



Chart of Sealing and Expungement Statutes

The following is a list of statutes relevant to sealing and expungement as of 2023. All the statute citations should be checked as they are often changed and some inadvertent errors may have been made.

ALABAMA (07/01/2021¹)

EXPUNGEMENT

- Ala. Code § 15-27-1 (petition to expunge non-conviction² misdemeanors; conviction of human trafficking victim)
- Ala. Code § 15-27-2 (petition to expunge non-conviction felonies; conviction of human trafficking victim)
- Ala. Code § 15-27-2.1 (limitations on number of expungements granted)
- Ala. Code § 15-27-3 (submission of sworn statements and records; service)
- Ala. Code § 15-27-4 (administrative filing fee; indigency)
- Ala. Code § 15-27-5 (objections by prosecutor or victim; hearing; ruling)
- Ala. Code § 15-27-6 (order of expungement; certification; inspection of expunged record)
- Ala. Code § 15-27-7 (archive of records; withdrawal from national criminal records repository; available to criminal justice agencies,)
- Ala. Code § 15-27-9 (definitions)
- Ala. Code § 15-27-10 (maintenance of investigative files, reports, case files etc. by LEAs, district attorneys or prosecutors)
- Ala. Code § 15-27-12 (prerequisites to expungement including payment of fees, restitution)

JUVENILE PROCEEDINGS

- Ala. Code § 12-15-136 (Proceedings for sealing legal and social files and records of juvenile courts)
- Ala. Code § 12-15-137 (Proceedings for destruction of legal and social files and records of juvenile courts)

¹ The date following the state name is the effective date of the most recent amendment to one or more of the sections listed. Other sections may be older.

² As a general rule "non-conviction" means: a failure to file charges within a specified amount of time; a dismissal with prejudice; a no bill by grand jury; successful completion of probation-before-judgement or a diversion-type program; dismissal without prejudice that is not refiled within a specified amount of time; a finding of not guilty



CRIME VICTIMS' RIGHTS

Ala. Code § 15-23-75 Right to information concerning defendant's sentence, request for notice, post-conviction review, etc.

SBI Application for Review

ALASKA (06/21/2009)

CRIMINAL JUSTICE INFORMATION AND RECORDS CHECKS: CRIMINAL JUSTICE INFORMATION

- Sec. 12.62.120. Reporting of criminal justice information
- Sec. 12.62.160. Release and use of criminal justice information; fees.
- Sec. 12.62.170. Correction of criminal justice information
- Sec. 12.62.180. Sealing of criminal justice information.
- Sec. 12.62.190. Purging of criminal justice information.
- Sec. 12.62.200. Civil action and defense.

CRIMINAL JUSTICE INFORMATION AND RECORDS CHECKS: GENERAL PROVISIONS

Sec. 12.62.900. Definitions

ARIZONA (effective 01/01/2023)

PROBATION AND RESTORATION OF CIVIL RIGHTS

- ARS § 13-905 Setting aside judgment of convicted person on discharge; application; release from disabilities; certificate of second chance; firearm possession; exceptions-- effective 09/01/2021
- ARS § 13-907 Automatic restoration of civil rights for first offenders, exception; definition
- ARS § 13-908 Restoration of civil rights; application; definition
- ARS § 13-909 Vacating the conviction of a sex trafficking victim; requirements
- ARS § 13-910 Restoration of right to possess a firearm
- ARS § 13-911 Sealing of arrest, conviction and sentencing records; requirements; fees -- SB1294, effective 01/01/2023

ENTRY OF CLEARANCE ON RECORDS

- ARS § 13-4051 Entry on records; stipulation; court order (wrongful arrest, indictment, or charge)



ARKANSAS (07/28/2021)

COMPREHENSIVE CRIMINAL RECORD SEALING ACT OF 2013

- § 16-90-1403. Scope
- § 16-90-1404. Definition
- § 16-90-1405. Eligibility to file a uniform petition to seal a misdemeanor offense or violation
- § 16-90-1406. Felony convictions eligible for sealing
- § 16-90-1407. Special procedures for sealing a felony controlled substance possession conviction
- § 16-90-1408. Felony convictions ineligible for sealing
- § 16-90-1409. Sealing records of arrests
- § 16-90-1410. Sealing records of nolle prosequi, dismissed cases, or cases where the disposition is an acquittal
- § 16-90-1411. Sealing of records for a pardoned person--Pardons for youthful felony offenders
- § 16-90-1412. Sealing certain convictions for victims of human trafficking
- § 16-90-1413. Procedure for sealing of records
- § 16-90-1414. Uniform petition and uniform order to seal records
- § 16-90-1415. Burden of proof--Standard of review
- § 16-90-1416. Release of sealed records
- § 16-90-1417. Effect of sealing

CALIFORNIA (01/01/2023)³

OF CRIMINAL PROCEDURE: OF JUDGMENT AND EXECUTION: THE JUDGMENT

§ 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

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

§ 1203.4b. Participation in California Conservation Camp program as incarcerated individual hand crew member or participation as member of county incarcerated individual hand crew; petition for relief; dismissal of accusations or information and release from penalties and disabilities; conditions of relief

³ California code was amended on September 30, 2022, with respect to vacating convictions and adjudications for victims of human trafficking, intimate partner violence, or sexual violence, which demonstrates that the person lacked the requisite intent to commit the offense.



1203.41. Defendants sentenced to jail for felonies; withdrawal of guilty pleas or pleas of nolo contendere following completion of sentences; conditions; reimbursement for court costs; notice to prosecuting attorney

1203.42. Defendants sentenced to state prison for felony eligible for sentencing to a county jail; withdrawal of guilty pleas or pleas of nolo contendere; conditions for relief; reimbursement of costs; notice to prosecuting attorney

1203.425. Identification of persons eligible for automatic conviction record relief; granting of relief; notice to court; conditions for relief; publication of statistics on OpenJustice Web portal; petition to prohibit relief; informing defendants of this section and their rights

1203.43. Successful completion of deferred sentence

1203.45. Certain misdemeanor convictions; sealing of records

1203.47. Disorderly conduct or loitering offenses committed as minor; petition to seal record; application of section; scope of authority to seal record

1203.49. Defendants convicted of solicitation or prostitution; petition for relief due to status as victim of human trafficking

*OF CRIMES AND PUNISHMENT: OF CRIMES AGAINST THE PERSON:
FALSE IMPRISONMENT AND HUMAN TRAFFICKING*

§ 236.24. Coercion to commit offense as direct result of being victim of intimate partner violence or sexual violence; affirmative defense to charge of a crime

§ 236.15. Arrest for or conviction of nonviolent offense committed while victim of intimate partner violence or sexual violence; petition for vacatur relief; hearing; order

OF CRIMINAL PROCEDURE: ADDITIONAL PROVISIONS...: ARREST, BY WHOM AND HOW MADE

§ 851.7. Petition to seal court records by person arrested for misdemeanor while a minor; grounds; exceptions; authorized use of sealed records

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

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



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

§ 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

§ 851.92. Sealing of arrest records; required court and police actions following issuance of sealing order; permissible uses of sealed arrest records

§ 851.93. Identification of persons eligible for arrest record relief; granting of relief; notice to court; conditions for relief; publication of statistics on OpenJustice Web portal

OF CRIMES AND PUNISHMENTS:

OF CRIMES AGAINST THE PERSON INVOLVING SEXUAL ASSAULT, AND CRIMES AGAINST PUBLIC DECENCY AND GOOD MORALS:

*DNA AND FORENSIC IDENTIFICATION DATA BASE AND DATA BANK ACT OF 1998
EXPUNGEMENT OF INFORMATION*

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

UNIFORM CONTROLLED SUBSTANCES ACT; OFFENSES AND PENALTIES: CANNABIS

§ 11361.5. Destruction of Arrest and Conviction Records (Cannabis); Procedure; Exceptions ¹

