealing the defendant's record on public safety and upon the public's confidence in and respect for the law</p> <p>NY CRIM PRO § 160.59</p>
<p>NORTH CAROLINA</p> <p>NC ST § 15A-145.5 Expunction of certain misdemeanors and felonies; no age limitation</p> <p>NC ST § 15A-145.6 Expunctions for certain defendants convicted of prostitution</p> <p>NC ST § 15A-145.9 Expunctions of certain offenses committed by human trafficking victims</p> <p>NC ST § 15A-146 Expunction of records when charges are dismissed or there are findings of not guilty</p>	<p>If any person is charged with a crime, either a misdemeanor or a felony, or was charged with an infraction under G.S. 18B-302(i) prior to December 1, 1999, and the charge is dismissed, that person or the District Attorney, may petition the court of the county where the charge was brought for an order to expunge from all official records any entries relating to his apprehension or trial; if any person is charged with multiple offenses and the charges are dismissed, then a person may petition to have each of</p>	<p>Expunction after pardon of innocence is granted</p> <p>NC ST § 15A-149</p> <p>Expungement after dismissal or finding of not guilty as result of identity theft or mistaken identity</p> <p>NC ST § 15A-147</p> <p>Expungement after dismissal or finding of not guilty</p> <p>NC ST § 15A-146</p> <p>A person may file a petition, in the court of the county where the person was convicted,</p>	<p>Offenses not expugnable include Class A-G felonies or Class A1 misdemeanors; offenses including assault as essential element; listed sex-related or stalking offenses; felony offense in Chapter 90 involving listed narcotics; offense under 14-12.12(b), 14-12.12, 14-12.14, 14-3(c), 14-401.16, 15-54(a), 14-54(a1), 14-56 or 20-4.01(24a); felony in which commercial vehicle was used, any offense that is an attempt to commit an offense listed</p>	<p>For expunction of one or more nonviolent misdemeanors, the court shall hold a hearing on the petition and, upon finding that the person had not previously granted expunction, good moral character; no outstanding warrants; no other felony or misdemeanor convictions within applicable 5 or 7 year waiting periods; no outstanding warrants, restitution, judgment or pending criminal cases; for nonviolent misdemeanor expunction petition has not convictions for other felony or</p>

<p>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</p> <p>NC ST § 15A-148 Expunction of DNA records when charges are dismissed on appeal or pardon of innocence is granted</p> <p>NC ST § 15A-149 Expunction of records when pardon of innocence is granted</p> <p>NC ST § 15A-150 Notification requirements</p> <p>NC ST § 15A-151 Confidential agency files; exceptions to expunction</p>	<p>the dismissed charges expunged</p> <p>NC ST § 15A-146</p> <p>Expunction for pardon</p> <p>NC ST § 15A-149</p> <p>Expunction for human trafficking victim</p> <p>NC ST § 15A-145.9</p> <p>Expunction for defendants convicted of prostitution</p> <p>NC ST § 15A-145.6</p>	<p>for expunction of one or more nonviolent misdemeanor or one nonviolent felony conviction from the person's criminal record if the person has no other misdemeanor or felony convictions, for expunction of one nonviolent misdemeanor, 5 years after conviction or active sentence, probation, or post-release supervision whichever later; for more than one nonviolent misdemeanor, misdemeanor, 7 years after last conviction other than traffic offense, or 7 years after active sentence, probation, or post-release supervision whichever later; for expunction of one nonviolent felony, 10 years after date of conviction or 10 years after any active sentence, probation, or post-release supervision whichever later</p> <p>NC ST § 15A-145.5</p>	<p>NC ST § 15A-145.5</p> <p>misdemeanor other than traffic offense or for expunction of more than one nonviolent misdemeanor no convictions for a misdemeanor or felony listed as exception; that petitioner was convicted of offense eligible for expunction and has completed the 5 or 7 year period the court shall order the expunction; for expunction of one nonviolent felony must not have been granted prior expunction, good moral character, no outstanding warrants or pending criminal cases, no other felony or misdemeanor convictions other than traffic in last 10 years, no outstanding restitution, judgements, no convictions for non-expungable misdemeanor or any other felony offense, offense is eligible expugnable offense, and 10 year waiting period is complete</p> <p>NC ST § 15A-145.5</p> <p>Identity theft cases: the court, after notice to the district attorney, shall hold a hearing on the petition and, upon finding that the person's identity was used without permission and the person was found not guilty, or charge dismissed the court shall order the expunction</p> <p>NC ST § 15A-147</p> <p>Expunction if court finds sole charge was dismissed for</p>
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<p>NORTH DAKOTA</p> <p>ND ST 12-60-16.3 Criminal history record information-- Rulemaking required</p> <p>ND ST 12-60.1-02 Grounds to seal criminal history record</p> <p>ND ST 12-60.1-03 Petition to seal criminal record</p> <p>ND ST 12-60.1-04 Hearing on petition</p> <p>ND ST 39-08-01.6 Criminal record—seal--exception</p> <p>ND ST 12.1-41-14 Motion to vacate and expunge conviction</p> <p>ND ST 19-03.1-23 Prohibited acts— Penalties</p> <p>ND ADC 10-13-11-01 Court order required</p>	<p>The attorney general shall adopt appropriate rules for criminal justice agencies regarding the reporting, collecting, maintaining, and disseminating of criminal history record information; rules must include criteria under which criminal history records are purged or sealed</p> <p>ND ST 12-60-16.3</p> <p>If a person pleads guilty or is found guilty of a first offense regarding possession of one ounce [28.35 grams] or less of marijuana and a judgment of guilt is entered, a court, upon motion, shall seal the court record of that conviction if the person is not subsequently convicted within two years of a further violation of this chapter</p> <p>ND ST 19-03.1-23</p> <p>Expungement of conviction for victims of human trafficking</p> <p>ND ST 12.1-41-14</p>	<p>Petition to seal record if person plead guilty or was found guilty of misdemeanor and has not been charged with new crime for 3 years or plead guilty or found guilty of felony and has not been charged with new crime for 5 years</p> <p>ND ST 12-60.1-02</p>	<p>Felony offense involving violence or intimidation in period offender is eligible to possess firearm or offense in which offender is required to register under 12.1-32-15</p> <p>ND ST 12-60.1-02</p>	<p>Court may grant petition to seal if good cause, benefit to petition outweighs presumption of openness of criminal record, all terms of imprisonment, probation, restitution are completed, petitioner has demonstrated reformation warranting relief, and court consideration of specific enumerated factors</p> <p>ND ST 12-60.1-04</p>
<p>OHIO</p> <p>OH ST § 2953.31 Definitions</p>	<p>An eligible offender may apply to the sentencing court if convicted in this</p>	<p>Application may be made at the expiration of three years after the offender's final</p>	<p>Convictions that may not be sealed</p> <p>OH ST § 2953.36</p>	<p>Felonies, mandatory prison sentence crimes, and others</p>

