

1 claim arising out of the same incident or occurrence ~~or involving the same~~  
2 ~~defendant~~, including use of the record in reasonable anticipation of litigation.

3 (2) A criminal justice agency as defined in 20 V.S.A. § 2056a and the  
4 Attorney General may use the criminal history record sealed in accordance  
5 with section 7602 or 7603 of this title ~~without limitation~~ for criminal justice  
6 purposes as defined in 20 V.S.A. § 2056a.

7 (3) A defense attorney may use a sealed criminal history record in  
8 representing a defendant, and a criminal defendant acting pro se may use a  
9 sealed criminal history record to represent themselves.

10 (4) A sealed record of a prior violation of 23 V.S.A. § 1201(a) shall be  
11 admissible as a predicate offense for the purpose of imposing an enhanced  
12 penalty for a subsequent violation of that section, in accordance with the  
13 provisions of 23 V.S.A. § 1210.

14 (5) A person or a court in possession of an order issued by a court  
15 regarding a matter that was subsequently sealed may file or cite to that decision  
16 in any subsequent proceeding. The party or court filing or citing to that  
17 decision shall ensure that information regarding the identity of the defendant in  
18 the sealed record is redacted.

19 (6) The Vermont Crime Information Center and Criminal Justice  
20 Information Services Division of the Federal Bureau of Investigation shall  
21 have access to sealed criminal history records without limitation for the