INVESTIGATION AND CONTROL OF CRIMES AND CRIMINALS:

INVESTIGATION, IDENTIFICATION, AND INFORMATION:

RESPONSIBILITIES OF THE DEPARTMENT OF JUSTICE:

CRIMINAL IDENTIFICATION AND STATISTICS

§ 11105. State summary criminal history information; persons or entities to which information may be furnished; federal-level criminal history information; fingerprint information; copy of information to subject person

COLORADO (08/10/2022)

CRIMINAL JUSTICE RECORD SEALING

§ 24-72-701. Definitions

§ 24-72-702. Expungement of arrest records in case of mistaken identity--definitions



§ 24-72-703. Sealing of arrest and criminal records--general provisions--order applicability--discovery and advisements

§ 24-72-704. Sealing of arrest records when no charges filed--automatic sealing

§ 24-72-705. Sealing criminal justice records other than convictions--simplified process--processing fees--applicability

§ 24-72-706. Sealing of criminal conviction records

§ 24-72-707. Sealing of criminal conviction records information for offenses committed by victims of human trafficking

§ 24-72-708. Sealing of criminal conviction records information for municipal offenses for convictions

§ 24-72-709. Sealing of criminal conviction records information for multiple conviction records

§ 24-72-710. Sealing of criminal conviction records information for offenses that receive a full and unconditional pardon

GUIDELINES FOR ASSURING THE RIGHTS OF VICTIMS OF AND WITNESSES TO CRIMES

§ 24-4.1-302.5. Rights afforded to victims--definitions

CONNECTICUT (01/01/2023)

CRIMINAL RECORDS: ERASURE

§ 54-142a. Erasure of criminal records

§ 54-142b. Erasure of record of girl found guilty of being in manifest danger

§ 54-142c. Disclosure of erased records

§ 54-142d. Destruction of record of decriminalized offense

§ 54-142e. Duty of consumer reporting agency or background screening provider to update and delete erased criminal records. Judicial Department to make available information to identify erased records

§ 54-142g. Definitions

§ 54-142h. Data collection; audit; maintenance of records and log

§ 54-142i. Duties of criminal justice agencies re collection, storage and dissemination of criminal history record information

§ 54-142v. Erasure of record of person for certain cannabis convictions for possession, possession or use of paraphernalia or manufacture or for distribution, sale, prescription, administration or growing of cannabis

TRIAL AND PROCEEDINGS AFTER CONVICTION: SENTENCING AND APPEAL

§ 54-95c. Application to vacate prostitution conviction on basis of being a victim of trafficking in persons. Prosecutor's response. Court order (



MUNICIPAL HOUSING FINANCE ASSISTANCE ACT

§ 8-315. Discrimination prohibited in housing financed under this chapter

REGULATIONS: PROTECTION OF EMPLOYEES

§ 31-51i. Employer inquiries about erased criminal record prohibited. Discrimination on basis of erased criminal record, provisional pardon or certificate of rehabilitation prohibited. Availability of information on employment application form. Duties of consumer reporting agency issuing consumer report for employment purposes containing criminal matters of public record.
Complaints

HUMAN RIGHTS AND OPPORTUNITIES; DISCRIMINATORY PRACTICES

§ 46a-80. Denial of employment based on conviction information. Inquiry re prospective employee's conviction information. Dissemination of records and information prohibited
§ 46a-80i. Discrimination on basis of erased criminal history record information: Allocation of state benefits

§ 46a-80h. Discrimination on basis of erased criminal history record information: Educational and vocational programs of state agencies

DELAWARE (08/30/2022)

EXPUNGEMENT OF CRIMINAL RECORDS

- § 4371. Statement of policy
- § 4372. Applicability; definitions; effect of expungement
- § 4373. Mandatory expungement; application through SBI
- § 4373A. Mandatory expungement; automatic
- § 4374. Discretionary expungement; application to court
- § 4375. Discretionary expungement following a pardon
- § 4376. Disclosure of expunged records
- § 4377. Notification to federal government

*CRIMES AND CRIMINAL PROCEDURES; SPECIFIC OFFENSES
OFFENSES AGAINST THE PERSON; KIDNAPPING AND RELATED OFFENSES*

§ 787. Trafficking an individual, forced labor and sexual servitude; class D felony; class C felony; class B felony; class A felony

*CRIMES AND CRIMINAL PROCEDURE
VICTIMS OF CRIMES; VICTIMS BILL OF RIGHTS; VICTIMS GENERALLY*



§ 9412. Information concerning appeal or post-conviction remedies

DISTRICT OF COLUMBIA (04/07/2021) (amendments pending)

CRIMINAL RECORD SEALING

§ 16-801. Definitions.

§ 16-802. Sealing of criminal records on grounds of actual innocence.

§ 16-803. Sealing of public criminal records in other cases.

§ 16-803.01. Sealing of arrest records of fugitives from justice.

§ 16-803.02. Sealing of public records for decriminalized or legalized offenses.

§ 16-804. Motion to seal.

§ 16-805. Review by Court.

§ 16-806. Availability of sealed records.

§ 16-807. Savings provision.

RECORDS

§ 5-113.01. Records--Required.

§ 5-113.04. Participation of District of Columbia Metropolitan Police Department in the National Crime Information System.

§ 5-113.06. Records open to public inspection.

§ 5-113.07. Preservation and destruction of records.

§ 5-113.31. Definitions.

§ 5-113.32. Retention of records and preservation of evidence from open homicide, sexual assault, and violent crime investigations.

§ 5-113.33. Penalties; private right of action.

PROHIBITED ACTS OF DISCRIMINATION

§ 2-1402.66. Arrest records.

FREEDOM OF INFORMATION

§ 2-534. Exemptions from disclosure.

The Duncan Ordinance: DC Municipal Regulations, Section 1-1004, ADULT RECORDS

FLORIDA (07/01/2021)

DEPARTMENT OF LAW ENFORCEMENT



- 943.0581. Administrative expunction for arrests made contrary to law or by mistake
- 943.0582. Diversion program expunction
- 943.0583. Human trafficking victim expunction
- 943.0584. Criminal history records ineligible for court-ordered expunction or court-ordered sealing
- 943.0585. Court-ordered expunction of criminal history records
- 943.059. Court-ordered sealing of criminal history records
- 943.0595. Automatic sealing of criminal history records

DECLARATION OF RIGHTS

§ 16. Rights of accused and of victims

GEORGIA (05/10/2021)

GEORGIA CRIME INFORMATION BUREAU

- § 35-3-31. Establishment
- § 35-3-33. Functions
- § 35-3-34. Dissemination of records and information to private persons and businesses
- § 35-3-34.1. Offenders exonerated and discharged without court adjudication of guilt
- § 35-3-35. Dissemination of information to public agencies, political subdivisions, authorities, and instrumentalities
- § 35-3-36. Duties of criminal justice agencies
- § 35-3-37. Criminal history record information
- § 35-3-38. Violations relating to criminal justice information systems

FIRST OFFENDERS

- § 42-8-60. When applicable; violation of probation
- § 42-8-61. Informing the defendant
- § 42-8-62. Transmission of filings, orders, and notices to the Georgia Crime Information Center
- § 42-8-62.1. Limitation of public access to information
- § 42-8-63. Discharge not to be used to disqualify person for employment or appointment to office
- § 42-8-63.1. Discharge used to disqualify person for employment
- § 42-8-64. Right to appeal
- § 42-8-65. Pleading and proof of finding of guilt on subsequent prosecutions; release of records
- § 42-8-66. Discharge and exoneration petition

CRIME VICTIMS RIGHTS (limited applicability in juvenile court)