<p>OH ST § 2953.32 Sealing of record of first offense; application; hearing; fee; re-examination of sealed record</p>	<p>state, or to a court of common pleas if convicted in another state or in a federal court, for the sealing of the record of the case that pertains to the conviction</p>	<p>discharge if convicted of one felony, or when (A)(1)(a) of 2953.31 applies at the expiration of 4 years after final discharge if convicted of 2 felonies, or 5 years after final discharge if convicted of 3, 4, or 5 felonies; at the expiration of one year after the offender's final discharge if convicted of a misdemeanor</p>	<p>OH ST § 2953.36 If the court determines, that the applicant is an eligible offender or the subject of a bail forfeiture, that no criminal proceeding is pending against the applicant, and that the interests of the applicant in having the records pertaining to the applicant's conviction or bail forfeiture sealed are not outweighed by any legitimate governmental needs to maintain those records, and that the rehabilitation of an applicant who is an eligible offender has been attained to the satisfaction of the court, the court, shall order all official records pertaining to the case sealed</p>
<p>OH ST § 2953.321 Confidentiality of investigatory work product; violations; exceptions</p>	<p>OH ST § 2953.32</p>	<p>OH ST § 2953.32</p>	<p>OH ST § 2953.32</p>
<p>OH ST § 2953.33 Restoration of rights upon sealing of record</p>	<p>Expungement for improper handling of firearm in motor vehicle</p>	<p>OH ST § 2953.37</p>	<p>OH ST § 2953.32</p>
<p>OH ST § 2953.34 Other remedies not precluded</p>	<p>Expungement for human trafficking victim</p>	<p>OH ST § 2953.38</p>	<p>OH ST § 2953.32</p>
<p>OH ST § 2953.35 Divulging sealed records prohibited</p>	<p>OH ST § 2953.521</p>	<p>OH ST § 2953.521</p>	<p>OH ST § 2953.32</p>
<p>OH ST § 2953.36 Convictions precluding sealing</p>	<p>OH ST § 2953.521</p>	<p>OH ST § 2953.521</p>	<p>OH ST § 2953.32</p>
<p>OH ST § 2953.37</p>	<p>Expungement of conviction for improperly handling firearms in a motor vehicle</p>	<p>OH ST § 2953.38</p>	<p>OH ST § 2953.32</p>
<p>OH ST § 2953.38</p>	<p>Expungement of the criminal record of a human trafficking victim</p>	<p>OH ST § 2953.38</p>	<p>OH ST § 2953.32</p>
<p>OH ST § 2953.521</p>	<p>Expungement of human trafficking victim found not guilty or against whom charges are dismissed</p>	<p>OH ST § 2953.521</p>	<p>OH ST § 2953.32</p>
<p>OH ST § 2953.61 Effect of multiple offenses with different dispositions</p>	<p>OH ST § 2953.61</p>	<p>OH ST § 2953.61</p>	<p>OH ST § 2953.32</p>

<p>OKLAHOMA</p> <p>OK ST T. 11 § 28-123 Execution of sentence-- Modification, reduction or suspension-- Probation--Deferred sentence</p> <p>OK ST T. 22 § 18 Expungement of records--Persons authorized</p> <p>OK ST T. 22 § 19 Sealing and unsealing of records</p> <p>OK ST T. 22 § 19c Arrest or charge as result of human trafficking— Expungement on motion of court or defendant</p> <p>OK ST T. 22 § 991c Deferred sentence</p> <p>OK R 14 DIST CT Rule 16 Expunge orders</p> <p>OK R 7 DIST CT Rule 41 Expungements</p>	<p>Persons authorized to file a motion for expungement, as provided herein, must be within one of the following categories:</p> <p>1. person has been acquitted; 2. conviction was reversed with instructions to dismiss by an appellate court of competent jurisdiction, or an appellate court of competent jurisdiction reversed the conviction and the prosecuting agency subsequently dismissed the charge; 3. The factual innocence of the person was established by the use of deoxyribonucleic acid (DNA) evidence subsequent to conviction, including a person who has been released from prison at the time innocence was established; 4. The person has received a full pardon by the Governor for the crime for which the person was sentenced; 5. person was arrested and no charges of any type, including charges for an offense different than that for which the person was originally arrested are and the statute of limitations has expired or prosecution has declined to file charges; 6. person was under 18 years of age at the time the offense was committed and the person has received a full pardon for the offense; 7. Person was charged with one or more misdemeanor or felony crimes, all charges</p>	<p>Once the conditions previously mentioned have been satisfied</p> <p>OK ST T. 22 § 18</p>	<p>Specifically violent felonies and generally any offense not previously mentioned</p> <p>OK ST T. 22 § 18</p>	<p>The judge of the municipal criminal court of record imposing a judgment and sentence, at his discretion, is empowered to modify, reduce, or suspend or defer the imposition of such sentence or any part thereof and to authorize probation for a period not to exceed six (6) months from the date of sentence, under such terms or conditions as the judge may specify; upon completion of the probation term following a deferred sentence, the defendant shall be discharged without a court judgment of guilt, and the verdict, judgment of guilty or plea of guilty shall be expunged from the record and said charge be dismissed with prejudice to any further action; upon a finding of the court that the conditions of probation have been violated, the municipal judge may enter a judgment of guilty</p> <p>OK ST T. 11 § 28-123</p> <p>Upon a finding that the harm to privacy of the person in interest or dangers of unwarranted adverse consequences outweigh the public interest in retaining the records, the court may order such records, or any part thereof except basic identification, to be sealed. If the court finds that neither sealing of the records nor maintaining of the</p>
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have been dismissed, never convicted of a felony, no charges pending and the statute of limitations for refiling has expired; 8. Person charged with misdemeanor charge dismissed following completion of deferred judgment or delayed sentence, person has never been convicted of felony or charges pending and at least 1 year since charge was dismissed; 9. Person charged with a non-violent felony offense, not listed in [Section 571 of Title 57 of the Oklahoma Statutes](#), charge dismissed following successful completion of deferred judgment or delayed sentence, never convicted of a felony and no charges pending and at least 5 years have passed since the charge was dismissed; 10. Person was convicted of misdemeanor offense, fine less than \$501 without imprisonment or suspended sentence, that has been satisfied, was not convicted of a felony and no charges pending; 11. Convicted of a misdemeanor, with fine greater than \$500, the person has not been convicted of a felony, no felony or misdemeanor charges are pending against the person, and at least 5 years have passed since the end of the last misdemeanor sentence; 12. Person was convicted of a nonviolent felony, not listed in [Section 571 of Title 57 of the](#)

records unsealed by the agency would serve the ends of justice, the court may enter an appropriate order limiting access to such record

[OK ST T. 22 § 19](#)

[Oklahoma Statutes](#),
the person has not
been convicted of
any other felony, the
person has not been
convicted of a separate
misdemeanor in the last
7 years, no felony or
misdemeanor charges
are pending against
the person, and at least
5 years have passed
since the completion
of the sentence for the
felony conviction; 13.
Person was convicted
of not more than 2
felonies, none of which
is a felony offense
listed in section 13.1
of title 21 or any
offense that would
require sex offender
registration, no felony
or misdemeanor
charges pending
and at least 10 years
have passed since
completion of the
sentence for the
felony conviction;
or 14. person has
been charged or
arrested or is the
subject of an arrest
warrant for a crime
that was committed
by another person
who has appropriated
or used the person's
name or other
identification without
the person's consent or
authorization; person
convicted of nonviolent
felony not listed in 571
of title 57 subsequently
reclassified a
misdemeanor and
not currently serving
sentence for a crime
and at least 30
days have passed
since completion
of commutation
of sentence for
reclassified crime,
restitution satisfied,

	<p>treatment program completed</p> <p>OK ST T. 22 § 18</p> <p>Expungement for victims of human trafficking</p> <p>OK ST T. 22 § 19c</p>			
<p>OREGON</p> <p>OR ST § 137.225 Order setting aside conviction or record of arrest</p> <p>OR ST § 144.653 Pardon by Governor; notice required; sealing of records; notice to victim</p> <p>OR ST § 144.655 Request to seal records; confirmation of pardon; notice to victim</p> <p>OR ST § 475B.401 Setting aside marijuana conviction</p>	<p>The following crimes are eligible for expungement: any crime punishable as a (b) misdemeanor, including judgment of conviction for a misdemeanor pursuant to ORS 161.705, (c) An offense constituting a violation under state law or local ordinance. (d) An offense committed before January 1, 1972, that, if committed after that date, would qualify for an order under this section. (6) Notwithstanding subsection (5) of this section, the provisions of subsection (1)(a) of this section do not apply to a conviction for: (a) Criminal mistreatment in the second degree under ORS 163.200 if the victim at the time of the crime was 65 years of age or older. (b) Criminal mistreatment in the first degree under ORS 163.205 if the victim at the time of the crime was 65 years of age or older, or when the offense constitutes child abuse as defined in ORS 419B.005. (c) Endangering the welfare of a minor under ORS 163.575 (1) (a), when the offense constitutes child</p>	<p>At any time after the lapse of three years from the date of pronouncement of judgment, any defendant who has fully complied with and performed the sentence of the court and whose conviction is by motion may apply to the court where the conviction was entered for entry of an order setting aside the conviction. A person who is still under supervision, or who is still incarcerated, as art of the sentence for the offense which is the subject of the motion has not fully complied or performed the sentence of the court. At any time after the lapse of one year from the date of any arrest, issuance of a criminal citation or charge, if no accusatory instrument was filed, or at any time after an acquittal or a dismissal of the charge, the arrested, cited or charged, person may apply to the court that would have jurisdiction over the crime for which the person was arrested, cited or charged for entry of an order setting aside the record of the arrest, citation or charge; for the</p>	<p>The following crimes are not expungeable: (a) a conviction for a state or municipal traffic offense; (b) a person convicted, within the 10-year period immediately preceding the filing of the motion pursuant to subsection (1) of this section, of any other offense, excluding motor vehicle violations, whether or not the other conviction is for conduct associated with the same criminal episode that caused the arrest or conviction that is sought to be set aside. A single violation, other than motor vehicle, within the last 10 years is not a conviction; (c) a person who at the time the motion is pending before the court is under charge of commission of any crime; a person arrested within the three-year period immediately preceding the filing of the motion for any offense, excluding motor vehicle violations, and excluding arrests for conduct associated with the same criminal episode that caused the arrest that is sought to be set aside; an arrest</p>	<p>If the court determines that the circumstances and behavior of the applicant from the date of conviction, or from the date of arrest, citation or charge, as the case may be, to the date of the hearing on the motion warrant setting aside the conviction, or the arrest, citation or charge record as the case may be, it shall enter an appropriate order that shall state the original arrest or citation charge and the conviction charge, if any and if different from the original, date of charge, submitting agency and disposition</p> <p>OR ST § 137.225</p>