§ 17-17-1. Legislative findings; basic rights

HAWAII (01/11/2020)

PROBATION

§ 706-622.5. Sentencing for drug offenders; expungement

§ 706-622.9. Sentencing for first-time property offenders; expungement

OFFENSES RELATED TO DRUGS AND INTOXICATING COMPOUNDS

§ 712-1255. Conditional discharge

§ 712-1256. Expunging of court records

UNIFORM ACT ON STATUS OF CONVICTED PERSONS

§ 831-3.2. Expungement orders

PENAL CODE

§ 712. Offenses Against Public Health and Morals

§ 712-1209.6 Prostitution; motion to vacate conviction

IDAHO (01/01/2018)

CRIMINAL HISTORY RECORDS AND CRIME INFORMATION

§ 67-3001. Definitions

§ 67-3003. Duties of the department

§ 67-3005. Records and reporting--Duties of other criminal justice agencies and the court

§ 67-3008. Release of criminal history record information

§ 67-3009. Criminal penalties

§ 67-3014. Expungement for victims of human trafficking

SUSPENSION OF JUDGMENT AND SENTENCE AND PAROLE OFFENDERS

§ 19-2604. Discharge of defendant--Amendment of judgment

ILLINOIS (08/20/2021)

CRIMINAL IDENTIFICATION ACT

2630/5. Arrest reports



- § 2630/5.2. Expungement, sealing, and immediate sealing
- § 2630/7. Records not to be public
- § 2630/11. Legal assistance and education
- § 2630/12. Entry of order; effect of expungement or sealing records
- § 2630/13. Retention and release of sealed records
- §2630/14. Expungement Backlog Accountability Law

“ILLINOIS UNIFORM CONVICTION INFORMATION ACT.”

- § 2635/2. Legislative Findings and Purposes
- § 2635/3. Definitions
- 2635/4. Applicability
- 2635/5. Public Availability of Conviction Information
- 2635/6. Dissemination Time Frames and Priorities
- 2635/7. Restrictions on the Use of Conviction Information
- 2635/8. Form, Manner and Fees for Requesting and Obtaining Conviction Information
- 2635/9. Procedural Requirements for Disseminating Conviction Information
- 2635/10. Dissemination Requests Based Upon Fingerprint Identification
- 2635/12. Error Notification and Correction Procedure
- 2635/13. Limitation on Further Dissemination
- 2635/14. Judicial Remedies
- 2635/15. Civil Damages
- 2635/16. Attorney's Fees and Costs
- 2635/17. Administrative Sanctions
- 2635/18. Criminal Penalties
- 2635/19. Coordinating and Implementing Policy
- 2635/20. State Liability and Indemnification of Units of Local Government

INDIANA (07/01/2021)

SEALING AND EXPUNGING CONVICTION RECORDS

- 35-38-9-1 Application to persons whose arrest did not result in conviction or juvenile adjudication or whose conviction was expunged or vacated; sealing of records
- 35-38-9-3 Persons convicted of a Class D felony; expungement of conviction records; conditions
- 35-38-9-4 Persons convicted of a felony; expungement of conviction records; conditions
- 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; condition
- 35-38-9-6 Duties of court concerning expungement of records under IC 35-38-9-2 and 35-38-9-3



- 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
- 35-38-9-8 Petition to expunge conviction records under IC 35-38-9-2 through 35-38-9-5; filing of petition; contents
- 35-38-9-8.5 Persons seeking to expunge offenses punishable by an indeterminate sentence under a law other than IC 35-50
- 35-38-9-9 Actions taken on petition
- 35-38-9-9.5 Collateral action adjudicated or conducted in a county other than the county in which a court granted an expungement; hearing; records; filing
- 35-38-9-10 Unlawful activities based on knowledge of expunged or sealed records
- 35-38-9-11 Waiver of right to expungement
- 35-38-9-12 Penalties for criminal history report containing an expunged conviction

CRIMINAL HISTORY PROVIDERS

- 24-4-18-2 "Criminal history provider"
- 24-4-18-3 "Criminal history report"
- 24-4-18-4 "Criminal justice agency"
- 24-4-18-6 Criminal history report; prohibitions; exceptions
- 24-4-18-7 Material changes to criminal history data
- 24-4-18-8 Violations of IC 24-4-18-6 or IC 24-4-18-7; actions

IOWA (07/01/2019)

EXPUNGEMENT OF CRIMINAL RECORDS

- 901C.1. Definition
- 901C.2. Not-guilty verdicts and criminal-charge dismissals--expungement
- 901C.3. Misdemeanor--expungement

DEFERRED JUDGMENT, DEFERRED OR SUSPENDED SENTENCE, AND PROBATION

- 907.9. Discharge from probation--procedure--expungement of deferred judgments

EXAMINATION OF PUBLIC RECORDS

- 22.7. Confidential records

KANSAS (07/01/2021)

SENTENCING

- 21-6614. Expungement of certain convictions, arrest records and diversion agreements; procedure; restoration of person's right to keep and bear arms



22-2410. Expungement of arrest records; docket fee; disclosure limited upon filing of petition

CRIMINAL HISTORY RECORD INFORMATION

22-4701. Definitions

22-4705. Establishment of criminal justice information system central repository; reportable events; reporting, sharing and authorization of information; fees

22-4706. Agreements between central repository and criminal justice agencies

22-4707. Restrictions on dissemination of criminal history record information; penalties

22-4709. Inspection of record information on individuals

22-4710. Unlawful for employers to require certain acts; exceptions; penalties

PROTECTION FROM ABUSE FUND

74-7335. Victim of crime; notification of public hearing

KENTUCKY (07/15/2020)

GENERAL PROVISIONS CONCERNING CRIMES AND PUNISHMENTS

431.073 Certain felony convictions may be vacated and the records expunged; application; hearing; vacating conviction without a hearing; order to vacate and expunge; application form; fees; retroactivity

431.074 Index of expungement orders; restricted access

431.076 Expungement of criminal records for those acquitted of crimes, for whom charges have been dismissed but not in exchange for a guilty plea to another charge, or against whom charges have not resulted in an indictment or an information filed by the Commonwealth's attorney; effects of an order of expungement; expungement by court or upon petition of person charged; exception for records in the custody of the Department for Community Based Services

431.078 Expungement of misdemeanor, violation, and traffic infraction records of convictions and dismissed or amended charges

431.079 Petition or application seeking expungement to include certification of eligibility for expungement from Department of Kentucky State Police and Administrative Office of the Courts; administrative regulations; construction

LOUISIANA (06/11/2021)

PUBLIC RECORDS

§ 3. Records of prosecutive, investigative, and law enforcement agencies and communications districts



LOUISIANA BUREAU OF CRIMINAL IDENTIFICATION AND INVESTIGATION

§ 576. Definitions

§ 578. Functions, powers, and duties of the bureau; crime laboratory

EXPUNGEMENT OF RECORDS

Art. 971. Legislative findings

Art. 972. Definitions

Art. 973. Effect of expunged record of arrest or conviction

Art. 974. Dissemination of expunged records by third parties; court order

Art. 975. Individuals incarcerated; ineligible to file motion to expunge records

Art. 976. Motion to expunge record of arrest that did not result in a conviction

Art. 977. Motion to expunge a record of arrest and conviction of a misdemeanor offense

Art. 978. Motion to expunge record of arrest and conviction of a felony offense

Art. 979. Service of motion to expunge a record

Art. 980. Contradictory hearing

Art. 981. Judgment granting motion to expunge a record of arrest or conviction; execution

Art. 982. Service of order and judgment of expungement

Art. 985. Expungement by redaction of records with references to multiple individuals

Art. 985.1. Interim motion to expunge a felony arrest from criminal history in certain cases resulting in a misdemeanor conviction

Art. 986. Forms for the expungement of records

SUSPENDED SENTENCE AND PROBATION

Art. 893. Suspension and deferral of sentence and probation in felony cases

Art. 894. Suspension and deferral of sentence; probation in misdemeanor cases

DECLARATION OF RIGHTS

§ 25. Rights of a Victim

MAINE (10/19/2021)

CRIMINAL HISTORY RECORD INFORMATION ACT

§ 702. Scope; application

§ 703. Definitions

§ 704. Dissemination of public criminal history record information

§ 705. Dissemination of confidential criminal history record information



§ 706. Public information about persons detained following arrest

§ 708. Inapplicability of this chapter to criminal history record information contained in certain records

§ 709. Right to access and review

INTELLIGENCE AND INVESTIGATIVE RECORD INFORMATION ACT

§ 804. Limitation on dissemination of intelligence and investigative record information

§ 805. Exceptions

§ 806. Exceptions subject to reasonable limitations

Maryland (10/01/2021)

NEWLY DISCOVERED EVIDENCE

§ 8-301. Petitions for writ of actual innocence

§ 8-302. Vacation of judgment if participation in the offense was a direct result of being a victim of human trafficking

EXUNGEMENT OF POLICE AND COURT RECORDS

§ 10-101. Definitions

§ 10-102. Documents subject to expungement

§ 10-103. Expungement of police record when no charge is filed

§ 10-103.1. Expungement upon release without charges

§ 10-104. Expungement ordered by District Court

§ 10-105. Expungement of record after charge is filed

§ 10-105.1. Expungement of record involving use or possession of less than 10 grams of marijuana

§ 10-106. Expungement of criminal charge transferred to juvenile court

§ 10-107. Charges arising from same incident, transaction, or set of facts

§ 10-109. Disclosure of expunged information prohibited

§ 10-110. Expungement of certain misdemeanors from records

§ 10-111. Possession of marijuana

UNIFORM POSTCONVICTION PROCEDURE ACT

7-105. Rights of victim or victim's representative

VICTIMS AND WITNESSES

§ 11-102. Right of victim to attend proceedings



MASSACHUSETTS (12/31/2020)

SEARCH WARRANTS, REWARDS, FUGITIVES FROM JUSTICE, ARREST, EXAMINATION, COMMITMENT AND BAIL

- 276 §100A. Requests to seal files; conditions; application of section; effect of sealing of records
- § 100B. Requests to seal delinquency files or records; conditions; sealing by commissioner; notice for compliance; effect of sealing; limited disclosure
- § 100C. Sealing of records or files in certain criminal cases; effect upon employment reports; enforcement
- § 100D. Availability of sealed criminal record information
- § 100E. Definitions applicable to Secs. 100E through 100U
- § 100F. Petition for expungement of record as adjudicated delinquent or youthful offender
- § 100G. Petition for expungement of record of conviction
- § 100H. Petition for expungement of record without adjudication as delinquent or youthful offender or conviction
- § 100I. Certification of eligibility for expungement
- § 100J. Offenses excluded from eligibility of record for expungement
- § 100K. Expungement of record resulting from false identification, an offense no longer a crime at time of expungement, error or fraud
- § 100L. Duty of clerk of court and commissioner of criminal justice information to expunge court records and police logs upon order issued pursuant to Secs. 100F, 100G, 100H or 100K
- § 100M. Failure to acknowledge expunged record as basis for perjury or false statement
- § 100N. Employment applications and trade or professional licensures; effect of expunged records
- § 100O. Petitions for expungement and related records excluded as public records
- § 100P. Exclusion of general public from proceedings relating to petition for expungement
- § 100Q. Sealed or expunged records not to be available for inspection
- § 100R. Waiver of right to expunge as condition of plea deal
- § 100S. Negligence claims; employers and landlords presumed to have no notice of seal, expunged or otherwise protected records
- § 100T. Notice of sealed and expunged records to Federal Bureau of Investigation and United States Department of Justice
- § 100U. Administration and enforcement of Secs. 100E to 100T

CRIMES AGAINST THE PERSON

- § 265-59. Human trafficking victimization as affirmative defense to certain offenses; grounds to vacate conviction, adjudication of delinquency or continuance without finding and to withdraw guilty plea

RIGHTS OF VICTIMS AND WITNESSES OF CRIME



§ 258B-11 Duration of rights and duties

PENALITES

§ 94G-13 Penalties [for marijuana offenses]

MICHIGAN (03/09/2022)

SETTING ASIDE CONVICTIONS

780.621. Eligibility to have conviction set aside; definitions

780.621a. Definitions

780.621b. Contemporaneous felony or misdemeanor offenses; treatment for purposes of setting aside conviction

780.621c. Convictions not eligible to be set aside; applicability and exceptions; removal or expunction of traffic offenses from driving records

780.621d. Application to set aside conviction; limitation periods; procedure; entry of order

780.621e. Marijuana offenses; application to set aside conviction; procedure

780.621f. Marijuana offenses; grant or denial of application to set aside conviction; effect; records; rehearing, reconsideration, or appeal

780.621g. Automatic setting aside of convictions; conditions and limitations; applicability

780.621h. Reinstatement of conviction

780.621i. Michigan set aside fund; creation; administration; expenditures

780.622. Effect of convictions set aside

780.623. Records; maintenance and retention; availability and disclosure; penalties

780.624. Number of convictions set aside; per-person limitation

*MICHIGAN STATE POLICE
CRIMINAL AND JUVENILE IDENTIFICATION AND RECORDS*

28.243. Collecting and forwarding biometric data of persons arrested; expunction or destruction of arrest record, biometric data, and fingerprints; duties of clerk upon final disposition of charge; report; duties of department

OCCUPATIONAL LICENSE FOR FORMER OFFENDERS

338.43. Use of criminal records; criteria; promulgation of rules

MINNESOTA (07/01/21)

EXPUNGEMENT



- 609A.01. Expungement of criminal records
- 609A.02. Grounds for order
- 609A.025. No petition required in certain cases with prosecutor agreement and notification
- 609A.03. Petition to expunge criminal records
- 609A.04. Remedy

BUREAU OF CRIMINAL APPREHENSION: DATA SHARING

- 299C.46. Criminal justice data communications network

DRUGS; CONTROLLED SUBSTANCES: STAY; DISMISSAL; EXPUNGEMENT; OTHER LAW

- 152.18. Discharge and dismissal (including marijuana)

CRIME VICTIMS' RIGHTS ... GENERAL PROVISIONS

- 611A.06. Right to notice of release (including expungement)

MISSISSIPPI (07/01/2019)

PRETRIAL PROCEEDINGS: IN GENERAL

- § 99-15-26. Release after successful completion of conditions
- § 99-15-57. Relief under previous law; expunging of record
- § 99-15-59. Expunging of misdemeanor charges

JUDGEMENT, SENTENCE AND EXECUTION: IN GENERAL

- § 99-19-71. Expungement of conviction; eligible offenses; notice; procedure; order; effect; expungement of arrest record
- § 99-19-72. Petition for expungement; filing fees

DRUG COURTS

- § 9-23-23. Completion of program; expunction of record

CRIME VICTIMS' BILL OF RIGHTS

- § 99-43-35. Release, escape and sentencing information
- § 99-43-37. Right of victim to be present and heard at court proceedings

MISSOURI (08/28/2021)



ARREST RECORDS

- 610.105. Effect of nolle pros--dismissal--sentence suspended on record--not guilty due to mental disease or defect, effect--official records available to victim in certain cases
- 610.120. Records to be confidential--accessible to whom, purposes
- 610.122. Arrest record expunged, requirements
- 610.123. Procedure to expunge, supreme court to promulgate rules--similar to small claims
- 610.124. Destruction of arrest records--removal from all electronic files--FBI requested to expunge--protest to expungement, procedure
- 610.125. Failure to comply with expungement order, penalty--knowingly using expunged record for gain, penalty
- 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