abuse as defined in ORS 419B.005. (d) Criminally negligent homicide under ORS 163.145, when that offense was punishable as a Class C felony.

(e) Assault in the third degree under ORS 163.165 (1)(h).

(f) Any sex crime, unless: (A) The sex crime is listed in ORS 181.830 (1)(a) and:

(i) The person has been relieved of the obligation to report as a sex offender pursuant to a court order entered under ORS 181.832 or 181.833; and

(ii) The person has not been convicted of, found guilty except for insanity of or found to be within the jurisdiction of the juvenile court based on a crime for which the court is prohibited from setting aside the conviction under this section; or

(B) The sex crime constitutes a Class C felony and: (i) The person was under 16 years of age at the time of the offense; (ii) The person is less than three years older than the victim; (iii) The victim's lack of consent was due solely to incapacity to consent by reason of being less than a specified age;

(iv) The victim was at least 12 years of age at the time of the offense;

purpose of computing the one-year period, time during which the arrested person has secreted himself or herself within or without this state is not included. A person whose sentence of probation was revoked may not apply for order setting aside conviction for which person was sentenced for a period of 10 years from the date of revocation

[OR ST § 137.225](#)

A class B felony or crime classified as a person felony only if 20 years has elapsed from date of conviction sought to be set aside or release from imprisonment from conviction whichever is later and person has not been convicted, arrested for any other offense, excluding motor vehicle

[OR ST § 137.225](#)

for DUI if charge is dismissed as result of completion of diversion

[OR ST § 137.225](#)

	<p>(v) The person has not been convicted of, found guilty except for insanity of or found to be within the jurisdiction of the juvenile court based on a crime for which the court is prohibited from setting aside the conviction under this section; and</p> <p>(vi) Each conviction or finding described in this subparagraph involved the same victim</p> <p>OR ST § 137.225</p> <p>Sealing of records after Pardon</p> <p>OR ST § 144.653</p>			
<p>PENNSYLVANIA</p> <p>PA ST 18 Pa.C.S.A. § 9122 Expungement</p> <p>PA ST 18 Pa.C.S.A. § 9122.2 Clean slate limited access</p> <p>PA ST 35 Pa.C.S.A. § 780-119 Expunging criminal records</p> <p>234 PA ADC § 490 Procedure for obtaining expungement in summary cases; expungement order</p> <p>234 PA ADC § 513.1 Sealing of arrest warrant</p> <p>234 PA ADC § 790 Procedure for obtaining expungement in court cases; expungement order</p> <p>PA ST RCRP Rule 490 Procedure for</p>	<p>Cases may be expunged when no disposition has been received or, upon request for criminal history record information, no disposition has been recorded in the repository within 18 months after the date of arrest and the court of proper jurisdiction certifies to the director of the repository that no disposition is available and no action is pending</p> <p>PA ST 18 Pa.C.S.A. § 9122</p>	<p>Criminal records may generally be expunged at the time when a case becomes eligible or the records may be expunged on the basis of time for an individual who is the subject of the information reaches 70 years of age and has been free of arrest or prosecution for ten years following final release from confinement or supervision; or an individual who is the subject of the information has been dead for three years</p> <p>PA ST 18 Pa.C.S.A. § 9122</p>	<p>A court shall not have the authority to order expungement of the defendant's arrest record where the defendant was placed on Accelerated Rehabilitative Disposition for a violation of any offense set forth in any of the following where the victim is under 18 years of age: Section 3121 (relating to rape); Section 3122.1 (relating to statutory sexual assault); Section 3123 (relating to involuntary deviate sexual intercourse); Section 3124.1 (relating to sexual assault); Section 3125 (relating to aggravated indecent assault); Section 3126 (relating to indecent assault); section 3127 (relating to indecent exposure); section</p>	<p>Expungement shall not occur until the certification from the court is received and the director of the repository authorizes such expungement; a court order requires that such nonconviction data be expunged; or a person 21 years of age or older who has been convicted of a violation of section 6308 (relating to purchase, consumption, possession or transportation of liquor or malt or brewed beverages) which occurred on or after the day the person attained 18 years of age, petitions the court of common pleas in the county where the conviction occurred seeking expungement and the person has satisfied all terms and conditions</p>

<p>obtaining expungement in summary cases; Expungement order</p> <p>PA ST RCRP Rule 790 Procedure for obtaining expungement in court cases; Expungement order</p>			<p>5902(b) (relating to prostitution and related offenses); Section 5903 (relating to obscene and other sexual materials and performances)</p> <p>PA ST 18 Pa.C.S.A. § 9122</p>	<p>of the sentence imposed for the violation, including any suspension of operating privileges imposed pursuant to section 6310.4 (relating to restriction of operating privileges); upon review of the petition, the court shall order the expungement of all criminal history record information and all administrative records of the Department of Transportation relating to said conviction</p> <p>PA ST 18 Pa.C.S.A. § 9122</p>
<p>RHODE ISLAND</p> <p>RI ST § 3-8-12 Expungement of certain criminal records</p> <p>RI ST § 11-67.1-17 Motion to vacate and expunge conviction</p> <p>RI ST § 12-1-12 Destruction or sealing of records of persons acquitted or otherwise exonerated</p> <p>RI ST § 12-1-12.1 Motion for sealing of records of persons acquitted or otherwise exonerated</p> <p>RI ST § 12-1-12.2 Sealing of arrest records for wrongful arrest due to mistaken identity or any other reason--notification</p> <p>RI ST § 12-1.3-1 Definitions</p> <p>RI ST § 12-1.3-2 Motion for expungement</p>	<p>The court records of conviction of any person convicted of an (alcohol related) violation of § 3- 8-6, 3-8-9, or 3-8-10, while between the age of eighteen (18) to twenty-one (21) shall be expunged; without the requirement of filing a motion pursuant to chapter 1.3 of title 12; provided, that all outstanding court-imposed or court-related fees, fines, costs, assessments, charges and/or any other obligations imposed by the court have been paid and/ or satisfied, or are reduced or waived by order of the court. The defendant shall be advised that any and all bail money relating to a case that remains on deposit and is not claimed at the time of expungement shall be escheated to the state's general treasury in accordance with</p>	<p>Any person who has been charged with a complaint for a crime involving domestic violence where the complaint was filed upon a plea of not guilty, guilty or nolo contendere pursuant to § 12-10-12, must wait a period of three (3) years from the date of filing before the records associated with the charge can be expunged, sealed or otherwise destroyed</p> <p>RI ST § 12-1-12</p> <p>Any person who is a first offender may file a motion for the expungement of all records and records of conviction for a felony or misdemeanor after five (5) years from the date of the completion of his or her sentence, a person may file a motion for the expungement of records relating to a felony conviction after</p>	<p>No person who has been convicted for a crime of violence shall have record related to deferred sentence expunged; convictions under chapter 29 of title 12 sections 31-27-2 or 31-27-2.1 are not expungable</p> <p>RI ST § 12-1.3-3</p>	<p>The court, after the expungement hearing at which all relevant testimony and information shall be considered, may in its discretion order the expungement of the records of conviction of the person filing the motion if it finds: (1) that in the five (5) years preceding the filing of the motion, if the conviction was for a misdemeanor, or in the ten (10) years preceding the filing of the motion if the conviction was for a felony, the petitioner has not been convicted nor arrested for any felony or misdemeanor, there are no criminal proceedings pending against the person, that the person does not owe any outstanding court-imposed or court-related fees, fines, costs, assessments, or charges, unless such amounts are reduced or waived by order of</p>