EXPUNGEMENT OF CERTAIN CRIMINAL RECORDS

- 610.130. Alcohol-related driving offenses, expunged from records, when--procedures, effect--limitations
- 610.131. Expungement for persons less than eighteen years of age at time of offense (human trafficking)
- 610.140. Expungement of certain criminal records, petition, contents, procedure--effect of expungement on employer inquiry--lifetime limits
- 610.145. Stolen or mistaken identity, expungement of records, procedure

MONTANA (07/01/2021)

EXPUNGEMENT OF RECORDS

- 46-18-1103. Definitions
- 46-18-1104. Eligibility for misdemeanor expungement
- 46-18-1105. Venue
- 46-18-1106. Notice
- 46-18-1107. When expungement presumed
- 46-18-1108. When expungement not presumed
- 46-18-1109. Procedure
- 46-18-1110. Expungement orders
- 46-18-1111. Rulemaking authority

PROCEDURE AFTER CONVICTION OR SENTENCING



46-18-608. Motion to vacate conviction--human trafficking victims

CRIMINAL JUSTICE INFORMATION: GENERAL PROVISIONS

44-5-103. Definitions

CRIMINAL JUSTICE INFORMATION: COLLECTION AND PROCESSING

44-5-202. Photographs and fingerprints

44-5-212. Record preservation

44-5-213. Procedures to ensure accuracy of criminal history records

44-5-214. Inspection or transfer of criminal history records

NEBRASKA (08/28/2021)

JUDGMENT OF CONVICTION: PROBATION

29-2264. Probation; completion; conviction may be set aside; conditions; retroactive effect

CRIMINAL PROCEDURE: POSTCONVICTION PROCEEDINGS

29-3005. Victim of sex trafficking; motion to set aside conviction or adjudication; procedure; court; findings; considerations; hearing; order; effect

CRIMINAL PROCEDURE; CRIMINAL HISTORY INFORMATION

29-3506. Criminal history record information, defined

29-3507. Complete, defined

29-3508. Criminal history record information system or system, defined

29-3510. Direct access, defined

29-3511. Disposition, defined

29-3512. Operator, defined

29-3513. Person, defined

29-3514. Person in interest, defined

29-3515. Criminal justice agency; criminal history record information; maintain

29-3516. Criminal justice agency; disposition of cases; report; procedure; commission; forms; rules and regulations; adopt

29-3517. Criminal justice agency; criminal history record information; process; assure accuracy

29-3518. Criminal history record information; access; restrictions; requirements

29-3519. Criminal justice information systems; computerized; access; limitations; security; condition

29-3520. Criminal history record information; public record; criminal justice agencies; regulations; adopt



- 29-3521. Information; considered public record; classifications
- 29-3522. Criminal justice agency records; application to inspect; unavailable; procedure to provide records
- 29-3523. Criminal history record information; dissemination; limitations; removal; certain information not part of public record; court; duties; sealed record; effect; expungement
- 29-3524. Criminal justice agencies; fees; assessment
- 29-3525. Criminal history record information; review by person in interest; identity; verification
- 29-3527. Violations; penalty
- 29-3528. Violations; person aggrieved; remedies

NEVADA (10/01/2021)

SEALING RECORDS OF CRIMINAL PROCEEDINGS

- 179.2405. Declaration of public policy
- 179.241. Definitions
- 179.242. "Agency of criminal justice" defined
- 179.243. "Disposition" defined
- 179.244. "Record" defined
- 179.2445. Rebuttable presumption that records should be sealed; exception
- 179.245. Sealing records after conviction: Persons eligible; petition; notice; hearing; order
- 179.247. Vacating judgment and sealing of records after conviction of certain offenses: Persons eligible; petition; notice; order (including human trafficking)
- 179.255. Sealing of records after dismissal, decline of prosecution or acquittal: Petition; notice; hearing; exceptions; order; inspection of records
- 179.259. Sealing records after completion of program for reentry: Persons eligible; procedure; order; inspection of sealed records by certain entities
- 179.2595. Sealing more than one record; procedure
- 179.265. Rehearing after denial of petition: Time for; appeal
- 179.271. Sealing of records after decriminalization of offense: Written request; notice; hearing; no fee; exception
- 179.273. Sealing of records after unconditional pardon: Automatic sealing; petition; no fee
- 179.275. Order sealing records: Distribution to Central Repository and persons named in order; compliance
- 179.285. Order sealing records: Effect; proceedings deemed never to have occurred; restoration of civil rights
- 179.295. Reopening of sealed records
- 179.301. Inspection of certain sealed records by certain persons and agencies

*RECORDS OF CRIMINAL HISTORY AND INFORMATION RELATING TO PUBLIC SAFETY:
GENERAL PROVISIONS*



179A.070. "Record of Criminal History" Defined

NEW HAMPSHIRE (01/01/2020)

THE STATE POLICE

106-B:1 Definitions.

SENTENCES: GENERAL PROVISIONS

651:5 Annulment of Criminal Records.

651:5-b Annulment of Arrests and Convictions for Marijuana Possession.

CONTROLLED DRUG ACT

318-B:28-a Annulments of Criminal Records.

INTERFERENCE WITH FREEDOMS

633:7 Trafficking in Persons. (01/01/2023)

NEW JERSEY (02/15/2021; 05/02/2022)

SENTENCING: EXPUNGEMENT OF RECORDS

2C:52-1. Definition of expungement

2C:52-2. Indictable offenses

2C:52-3. Disorderly persons or petty disorderly persons offenses

2C:52-4. Ordinances

C:52-4.1. Juvenile delinquent; expungement of adjudications and charges

2C:52-5. Expungement of records of young drug offenders

C:52-5.1. Petition for expungement; persons eligible to apply; exceptions

C:52-5.2. System for sealing records pertaining to offenses or delinquent acts involving marijuana or hashish; establishment; terms

2C:52-5.3. "Clean slate" expungement by petition; terms

2C:52-5.4. Automated "clean slate" process; task force

2C:52-6. Arrest or charge not resulting in conviction

2C:52-6.1. Expungement of records for offenses relating to cannabis use; vacation of sentences

2C:52-7. Petition for expungement

2C:52-8. Statements to accompany petition

2C:52-9. Order fixing time for hearing

2C:52-10. Service of petition and documents; e-filing system



- 2C:52-10.1. System for petitioners to electronically file expungement applications; review and confirmation of information; copies of order
- 2C:52-11. Order directing expungement where no objection prior to hearing
- 2C:52-12. Denial of relief although no objection entered
- 2C:52-13. When hearing on petition for expungement shall not be held
- 2C:52-14. Grounds for denial of relief
- 2C:52-15. Records to be removed; control; retention of certain records as confidential, restricted-access records
- 2C:52-16. Expunged record including names of persons other than petitioner
- 2C:52-17. Use of expunged records by agencies on pending petition for expungement
- 2C:52-18. Supplying information to Violent Crimes Compensation Office
- 2C:52-19. Order of superior court permitting inspection of records or release of information; limitations
- 2C:52-20. Use of expunged records in conjunction with supervisory treatment or diversion programs
- 2C:52-21. Use of expunged records in conjunction with bail hearing, pretrial release determination, presentence report, or sentencing
- 2C:52-22. Use of expunged records by parole board
- 2C:52-23. Use of expunged records by Department of Corrections
- 2C:52-23.1. Collection of outstanding court-ordered financial assessments; use of expunged or sealed records
- 2C:52-24. County prosecutor's obligation to ascertain propriety of petition
- 2C:52-25. Retroactive application
- 2C:52-26. Vacating of expungement order; time; basis
- 2C:52-27. Effect of expungement
- 2C:52-27.1. Practitioners convicted of health care claims fraud; rescission of debarment order
- 2C:52-28. Motor vehicle offenses
- 2C:52-29. Fee
- 2C:52-30. Disclosure of expungement order
- 2C:52-31. Limitation
- 2C:52-32. Construction of chapter
- 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 theft victim