<p>RI ST § 12-1.3-3 Motion for expungement--Notice--Hearing--Criteria for granting</p>	<p>chapter 12 of title 8; Any person who is a first offender may file a motion for the expungement of all records and records of conviction for a felony or misdemeanor by filing a motion in the court in which the conviction took place, provided that no person who has been convicted of a crime of violence shall have his or her records and records of conviction expunged; provided, that all outstanding court-imposed or court-related fees, fines, costs, assessments, charges and/or any other monetary obligations have been paid, unless such amounts are reduced or waived by order of the court; offense that has been decriminalized</p>	<p>ten (10) years from the date of the completion of his or her sentence, may file motion for expungement for deferred sentence</p>	<p>the court, and he or she has exhibited good moral character; after hearing court finds person has complied with terms of deferral agreement, no criminal proceedings pending and has established good moral character, and that the petitioner's rehabilitation has been attained to the court's satisfaction and the expungement of the records of his or her conviction is consistent with the public interest</p>
<p>RI ST § 12-1.3-4 Effect of expungement of records--Access to expunged records--Wrongful disclosure</p>	<p>RI ST § 3-8-12</p>	<p>RI ST § 12-1.3-2</p>	<p>RI ST § 12-1.3-3</p>
<p>RI ST § 31-11-18 Driving after denial, suspension, or revocation of license</p>	<p>RI ST § 12-1.3-2</p>	<p>Conviction misdemeanor offense of driving without a license</p>	<p>The court may grant the motion after a hearing and upon a finding that the individual's participation in the offense was a direct result of being a victim</p>
<p>RI ST § 31-41.1-10 Expungement</p>	<p>Offenses related to motor vehicle and alcohol can be expunged after 5 years</p>	<p>RI ST § 31-41.1-10</p>	<p>RI ST § 11-67.1-17</p>
	<p>An individual convicted of prostitution or solicitation to commit a sexual act, committed as a direct result of being a victim, may apply by motion to the court having jurisdiction over the offense to vacate the conviction and seal or expunge the of conviction</p>		
	<p>RI ST § 11-67.1-17</p>		

<p>SOUTH CAROLINA</p> <p>SC ST § 17-22-910 Applications for expungement; administration</p> <p>SC ST § 16-17-530 Public disorderly conduct; conditional discharge for first-time offenders</p> <p>SC ST § 22-5-910 Expungement of criminal records</p> <p>SC ST § 22-5-930 Expungement; first drug offense</p> <p>SC ST § 16-3-2020 Trafficking in persons; penalties; minor victims; defenses</p>	<p>For first offense carrying a fine of not more than \$1000 or 30 days individual may apply to the circuit court for an order expunging the records of the arrest and conviction</p> <p>SC ST § 22-5-910</p> <p>Expungement for victim of human trafficking</p> <p>SC ST § 16-3-2020</p> <p>Expungement for disorderly discharge</p> <p>SC ST § 16-15-530</p> <p>Expungement for first offense of possession of controlled substance or unlawful possession of a prescription drug</p> <p>SC ST § 17-22-930</p>	<p>An individual may apply after three years from the date of the conviction, or five years for first domestic violence offense; three years for first offense drug charge, 20 years for intent to distribute</p> <p>SC ST § 22-5-910</p> <p>SC ST § 22-5-930</p>	<p>The following offenses are not expungeable:</p> <p>(1) an offense involving the operation of a motor vehicle;</p> <p>(2) a violation of Title 50 or the regulations promulgated pursuant to Title 50 for which points are assessed, suspension provided for, or enhanced penalties for subsequent offenses are authorized; or a first offense conviction under 16-25-20(D) for domestic violence, which may be expunged five years from the date of the conviction; no expungement if pending charges; no additional expungement; no expungement for conditional discharge of drug charges</p> <p>SC ST § 22-5-910</p>	<p>If the defendant has had no other conviction during the three-year period, or during the five-year period as provided in subsections (A) or during the 5 year period in (B), the circuit court may issue an order expunging the records; no person may have his records expunged under this section more than once; no criminal charges pending; a person may have his record expunged even though the conviction occurred prior to the effective date of section</p> <p>SC ST § 22-5-910</p>
<p>SOUTH DAKOTA</p> <p>SD ST § 23A-3-26 Definition of expungement</p> <p>SD ST § 23A-3-27 Motion for expungement of arrest record</p> <p>SD ST § 23A-3-28 Service of motion--Fee</p> <p>SD ST § 23A-3-29 Hearing on motion for expungement</p> <p>SD ST § 23A-3-30 Order of expungement</p> <p>SD ST § 23A-3-31 Report to Division</p>	<p>Upon discharge from probation and dismissal of charges, official records other than nonpublic records retained by Division of Criminal Investigation are sealed</p> <p>SD ST § 23A-27-17</p> <p>May apply for expungement of arrest records</p> <p>SD ST § 23A-3-27</p> <p>Expungement after diversion program</p> <p>SD ST § 23A-3-35</p>	<p>No time limit to apply for petition of arrest expungement</p> <p>SD ST § 23A-3-33</p> <p>An arrested person may apply to the court that would have jurisdiction over the crime for which the person was arrested, for entry of an order expunging the record of the arrest: after one year from the date of any arrest if no accusatory instrument was filed; after one year from the date the prosecuting attorney formally dismisses the entire criminal case on</p>	<p>None</p>	<p>The court may enter an order of expungement upon a showing by the defendant or the arrested person by clear and convincing evidence that the ends of justice and the best interest of the public as well as the defendant or the arrested person will be served by the entry of the order</p> <p>SD ST § 23A-3-30</p> <p>Expungement after completion of all terms of diversion program and no new charges except petty offenses or traffic citations within</p>

<p>of Criminal Investigation-- Retention and use of nonpublic records-- Sealing of records</p> <p>SD ST § 23A-3-32 Effect of order of expungement</p> <p>SD ST § 23A-3-33 No time limit for making application</p> <p>SD ST § 23A-3-35 Eligibility of person placed in diversion program for expungement of record</p> <p>SD ST § 23A-3-37 Expungement of record on filing of dismissal and notice</p> <p>SD ST § 23A-27-17 Sealing of records on discharge of probationer-- Effect of order-- Future statements by defendant as to conviction</p> <p>SD ST § 26-7A-115.1 Victim of human trafficking or sexual exploitation-- expungement of delinquency record</p>	<p>Expungement for victim of human trafficking</p> <p>SD ST § 26-7A-115.1</p>	<p>the record; or at any time after an acquittal</p> <p>SD ST § 23A-3-27</p> <p>Expungement after completion of all terms of diversion program after one year and 30 days of completion of program</p> <p>SD ST § 23A-3-35</p>		<p>one year and 30 days of completion of program</p> <p>SD ST § 23A-3-35</p>
<p>TENNESSEE</p> <p>TN ST § 38-6-118 Expunged criminal offender and pretrial diversion database</p> <p>TN ST § 40-32-101 Expunction of criminal records</p> <p>TN ST § 40-32-105 Petition for expunction of certain offenses committed by victim</p>	<p>In case of dismissal or discharge, person may apply to the court for an order to expunge from all official records, other than the non-public records to be retained by the court and the public records that are defined in § 40-32-101(b), all recordation relating to the person's arrest, indictment or information, trial, finding of guilty, and</p>	<p>Upon dismissal and discharge of proceedings</p> <p>TN ST § 40-35-313</p> <p>All public records of a person who has been charged and convicted with a misdemeanor or felony while protesting or challenging a state law or municipal ordinance whose purpose was to maintain or enforce</p>	<p>Cases will not be expunged if the offense for which deferral and probation was granted was a sexual offense as defined by § 40-39-102(5)</p> <p>TN ST § 40-35-313</p>	<p>The court can expunge criminal records provided, that no records of a person who is dismissed from probation and whose proceedings are discharged; if the court determines, after an expungement hearing, that the person was dismissed and the proceedings against the person discharged, it shall enter the order</p>