AUTHORITY OF COURT IN SENTENCING

- 2C:44-1.1. Vacated sentence permitted for certain offenses committed by victims of human trafficking; expungement of records; procedural requirements; court's authority

NEW MEXICO (06/29/2021)



CRIMINAL RECORD EXPUNGEMENT

- § 29-3A-1. Short title
- § 29-3A-2. Definitions
- § 29-3A-3. Expungement of records upon identity theft
- § 29-3A-4. Expungement of records upon release without conviction
- § 29-3A-5. Expungement of records upon conviction
- § 29-3A-6. Notices; rulemaking
- § 29-3A-7. Effect of an order to expunge
- § 29-3A-8. Expungement of [cannabis] arrest and conviction records; procedure
- § 29-3A-9. Dismissal of [cannabis] sentences; incarcerated persons

HUMAN TRAFFICKING

- § 30-52-1.2. Sealing of records of human trafficking victims

NEW YORK (03/31/2021)

*FINGERPRINTING AND PHOTOGRAPHING OF DEFENDANT AFTER ARREST --
CRIMINAL IDENTIFICATION RECORDS AND STATISTICS*

- § 160.50 Order upon termination of criminal action in favor of the accused
- § 160.55 Order upon termination of criminal action by conviction for noncriminal offense; entry of waiver; administrative findings
- § 160.58 Conditional sealing of certain controlled substance, marihuana or specified offense convictions
- § 160.59 Sealing of certain convictions
- § 160.60 Effect of termination of criminal actions in favor of the accused

POST-JUDGMENT MOTIONS

- § 440.10 Motion to vacate judgment
- § 440.46-a. Motion for resentencing; persons convicted of certain marihuana offenses

YOUTHFUL OFFENDER PROCEDURE

- § 720.35 Youthful offender adjudication; effect thereof; records

NORTH CAROLINA (12/01/2021 with 01/01/2023 revisions)

EXPUNCTION OF RECORDS



Section 15A-145 - [Effective 1/1/2023] Expunction of records for first offenders under the age of 18 at the time of conviction of misdemeanor; expunction of certain other misdemeanors

Section 15A-145.1 - [Effective 1/1/2023] Expunction of records for first offenders under the age of 18 at the time of conviction of certain gang offenses

Section 15A-145.2 - [Effective 1/1/2023] Expunction of records for first offenders not over 21 years of age at the time of the offense of certain drug offenses

Section 15A-145.3 - Expunction of records for first offenders not over 21 years of age at the time of the offense of certain toxic vapors offenses

§ 15A-145.4. Expunction of records for first offenders who are under 18 years of age at the time of the commission of a nonviolent felony

§ 15A-145.5. Expunction of certain misdemeanors and felonies; no age limitation

~~§ 15A-145.7. Expunction of records for first offenders under 20 years of age at the time of the offense of certain offenses~~

Section 15A-145.7 - [Effective 1/1/2023] Expunction of records for first offenders under 20 years of age at the time of the offense of certain offenses

§ 15A-145.8. Expunction of records when charges are remanded to district court for juvenile adjudication

~~§ 15A-145.8A. Expunction of records for offenders under the age of 18 at the time of commission of certain misdemeanors and felonies upon completion of the sentence~~

Section 15A-145.8A - [Effective 1/1/2023] Expunction of records for offenders under the age of 18 at the time of commission of certain misdemeanors and felonies upon completion of the sentence

§ 15A-145.9. Expunctions of certain offenses committed by human trafficking victims

~~§ 15A-146. Expunction of records when charges are dismissed or there are findings of not guilty~~

Section 15A-146 - [Effective 1/1/2023] Expunction of records when charges are dismissed or there are findings of not guilty

~~§ 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~~

Section 15A-147 - [Effective 1/1/2023] Expunction of records when charges are dismissed or there are findings of not guilty as a result of identity theft or mistaken identity

§ 15A-148. Expunction of DNA records when charges are dismissed on appeal or pardon of innocence is granted

~~§ 15A-149. Expunction of records when pardon of innocence is granted~~

15A-149 - [Effective 1/1/2023] Expunction of records when pardon of innocence is granted

§ 15A-150. Notification requirements

§ 15A-151. Confidential agency files; exceptions to expunction

§ 15A-151.5. Prosecutor access to expunged files

§ 15A-152. Civil liability for dissemination of certain criminal history information

§ 15A-153. Effect of expunction; prohibited practices by employers, educational institutions, agencies of State and local governments

NORTH DAKOTA (08/01/2021)



SEALING CRIMINAL RECORDS

- § 12-60.1-01. Definitions
- § 12-60.1-02. Grounds to file petition to seal criminal record
- § 12-60.1-03. Petition to seal criminal record
- § 12-60.1-04. Hearing on petition

BUREAU OF CRIMINAL INVESTIGATION

- § 12-60-16.1. Definitions
- § 12-60-16.2. Criminal history record information--Reportable events
- § 12-60-16.3. Criminal history record information--Rulemaking required
- § 12-60-16.5. Criminal history record information--Exchange of information among criminal justice agencies and the courts
- § 12-60-16.6. Criminal history record information--Dissemination to parties not described in section 12-60-16.5
- § 12-60-16.7. Criminal history record information--Prohibited dissemination
- § 12-60-16.8. Criminal history record information--Required disclosure of certain dissemination
- § 12-60-16.9. Criminal history record information--Fee for record check
- § 12-60-16.10. Criminal history record information--Penalty
- § 12-60-16.11. Criminal history record information--Required action
- § 12-60-16.12. Criminal history record information--Civil action--Penalty
- § 12-60-17. Superintendent to make rules and regulations

PENALTIES AND SENTENCING

- § 12.1-32-07.1. Release, discharge, or termination of probation
- § 12.1-32-07.2. Records and filing of papers

REGULATIONS GOVERNING OPERATORS

- § 39-08-01.6. Criminal record--Seal--Exception

UNIFORM ACT ON PREVENTION OF AND REMEDIES FOR HUMAN TRAFFICKING

- § 12.1-41-14. Motion to vacate and expunge conviction**

ADMINISTRATIVE RULE 41

- AR 41. Access to Court Records



OHIO (09/30/2021)

SEALING OF RECORDS

2953.31 Definitions for RC 2953.31 to 2953.36

2953.32 Sealing of record of eligible offender; application; hearing; fee; re-examination of sealed record

2953.321 Confidentiality of investigatory work product; violations; exceptions

2953.33 Restoration of rights upon sealing of record

2953.34 Other remedies not precluded

2953.36 Convictions precluding sealing

2953.37 Expungement of conviction for improperly handling firearms in a motor vehicle

2953.38 Expungement of the criminal record of a human trafficking victim

2953.521 Expungement of records of human trafficking victim found not guilty or against whom charges are dismissed

OKLAHOMA (11/01/2019)

CRIMINAL PROCEDURE; GENERAL PROVISIONS

§ 18. Expungement of records--Persons authorized

§ 18a. Petition to Expunge Records and Order to Expunge Records

§ 19. Sealing and unsealing of records--Procedure

§ 19a. Arrest or charge as result of identity theft--Expungement on motion of court, district attorney or defendant

§ 19b. Oklahoma Identity Theft Passport Program

§ 19c. Arrest or charge as result of human trafficking--Expungement on motion of court or defendant