<p>of human trafficking; procedure; effect</p> <p>TN ST § 40-35-313</p> <p>Probation; conditions; discharge and expungement</p> <p>TN ST § 40-39-209</p> <p>Removal of records; expungement order</p>	<p>dismissal and discharge pursuant to this section</p> <p>TN ST § 40-35-313</p> <p>Procedure for expungement by Tennessee Bureau of Investigation</p> <p>TN ST § 38-6-118</p> <p>Expunction for victim of human trafficking</p> <p>TN ST § 40-32-105</p> <p>Expungement for mistaken identity, dismissal no true bill, or acquittal or nolle prosequi, or as a result of the successful completion of a pretrial diversion program; an eligible petitioner may file a petition for expunction of that person's public records involving a criminal offense if: (A) Except as provided in subdivision (g)(1)(E), at the time of filing, the person has never been convicted of any criminal offense, including federal offenses and offenses in other states, other than the offense committed for which the petition for expunction is filed; provided, however, that any moving or non-moving traffic offense shall not be considered a criminal offense as used in this subdivision (g)(2)(A); (B) At the time of the filing of the petition for expunction at least five (5) years have elapsed since the completion of the sentence imposed for the offense; (C) The person has fulfilled all</p>	<p>racial segregation or racial discrimination shall be expunged charge dismissed, no true bill returned by grand jury, not guilty verdict, no charge filed or thirty-seven years since the date of conviction for the offense being expunged and the petitioner has not been convicted of any other offense, excluding minor traffic violations, during that period of time, Any period of supervision due to conviction has been completed; the offense was a misdemeanor, Class C, D or E felony not otherwise excluded, the offense was not a Class A or Class B felony or a Class C felony, a sexual offense, or offense prohibited by title 55, chapter 10, part 4, vehicular assault as prohibited by § 39-13-106; and the district attorney general is served a copy of the petition for expunction by certified mail, return receipt requested, and the district attorney general does not file an objection with the court within twenty (20) calendar days of receipt of the petition; conviction for drug fraud with term of less than 4 years with at least 10 years elapsed since completion of sentence</p> <p>TN ST § 40-32-101</p> <p>One year for victim of human trafficking</p> <p>TN ST § 40-32-105</p>	<p>TN ST § 40-35-313</p>	
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	<p>the requirements of the sentence imposed by the court in which the individual was convicted of the offense, including: (i) Payment of all fines, restitution, court costs and other assessments; (ii) Completion of any term of imprisonment or probation; (iii) Meeting all conditions of supervised or unsupervised release; and</p> <p>(iv) If so required by the conditions of the sentence imposed, remaining free from dependency on or abuse of alcohol or a controlled substance or other prohibited substance for a period of not less than one (1) year. (3) A person seeking expunction shall petition the court in which the petitioner was convicted of the offense sought to be expunged is filed</p> <p>TN ST § 40-32-101</p>			
<p>TEXAS</p> <p>TX CRIM PRO Art. 55.01 Right to Expunction</p> <p>TX CRIM PRO Art. 55.011 Right of Close Relative to Seek Expunction on Behalf of Deceased Person</p> <p>TX CRIM PRO Art. 55.02 Procedure for Expunction</p> <p>TX CRIM PRO Art. 55.03 Effect of Expunction</p>	<p>Person placed under custodial or noncustodial arrest for commission of either a felony or misdemeanor may have arrest records expunged under certain conditions; indictment or information may be expunged under certain conditions; expungement for error in identity; completion of veterans and mental health treatment program; affidavit of no previous expunctions required</p>	<p>Procedure</p> <p>TX CRIM PRO Art. 55.02</p> <p>After dismissal or acquittal</p> <p>TX CRIM PRO Art. 55.01</p>	<p>No expungement for criminal episode; an arrest that occurs pursuant to section 21 article 42.12; a person who intentionally or knowingly absconds from the jurisdiction after being released following an arrest is not eligible for an expunction of the records and files relating to that arrest</p> <p>TX CRIM PRO Art. 55.01</p>	<p>Person may deny existence of records except when questioned under oath in criminal proceeding, in which case person may state only that record was expunged</p> <p>TX CRIM PRO Art. 55.03</p>

<p>TX CRIM PRO Art. 55.04 Violation of Expunction Order</p> <p>TX CRIM PRO Art. 55.05 Notice of Right to Expunction</p> <p>TX CRIM PRO Art. 55.06 License Suspensions and Revocations</p>	<p>TX CRIM PRO Art. 55.01</p> <p>Close relative may seek expunction on behalf of deceased person</p> <p>TX CRIM PRO Art. 55.011</p>			
<p>UTAH</p> <p>UT ST § 77-27-5.1 Board authority to order expungement</p> <p>UT ST § 77-40-101 Title</p> <p>UT ST § 77-40-102 Definitions</p> <p>UT ST § 77-40-103 Petition for expungement procedure overview</p> <p>UT ST § 77-40-104 Requirements to apply for certificate of eligibility to expunge records of arrest, investigation, and detention</p> <p>UT ST § 77-40-105 Requirements to apply for a certificate of eligibility to expunge conviction —Requirements on bureau</p> <p>UT ST § 77-40-106 Application for certificate of eligibility--Fees</p> <p>UT ST § 77-40-107 Petition for expungement--Prosecutorial responsibility--</p>	<p>The process for a petition for the expungement of records regarding arrest, investigation, detention, and conviction; petitioner applies to Bureau of Criminal Identification of Department of Public Safety for certificate of eligibility; certificate not required for expunction of cannabis possession records</p> <p>UT ST § 77-40-103</p> <p>Board to issue expunction order after pardon</p> <p>UT ST § 77-27-5.1</p> <p>Automatic expungement</p> <p>UT ST § 77-40-114</p>	<p>For expungement of arrest or formal charges, must wait at least 30 days since the day of the arrest for which eligibility is sought</p> <p>UT ST § 77-40-104</p> <p>For expungement of conviction, must wait anywhere from 3 to 10 years, depending on crime,</p> <p>UT ST § 77-40-105</p> <p>Automatic expunction for cases adjudicated after May 1, 2020 and case that resulted in an acquittal, 60 days after acquittal; for case that resulted in dismissal with prejudice other than successful completion of plea in abeyance, 180 days after then day case dismissed for cases in which no appeal is filed or then day on which court issues final unappealable order for cases in which appeal was filed, for clean slate eligible cases that are not traffic offenses within 30 days of determination that requirements have been satisfied; for cases</p>	<p>List of convictions ineligible for expungement</p> <p>UT ST § 77-40-105</p>	<p>Person is eligible if meets criteria in UT ST § 77-40-104 and UT ST § 77-40-105</p> <p>UT ST § 77-40-106</p> <p>Expungement if clear and convincing evidence that requirements have been met, and not contrary to public interest</p> <p>UT ST § 77-40-107</p>