BILL OF RIGHTS

§ 34. Rights of victims

UNIFORM CONTROLLED DANGEROUS SUBSTANCES ACT: OFFENSES AND PENALTIES

§ 2-410. Conditional release for first offense--Effect of expungement--Persons not covered by section

OREGON (01/01/2022)

POST-JUDGMENT PROCEDURES



- 137.221. Vacation of judgment of conviction for prostitution
- 137.222. Marijuana conviction offense reduction
- 137.223. Setting aside judgment of guilty except for insanity
- 137.225. Order setting aside conviction or record of arrest
- 137.226. Eligibility for order setting aside conviction; offenses in which possession, delivery or manufacture of marijuana or marijuana item is an element

PENNSYLVANIA (12/28/2020)

CRIMINAL HISTORY RECORD INFORMATION

- § 9102. Definitions
- § 9104. Scope
- § 9105. Other criminal justice information

DISSEMINATION OF CRIMINAL HISTORY RECORD INFORMATION

- § 9121. General regulations
- § 9122. Expungement
 - § 9122.1. Petition for limited access
 - § 9122.2. Clean slate limited access
 - § 9122.3. Exceptions
 - § 9122.4. Order to vacate order for limited access
 - § 9122.5. Effects of expunged records and records subject to limited access
 - § 9122.6. Employer immunity from liability
- § 9123. Juvenile records
- § 9125. Use of records for employment

THE CONTROLLED SUBSTANCE, DRUG, DEVICE AND COSMETIC ACT

- § 780-119. Expunging criminal records

PROSECUTION OF HUMAN TRAFFICKING

- § 3019. Victim protection during prosecution

PENNSYLVANIA BOARD OF LAW EXAMINERS

- § 2161. Criminal history record checks

RHODE ISLAND (07/03/2021)



IDENTIFICATION AND APPREHENSION OF CRIMINALS

- § 12-1-12. Destruction or sealing of records of persons acquitted or otherwise exonerated
- § 12-1-12.1. Motion for sealing of records of persons acquitted or otherwise exonerated
- § 12-1-12.2. Sealing of arrest records for wrongful arrest due to mistaken identity or any other reason--Notification

EXPUNGEMENT OF CRIMINAL RECORDS

- § 12-1.3-1. Definitions
- § 12-1.3-2. Motion for expungement
- § 12-1.3-3. Motion for expungement--Notice--Hearing--Criteria for granting
- § 12-1.3-4. Effect of expungement of records--Access to expunged records--Wrongful disclosure

UNIFORM ACT ON PREVENTION OF AND REMEDIES FOR HUMAN TRAFFICKING

- § 11-67.1-17. Motion to vacate and expunge conviction [prostitution]

ACCESS TO PUBLIC RECORDS

- § 38-2-1. Purpose

WEAPONS

- § 11-47-5. Possession of firearms by certain persons prohibited

SOUTH CAROLINA (06/29/2019)

CRIMINAL PROCEDURE: GENERAL PROVISIONS

- § 17-1-40. Expungement; retention of certain information by law enforcement or prosecution agencies.
- § 17-1-45. Expungement notice requirement.

INTERVENTION PROGRAMS: UNIFORM EXPUNGEMENT OF CRIMINAL RECORDS

- § 17-22-910. Applications for expungement; administration.
- § 17-22-920. Direction of expungement process inquiries to county solicitor's office.
- § 17-22-930. Obtaining and mandatory use of expungement form.
- § 17-22-940. Fees; establishment of expungement process; requirements and duties of solicitor and SLED.



§ 17-22-950. Summary court expungement orders; removal of Internet-based public records; objections; forms.

§ 17-22-960. Expungement; employer immunity.

§ 17-22-1010. Completion of South Carolina Youth Challenge Academy and the South Carolina Jobs Challenge Program; expungement; records.

EXPUNGEMENT OF CRIMINAL RECORDS

§ 22-5-910. Expungement of criminal records.

§ 22-5-920. Conviction as a youthful offender.

§ 22-5-930. Expungement; first offense drug convictions.

NARCOTICS AND CONTROLLED SUBSTANCES

§ 44-53-450. Conditional discharge; eligibility for expungement.

OFFENSES AGAINST THE PERSON: TRAFFICKING IN PERSONS

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

OFFENSES AGAINST PUBLIC ORDER; MISCELLENEOUS OFFENSES

§ 16-17-530. Public disorderly conduct; conditional discharge for first-time offenders.

SOUTH DAKOTA (03/15/2022)

ARREST

23A-3-26. Definition of expungement

23A-3-27. Motion for expungement of arrest record

23A-3-28. Service of motion--Fee

23A-3-29. Hearing on motion for expungement

23A-3-30. Order of expungement

23A-3-31. Report to Division of Criminal Investigation--Retention and use of nonpublic records--Sealing of records

23A-3-32. Effect of order of expungement

23A-3-33. No time limitation for making application

23A-3-34. Defendant's public record--Automatic removal of non-felony charges or convictions--Case record available to authorized personnel--Use as enhancement

23A-3-35. Eligibility of person placed in diversion program for expungement of record

23A-3-36. Dismissal of charges and notice of completion of diversion



23A-3-37. Expungement of record on filing of dismissal and notice

JUVENILE COURT

26-7A-115.1. Victim of human trafficking or sexual exploitation--Expungement of delinquency record

TENNESSEE (07/01/2022)

DESTRUCTION OF CRIMINAL RECORDS UPON DISMISSAL OR ACQUITTAL

§ 40-32-101. Expunction of criminal records

§ 40-32-102. Officers and employees; authority

§ 40-32-103. Charges prior to July 1, 1973

§ 40-32-104. Crimes and offenses; fines and penalties

§ 40-32-105. Petition for expunction of certain offenses committed by victim of human trafficking; procedure; effect

CRIMINAL RULES; EXPUNGEMENT ORDERS

9.01. Expungement of Dismissed Criminal Cases

TENNESSEE BUREAU OF INVESTIGATION

§ 38-6-118. Expunged criminal offender and pretrial diversion database

JUVENILE COURTS AND PROCEEDINGS: GENERAL PROVISIONS

§ 37-1-153. Inspection of court files and records; expungement

TEXAS (01/01/2022)

EXPUNCTION OF CRIMINAL RECORDS

Art. 55.01. Right to Expunction

Art. 55.011. Right of Close Relative to Seek Expunction on Behalf of Deceased Person

Art. 55.02. Procedure for Expunction

Art. 55.03. Effect of Expunction

Art. 55.04. Violation of Expunction Order

Art. 55.05. Notice of Right to Expunction

Art. 55.06. License Suspensions and Revocations



ORDER OF NONDISCLOSURE OF CRIMINAL HISTORY RECORD INFORMATION

- § 411.0728. Procedure for Certain Victims of Trafficking of Persons or Compelling Prostitution
- § 411.0735. Procedure for Conviction; Certain Misdemeanors
- § 411.0736. Procedure for Conviction; Certain Driving While Intoxicated Convictions
- § 411.074. Required Conditions for Receiving an Order of Nondisclosure
- § 411.0745. Petition and Order
- § 411.075. Procedure After Order
- § 411.0755. Statement in Application for Employment, Information, or Licensing
- § 411.076. Disclosure by Court
- § 411.0765. Disclosure by Criminal Justice Agency
- § 411.077. Department of Public Safety Report
- § 411.0775. Admissibility and Use of Certain Criminal History Record Information in Subsequent Criminal Proceeding
- § 411.081. Application of Subchapter
- § 411.082. Definitions
- § 411.083. Dissemination of Criminal History Record Information
- § 411.0835. Prohibition Against Dissemination to Certain Private Entities
- § 411.084. Use of Criminal History Record Information
- § 411.0845. Criminal History Clearinghouse
- § 411.085. Unauthorized Obtaining, Use, or Disclosure of Criminal History Record Information; Penalty
- § 411.0851. Duty of Private Entity to Update Criminal History Record Information; Civil Liability
- § 411.086. Rules
- [§ 411.0865. Contracts for Fingerprinting Services](#)
- § 411.087. Access to Criminal History Record Information Maintained by Federal Bureau of Investigation or Local Criminal Justice Agency
- § 411.088. Fees
- § 411.089. Access to Criminal History Record Information: Criminal Justice Agency
- ...
- § 411.0891. Department Access to Criminal History Record Information: Certain Departmental Authorizations
- ...
- § 411.135. Access to Certain Information by Public
- ...