<p>Hearing--Standard of proof--Exception</p> <p>UT ST § 77-40-108 Distribution of order--Redaction--Receipt of order--Bureau requirements--Administrative proceedings</p> <p>UT ST § 77-40-109 Retention and release of expunged records--Agencies</p> <p>UT ST § 77-40-110 Use of expunged records--Individuals--Use in civil actions</p> <p>UT ST § 77-40-114 Automatic expungement procedure</p> <p>UT ST § 77-40-116 Time periods for expungement or deletion—Identification and processing of clean slate eligible cases, Et seq.</p> <p>UT R RAP Order 12</p> <p>Regarding expungement of appellate records in criminal cases</p>		<p>before May 1, 2020 within one year of day case is identified eligible for automatic expunction</p> <p>UT ST § 77-40-116</p>		
<p>VERMONT</p> <p>VT ST T. 3 § 163 Juvenile court diversion project</p> <p>VT ST T. 3 § 164 Adult court diversion project</p> <p>VT ST T. 12 § 5138 Enforcement</p> <p>VT ST T. 13 § 2658 Motion to vacate by victim of human trafficking</p>	<p>Records may be sealed upon completion of juvenile diversion</p> <p>VT ST T. 3 § 163</p> <p>A person may file a petition with the court requesting expungement if the person was convicted of a qualifying crime or qualifying crimes arising out of the same incident or occurrence; the person</p>	<p>Two years after completion of diversion</p> <p>VT ST T. 3 § 163</p> <p>VT ST T. 3 § 164</p> <p>After two years, may apply for expungement of proceeding and conviction for stalking or sexual assault</p> <p>VT ST T. 12 § 5138</p>	<p>No expunction for commercial driver felony offense r operation of motor vehicle resulting in serious bodily injury or death or school bus driver with .02 or commercial driver with .04 level or burglary under 25 with deadly weapon</p> <p>VT ST T. 13 § 7602</p>	<p>Court shall grant the petition and order that all or part of the criminal history record be sealed pursuant to section 7607 if the conditions of subdivisions (1)(A), (B), (C), and (D) of the subsection are met and the court finds that: sealing the criminal history record better serves the interest of justice than expungement; and the</p>

<p>VT ST T. 13 § 5413 Expungement of records</p>	<p>was convicted of offense for which conduct is no longer prohibited; conviction for operating under the influence of alcohol or other substance (no serious injury, death or school bus/commercial vehicle operation); conviction for burglary under age 25 without deadly weapon</p>	<p>Court will order expungement if at least 5 years have elapsed since the date on which the person successfully completed the terms and conditions of the sentence for the conviction, or if the person has successfully completed the terms and conditions of an indeterminate term of probation that commenced at least 5 years previously, person has not been convicted of a crime arising out of a new incident or occurrence since the person was convicted for the qualifying crime, The person successfully completed a term of regular employment or public service, Any restitution ordered by the court has been paid in full, The court finds that expungement serves the interest of justice; At least 10 years have elapsed since the date on which the person successfully completed the terms and conditions of the sentence for the conviction, person has not been convicted of a felony arising out of a new incident or occurrence in the last 7 years, The person has not been convicted of a misdemeanor during the past 5 years, any restitution ordered by the court for any crime of which the person has been convicted has been paid in full. After considering the particular nature of any subsequent offense, the court finds that expungement serves the</p>	<p>person committed the qualifying crime after reaching 19 years of age; For petitions filed pursuant to subdivision (a)(1)(B) of the section, unless court finds expungement would not be in the best interest of justice, the court shall grant the petition and order that the criminal history record be expunged in accordance with section 7606 of this title if the following conditions are met: petitioner has completed any sentence or supervision for the offense,</p> <p>any restitution ordered by the court has been paid in full</p>
<p>VT ST T. 13 § 7041 Deferred sentence</p>	<p>VT ST T. 13 § 7602</p>		
<p>VT ST T. 13 § 7602 Expungement and sealing of record, postconviction; procedure</p>	<p>Records may be sealed upon completion of diversion program</p>		
<p>VT ST T. 13 § 7603 Expungement and sealing of record, no conviction; procedure</p>	<p>VT ST T. 3 § 164</p>		
<p>VT ST T. 13 § 7604 New charge</p>	<p>Expungement upon discharge from probation</p>		
<p>VT ST T. 13 § 7605 Denial of petition</p>	<p>VT ST T. 13 § 7041</p>		<p>VT ST T. 13 § 7602</p>
<p>VT ST T. 13 § 7606 Effect of expungement</p>	<p>Expungement upon reversal and dismissal of conviction of sex offense</p>		<p>Court may grant expungement if it finds that it serves the interests of justice or parties stipulate</p>
<p>VT ST T. 13 § 7607 Effect of sealing</p>	<p>VT ST T. 13 § 5413</p>		
	<p>Expungement by victim of human trafficking</p>		
	<p>VT ST T. 13 § 2658</p>		<p>VT ST T. 13 § 7603</p>

		<p>interest of justice; for expungement offenses no longer prohibited by law at least one year has elapsed, restitution paid in full and expungement serves the best interests of justice; expunction after 10 years for operating under the influence of alcohol or other substance; 15 years after conviction for burglary under 15 years of age</p> <p>VT ST T. 13 § 7602</p> <p>Expungement 60 days after final disposition if acquitted of charges or dismissal with prejudice, or by stipulation or after statute of limitations has expired; 8 years after date on which record was sealed</p> <p>VT ST T. 13 § 7603</p>		
<p>VIRGINIA</p> <p>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</p> <p>VA ST § 18.2-186.5 Expungement of false identity information from police and court records; identity theft passport</p> <p>VA ST § 19.2-392.1 Statement of policy</p>	<p>If a person is charged with the commission of a crime or any offense defined in Title 18.2, and 1. is acquitted, or 2. a nolle prosequi is taken or the charge is otherwise dismissed, including dismissal by accord and satisfaction pursuant to § 19.2-151, he may file a petition setting forth the relevant facts and requesting expungement of the police records and the court records relating to the charge; if name or identity has been taken which resulted in charge or arrest; notwithstanding any other provision of this section, upon</p>	<p>After case is finished; mistaken identity is immediate</p> <p>VA ST § 19.2-392.2</p>	<p>Expungement allowed only for acquittals, nolle prosequi, mistaken identity, and absolute pardon for crime he or she did not commit</p> <p>VA ST § 19.2-392.2</p> <p>No expungement for charge dismissed for violation of 18.2-57.2 for assault and battery of household member</p> <p>VA ST § 18.2-57.3</p>	<p>After receiving the criminal history record information from the CCRE, the court shall conduct a hearing on the petition; if the court finds that the continued existence and possible dissemination of information relating to the arrest of the petitioner causes or may cause circumstances which constitute a manifest injustice to the petitioner, it shall enter an order requiring the expungement of the police and court records, including electronic records, relating to the charge; otherwise, it shall deny the petition; however,</p>

<p>VA ST § 19.2-392.2 Expungement of police and court records</p> <p>VA ST § 19.2-392.3 Disclosure of expunged records</p> <p>VA ST § 19.2-392.4 Prohibited practices by employers, educational institutions, agencies, etc., of state and local governments</p>	<p>receiving a copy of an absolute pardon for the commission of a crime that a person did not commit court shall enter order expunging records</p> <p>VA ST § 19.2-392.2</p>			<p>if the petitioner has no prior criminal record and the arrest was for a misdemeanor violation, the petitioner shall be entitled, in the absence of good cause shown to the contrary by the Commonwealth, to expungement of the police and court records relating to the charge, and the court shall enter an order of expungement. In cases that have been pardoned, upon receipt of a petition, the court shall enter an order requiring expungement of the police and court records relating to the charge and conviction</p> <p>VA ST § 19.2-392.2</p>
<p>WASHINGTON</p> <p>WA ST 9.94A.640 Vacation of offender's record of conviction</p> <p>WA ST 9.96.070 Vacating records of conviction--prostitution offenses</p> <p>WA ST 9.96.060 Vacating records of conviction for misdemeanor and gross misdemeanor offenses</p> <p>WA ST 9.96.070 Vacating records of conviction—Prostitution offenses</p> <p>WA R GEN GR 15 Destruction, Sealing, and Redaction of Court Records</p>	<p>Person discharged from sentence may apply to sentencing court for vacation of record of conviction</p> <p>WA ST 9.94A.640</p> <p>Procedure for expungement</p> <p>WA R GEN GR 15</p> <p>Vacating a record of conviction for human trafficking</p> <p>WA ST 9.96.070</p>	<p>For Class B felony and certain Class C felonies, ten years must pass; five years for other felonies</p> <p>WA ST 9.94A.640</p>	<p>An offender may not have the record of conviction cleared if there are criminal charges pending in any state or federal court, the offense was a violent offense as defined in RCW 9.94A.030; or crime against persons as defined in RCW 43.43.830 with listed exceptions; the offense is a class B felony and offender has been convicted of a new offense within 10 years prior to the application; the offense is a class C felony and offender has been convicted of a new crime in this state, another state, or federal court in 5 years prior to application, the offense is a class B felony and less than ten years have passed since the later of applicants release or sentencing</p>	<p>If the court finds the offender meets the tests prescribed in the statute, the court may clear the record of conviction by permitting the offender to withdraw the offender's plea of guilty and to enter a plea of not guilty; or if the offender has been convicted after a plea of not guilty, by the court setting aside the verdict of guilty; and by the court dismissing the information or indictment against the offender</p> <p>WA ST 9.94A.640</p>

			<p>date or, the offense was a felony described in RCW 46.61.502) or 46.61.504)</p> <p>WA ST 9.94A.640</p>	
<p>WEST VIRGINIA</p> <p>WV ST § 5-1-16a Expungement of criminal record upon full and unconditional pardon</p> <p>WV ST § 60A-4-407 Conditional discharge for first offense of possession</p> <p>WV ST § 61-14-9 Human trafficking; criminal penalties</p> <p>WV ST § 61-11-25 Expungement of criminal records for those found not guilty of crimes or against whom charges have been dismissed</p> <p>WV ST § 61-11-26 Expungement of certain criminal convictions; procedures; effect</p> <p>WV ST § 61-11-26b Limitation on expungement for certain motor vehicle traffic control offenses</p> <p>WV ST § 61-11-26a Expungement of certain criminal convictions with approved treatment or recovery and job program</p> <p>WV ST § 61-14-9 Petition to vacate and expunge conviction of sex trafficking</p>	<p>Any person who has received a full and unconditional pardon from the governor, pursuant to the provisions of section eleven, article VII of the constitution of West Virginia and section sixteen of this article, may petition the circuit court in the county where the conviction was had to have the record of such conviction expunged</p> <p>WV ST § 5-1-16a</p> <p>May apply for expungement of record of first offense of drug possession</p> <p>WV ST § 60A-4-407</p> <p>Expungement for dismissals and findings of not guilty</p> <p>WV ST § 61-11-25</p> <p>Expungement for victims of human trafficking</p> <p>WV ST § 61-14-9</p> <p>May petition for expungement of misdemeanor offense or non-violent felony offenses from same transaction</p> <p>WV ST § 61-11-26</p>	<p>No person shall be eligible for expungement pursuant to this section until two years after having been pardoned; no person shall be eligible for expungement pursuant to this section until twenty years after the discharge of his or her sentence upon the conviction for which he or she was pardoned</p> <p>WV ST § 5-1-16a</p> <p>For dismissals and findings of not guilty, must wait 60 days following order of acquittal or dismissal</p> <p>WV ST § 61-11-25</p> <p>For misdemeanors 1 year after conviction, completion of sentence or supervision, more than one misdemeanor after 2 years after conviction, completion of sentence or supervision, for nonviolent felonies 5 years after conviction, completion of sentence or supervision</p> <p>WV ST § 61-11-26</p>	<p>No person shall be eligible for expungement of a record of conviction of first degree murder; treason; kidnapping; or any felony</p> <p>WV ST § 5-1-16a</p> <p>List of offenses not eligible for expungement</p> <p>WV ST § 61-11-26</p> <p>WV ST § 61-11-25</p> <p>WV ST § 61-11-26b</p>	<p>The circuit court, upon verification of the act of pardon and after a hearing to determine that good cause exists, may enter an order directing that all public record of the petitioner's conviction be expunged</p> <p>WV ST § 5-1-16a</p> <p>Petitioner must state, among other things, why expungement is sought and what steps petitioner has taken toward rehabilitation; clear and convincing evidence that requirements for expunction have been met, expungement is consistent with public welfare, petitioner is rehabilitated and law-abiding</p> <p>WV ST § 61-11-26</p>

<p>WISCONSIN</p> <p>WI ST 973.015 Special disposition</p> <p>WI ST RETENTION CT RECS SCR 72.06 Expunction</p>	<p>Person under 25 and convicted of crime punished by 6 years or less may have record expunged upon successful completion of sentence, by order of court; invasion of privacy record may be expunged if person was under 18 years old</p> <p>WI ST 973.015</p>	<p>None</p>	<p>No court may order that a record of a conviction for any of the following be expunged: A Class H felony, if the person has, in his or her lifetime, been convicted of a prior felony offense, or if the felony is a violent offense, as defined in s. 301.048(2)(bm), or is a violation of s. 940.32, 948.03(2) or (3), or 948.095; A Class I felony, if the person has, in his or her lifetime, been convicted of a prior felony offense, or if the felony is a violent offense, as defined in s. 301.048(2)(bm), or is a violation of s. 948.23(1)(a)</p> <p>WI ST 973.015</p>	<p>None</p>
<p>WYOMING</p> <p>WY ST § 7-13-1401 Petition for expungement; records of arrest, dismissal of charges, disposition; eligibility; no filing fee</p> <p>WY ST § 7-13-1501 Petition for expungement of records of conviction of misdemeanors; filing fee; notice; objections; hearing; definitions</p> <p>WY ST § 7-13-1502 Petition for expungement of records of conviction of certain felonies; filing fee; notice; objections; hearing; definitions; restoration of rights</p>	<p>A person may petition the court in which a proceeding occurred, or would have occurred, for an order expunging records of arrest, charges or dispositions which may have been made in the case, subject to the following limitations: (i) at least one hundred eighty (180) days have passed since the arrest, or from the date the charge or charges were dismissed for which expungement is sought, there are no formal charges pending against the person when the petition is filed, there were no dispositions to any charge or charges as the result of the incident leading to the arrest, including dispositions to a different or lesser</p>	<p>At least one hundred eighty (180) days have passed since the arrest, or from the date the charge or charges were dismissed for which expungement is sought in qualifying cases; 1 year for misdemeanor cases</p> <p>WY ST § 7-13-1401</p> <p>A person convicted of a felony or felonies subject to expungement under this section arising out of the same occurrence or related course of events, may petition the convicting court for an expungement of the records of conviction, subject to the following limitations: At least ten (10) years have passed since: (A) The</p>	<p>Enumerated felonies not expugnable including felonies using or attempted use of a firearm</p> <p>WY ST § 7-13-1502</p> <p>Health care provider convicted of offense under 6-2-313 committed against a patient</p> <p>WY ST § 7-13-1501</p>	<p>If the court finds that the petitioner is eligible for relief under this section, it shall issue an order granting the expungement of the applicable record; in misdemeanor cases, if the court finds that the petitioner is eligible for relief under this section and that the petitioner does not represent a substantial danger to himself, any identifiable victim or society, it shall issue an order granting expungement of the applicable records</p> <p>WY ST § 7-13-1501</p> <p>If the court finds that the petitioner is eligible for relief under this section and that the petitioner does not</p>

charge, there were no dispositions to any charge or charges as the result of the incident leading to the arrest, including dispositions to a different or lesser charge, there were no dispositions to any charge or charges as the result of the incident leading to the arrest, including dispositions to a different or lesser charge, the petitioner sufficiently demonstrates that his petition satisfies all the requirements of this section, and at least one (1) of the following applies: (A) there were no convictions pursuant to any charge or charges, including a conviction pursuant to a different or lesser charge as the result of the incident leading to the arrest; (B) no criminal charges of any nature were filed in any court as the result of the incident leading to the arrest; or (C) all criminal proceedings against the person were dismissed by the prosecutor or the court, and such proceedings were the result of the incident which led to the arrest; a person who has pled guilty or nolo contendere to or been convicted of a misdemeanor or misdemeanors arising out of the same occurrence or related course of events may petition the convicting court for an expungement of the records of conviction for the purposes of restoring any firearm rights lost,

expiration of the terms of sentence imposed by the court, including any periods of probation; (B) The completion of any program ordered by the court; and (C) Any restitution ordered by the court has been paid in full

[WY ST § 7-13-1502](#)

represent a substantial danger to himself, any identifiable victim or society, it shall issue an order granting expungement of the applicable records

[WY ST § 7-13-1502](#)

	<p>subject to the following limitations: (i) at least one (1) year has passed since the expiration of the terms of sentence imposed by the court, including any periods of probation or the completion of any program ordered by the court; (ii) other than convictions arising out of the same occurrence or related course of events, the petitioner has not previously pleaded guilty or nolo contendere to or been convicted of a misdemeanor for which firearm rights have been lost; (iii) the misdemeanor or misdemeanors for which the person is seeking expungement shall not have involved the use or attempted use of a firearm; (iv) health care provider plead no lo contender or guilty or convicted of offense under 6-2-313 committed against a patient shall not be eligible for expungement</p> <p>WY ST § 7-13-1401</p>			
<p>UNITED STATES</p> <p>18 U.S.C.A. § 3607 Special probation and expungement procedures for drug possessors</p>	<p>If the case against a person found guilty of an offense under section 404 of the Controlled Substances Act (21 U.S.C. 844) is the subject of a disposition under subsection (a), and the person was less than twenty-one years old at the time of the offense, the court shall enter an expungement order upon the application of such person</p>	<p>None</p>	<p>None</p>	<p>None</p>

	18 U.S.C.A. § 3607			
<p>Guam</p> <p>9 G.C.A. § 67.412 Conditional discharge and dismissal for first offenders: permitted</p> <p>8 G.C.A. § 11.10 Expungement: When</p> <p>8 G.C.A. § 11.11 Same: Defined</p>	<p>The official records of the court, Attorney General and the police reports in connection therewith dealing with a violation or attempted violation by an adult of territorial law or a regulation having the force and effect of law may be expunged</p> <p>8 G.C.A. § 11.10</p> <p>Expungement after completion of drug treatment</p> <p>9 G.C.A. § 67.412</p>	<p>When the subject of the report is acquitted of the offense charged, when the prosecuting attorney decides not to prosecute the offense, or when the time for commencing the criminal action as prescribed by Chapter X of this Title has passed</p> <p>8 G.C.A. § 11.10</p>	None	None
<p>Puerto Rico</p> <p>9 L.P.R.A. § 5072a Expunging administrative faults from the record of the driver</p> <p>24 L.P.R.A. § 2404 Penalty for simple possession, conditional discharge and [expungement] of records for first offense</p>	<p>Every violation (of vehicle and traffic law) deemed as administrative traffic faults may be expunged from the record of the person licensed to drive</p> <p>9 L.P.R.A. § 5072a</p> <p>Expungement of records of first drug offense</p> <p>24 L.P.R.A. § 2404</p>	None	None	<p>Expungement may be granted upon successful submission of a petitioner including a request and proof: (1) to expunge from his/her record all administrative faults committed more than three (3) years ago; (2) that the violations of law requested to be expunged be considered as faults, not crimes; (3) that the petitioner has good moral standing in the community</p> <p>9 L.P.R.A. § 5072a</p>
<p>Virgin Islands</p> <p>5 V.I.C. § 3711 Suspension of sentence and probation</p> <p>5 V.I.C. § 3731 Definitions</p> <p>5 V.I.C. § 3732 Expungement of</p>	<p>Expungement required in certain circumstances</p> <p>5 V.I.C. § 3733</p> <p>Expungement of misdemeanor conviction</p> <p>5 V.I.C. § 3734</p>	<p>After probation has been successfully been completed pursuant to a suspended imposition or execution of sentence</p> <p>5 V.I.C. § 3711</p> <p>When criminal records may be expunged after completion of pretrial</p>	<p>In all cases wherein a person has been convicted of a sexual offense for which he/she is required to register under 14 V.I.C. § 1722, et seq., the Court may not enter an order expunging the underlying offense until expiration of the reporting time</p>	<p>Court considers any relevant fact</p> <p>5 V.I.C. § 3736</p> <p>The victim(s) of the offense for which expungement is sought has a right to submit an oral or written statement to the court at the time of the</p>

<p>criminal records--when they may be expunged</p> <p>5 V.I.C. § 3733 Expungement of criminal records--when expungement required</p> <p>5 V.I.C. § 3734 Expungement of misdemeanor conviction</p> <p>5 V.I.C. § 3735 Expungement petition</p> <p>5 V.I.C. § 3736 Hearing on petition for expungement</p> <p>5 V.I.C. § 3737 Non-appealable</p> <p>5 V.I.C. § 3738 Effect of expungement</p> <p>5 V.I.C. § 3739 Expunged records</p> <p>5 V.I.C. § 3740 Enforcement</p> <p>14 V.I.C. § 146 Motion to vacate and expunge conviction</p> <p>VI ST R SUPERIOR CT Rule 400.1 Applicability of expungement statute</p> <p>VI ST R SUPERIOR CT Rule 400.2 Petition to expunge criminal record</p> <p>VI ST R SUPERIOR CT Rule 400.3 Hearing on petition for expungement</p> <p>VI ST R SUPERIOR CT Rule 400.4 Expungement of criminal records</p> <p>VI ST R SUPERIOR CT Rule 400.5</p>	<p>Upon finding of guilty or upon receipt of a verdict of guilty or plea of guilty wherein the alleged offense did not result in the personal injury or death of any person and where no deadly weapon was used in perpetrating the crime, the court may, without entering a judgment of guilty or accepting the plea and with the consent of the defendant, defer further proceedings and place the defendant on probation upon such terms and conditions as it may require; provided, the accused has never been convicted of a misdemeanor or felony in this jurisdiction or under the laws of the United States, any state or territory thereof, or foreign jurisdiction; upon fulfillment of the terms of probation the defendant shall be discharged without court adjudication of guilt, and an order shall be entered expunging the finding, verdict or plea of guilty as the case may be; upon violation of the terms of probation the court may enter an adjudication of guilt and proceed to impose a fine or imprisonment, or both as provided by law</p> <p>5 V.I.C. § 3711</p> <p>Expungement for victim of human trafficking</p> <p>14 V.I.C. § 146</p>	<p>intervention, after receiving statement of Nolle Prosequi, after dismissal with prejudice with no other charges pending, or after arrest and no complaint or information has been filed and statute of limitation has expired</p> <p>5 V.I.C. § 3732</p> <p>A person who serves between zero and 14 days in jail must wait 6 months before filing a Petition for Expungement of the conviction; (2) A person who serves between 14 days and 60 days must wait 1 year before filing a Petition for Expungement of the conviction; (3) A person who serves between 61 days and 180 days must wait 2 years before filing a Petition for Expungement of the conviction; (4) A person who serves between 181 and three hundred and sixty five 365 days must wait 5 years from before filing a Petition for Expungement of the conviction</p> <p>5 V.I.C. § 3737</p>	<p>requirements outlined in that statute and related provisions</p> <p>VI ST R SUPERIOR CT Rule 400.6.1</p> <p>The criminal records of other jurisdictions, including federal agencies, may not be expunged by petition to the Superior Court of the Virgin Islands</p> <p>VI ST R SUPERIOR CT Rule 400.7</p>	<p>hearing or within 90 days of service of the petition, describing the harm suffered by the victim as a result of the crime and the victim's recommendation on whether expungement should be granted or denied. The judge shall consider the victim's statement when rendering a decision; In rendering its decision, regarding expungement, the judge shall also consider whether the petitioner is legally and gainfully employed, is enrolled in and attending school, is enlisted in the armed forces, has not been charged with or convicted of any other offenses since the offense for which he is seeking expungement, has no pending cases, and such other factors that the court may deem relevant</p> <p>VI ST R SUPERIOR CT Rule 400.3</p>
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<p>Expungement for no conviction</p> <p>VI ST R SUPERIOR CT Rule 400.6.1 Eligible misdemeanors</p> <p>VI ST R SUPERIOR CT Rule 400.7 Expungement prohibited</p>	<p>The arrest records of crimes committed against the laws of the United States Virgin Islands, which are within the jurisdiction of the Superior Court, including fingerprints, mugshots and DNA samples, and any other police or judicial proceedings records of an individual may be expunged by petition to the Superior Court of the Virgin Islands when: (1) the petitioner has successfully completed the Pretrial Intervention Program under title 5, Virgin Islands Code, section 4611 et seq.; (2) the petitioner has received a Statement of Nolle Prosequi because the Attorney General, Department of Justice, is unable to meet its burden of proof; (3) the petitioner's case has been dismissed with prejudice and he has no other charges or arrest pending against him; or (4) the petitioner was arrested but no complaint or information has been filed and the statute of limitation has expired</p> <p>VI ST R SUPERIOR CT Rule 400.4</p>			
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