INFORMATION EXCEPTED FROM REQUIRED DISCLOSURE

- § 552.142. Exception: Confidentiality of Records Subject to Order of Nondisclosure
- § 552.1425. Civil Penalty: Dissemination of Certain Criminal History Information

UTAH 05/04/2022



PLEAS IN ABEYANCE

§ 77-2a-3. Manner of entry of plea--Powers of court

EXPUNGEMENT

§ 77-40a-101. Definitions

§ 77-40a-102. Applicability to juvenile court records

§ 77-40a-103. Retroactive application

§ 77-40a-104. Rulemaking authority

§ 77-40a-105. Eligibility for removing the link between personal identifying information and court case dismissed

§ 77-40a-107. Expungement data requirements--Report

§ 77-40a-201. Automatic expungement procedure

§ 77-40a-202. Automatic deletion for traffic offense

§ 77-40a-203. Time periods for expungement or deletion--Identification and processing of Clean Slate eligible cases

§ 77-40a-301. Application for certificate of eligibility for expungement--Penalty for false or misleading information on application

§ 77-40a-302. Requirements for certificate of eligibility to expunge records of arrest, investigation, and detention

§ 77-40a-303. Requirements for a certificate of eligibility to expunge records of a conviction

§ 77-40a-304. Certificate of eligibility process--Issuance of certificate--Fees

§ 77-40a-305. Petition for expungement--Prosecutorial responsibility--Hearing

§ 77-40a-306. Order of expungement

§ 77-40a-401. Distribution of order--Redaction--Receipt of order--Bureau requirements--Administrative proceedings

§ 77-40a-402. Distribution for order for vacatur

§ 77-40a-403. Retention and release of expunged records--Agencies

§ 77-40a-404. Use of expunged records--Individuals--Use in civil actions

§ 77-40a-405. Penalty for disclosure of expunged, vacated, or pardoned records

POST-CONVICTION REMEDIES

§ 78B-9-104. Grounds for relief--Retroactivity of rule 5/4/2022

PARDON AND PAROLE

§ 77-27-5.1. Board authority to order expungement

VERMONT (10/07/2020)



EXPUNGEMENT AND SEALING OF CRIMINAL HISTORY RECORDS

- § 7601. Definitions
- § 7602. Expungement and sealing of record, postconviction; procedure
- § 7603. Expungement and sealing of record, no conviction; procedure
- § 7604. New charge
- § 7606. Effect of expungement
- § 7607. Effect of sealing
- § 7608. Victims
- § 7609. Expungement of criminal history records of an individual 18-21 years of age
- § 7610. Criminal history record sealing special fund

ASSESSMENT AND COLLECTION OF SURCHARGES

- § 7282. Surcharge

VIRGINIA (07/01/2025)

*CRIMINAL PROCEDURE: SEALING OF CRIMINAL HISTORY RECORD INFORMATION
AND COURT RECORDS*

- § 19.2-392.1. Statement of policy
- § 19.2-392.2. Expungement of police and court records
- § 19.2-392.3. Disclosure of expunged records
- § 19.2-392.4. Prohibited practices by employers, educational institutions, agencies, etc., of state and local governments
- § 19.2-392.12. Sealing of offenses resulting in a deferred and dismissed disposition or conviction by petition
- § 19.2-392.13. Disposition of records when an offense is sealed; permitted uses of sealed records
- § 19.2-392.14. Disclosure of sealed records; penalty
- § 19.2-392.16. Dissemination of criminal history records and traffic history records by business screening services
- § 19.2-392.17. Traffic infractions deemed sealed

DEPARTMENT OF CRIMINAL JUSTICE SERVICES; GENERAL PROVISIONS

- § 9.1-101. Definitions

DEPARTMENT OF CRIMINAL JUSTICE SERVICES: CRIMINAL JUSTICE INFORMATION SYSTEM



§ 9.1-128. Dissemination of criminal history record information; Board to adopt regulations and procedures

§ 9.1-129. Participation of state and local agencies in interstate system; access to system limited

§ 9.1-130. Procedures to be adopted by agencies maintaining criminal justice information systems

§ 9.1-132. Individual's right of access to and review and correction of information

§ 9.1-133. Certain information not subject to review or correction

§ 9.1-134. Sealing of criminal history record information

§ 9.1-135. Civil remedies for violation of this chapter or Chapter 23 of Title 19.2

§ 9.1-136. Criminal penalty for violation

§ 9.1-137. Article to control over other laws; exceptions

WASHINGTON (07/01/2022)

SENTENCING REFORM ACT OF 1981

9.94A.030. Definitions (*Effective July 1, 2022*)

SENTENCING

9.94A.637. Discharge upon completion of sentence--Certificate of discharge--Issuance, effect of no-contact order--Obligations, counseling after discharge (*Effective July 1, 2022*)

9.94A.640. Vacation of offender's record of conviction

9.94A.648. Victims of certain crimes--Vacating records of conviction for a class B or class C felony

9.96.060. Vacating records of conviction for misdemeanor and gross misdemeanor offenses (*Effective until July 1, 2022*)

9.96.060. Vacating records of conviction for misdemeanor and gross misdemeanor offenses (*Effective July 1, 2022*)

WASHINGTON STATE CRIMINAL RECORDS PRIVACY ACT

10.97.030. Definitions

10.97.050. Restricted, unrestricted information--Records

10.97.060. Deletion of certain information, conditions

10.97.070. Disclosure of suspect's identity to victim

10.97.080. Inspection of information by subject--Challenges and corrections

10.97.100. Fees

10.97.110. Civil remedies--Criminal prosecution not affected

10.97.120. Criminal penalties--Civil action not affected



WEST VIRGINIA (07/01/2021)

UNIFORM CONTROLLED SUBSTANCES ACT: OFFENSES AND PENALTIES

§ 60A-4-407. Conditional discharge for first offense of possession [of a controlled substance]

CRIMES AND PUNISHMENT: GENERAL PROVISIONS CONCERNING CRIMES

§ 61-11-25. Expungement of criminal records for those found not guilty of crimes or against whom charges have been dismissed

§ 61-11-26. Expungement of certain criminal convictions; procedures; effect

§ 61-11-26a. Expungement of certain criminal convictions with approved treatment or recovery and job program

§ 61-11-26b. Limitation on expungement for certain motor vehicle traffic control offenses

CRIMES AND THEIR PUNISHMENT: DANGEROUS WEAPONS

§ 61-7-7. Persons prohibited from possessing firearms; classifications; right of nonprohibited persons over twenty-one years of age to carry concealed deadly weapons; offenses and penalties; reinstatement of rights to possess; offenses; penalties

HUMAN TRAFFICKING

§ 61-14-9. Petition to vacate and expunge conviction or juvenile delinquency adjudication of sex trafficking victim

WEST VIRGINIA JUDICIARY

EXPUNGEMENT OF CRIMINAL RECORD AND CRIMINAL OFFENSES

EXPUNGEMENT OF CRIMINAL RECORD FORMS

EXPUNGEMENT INSTRUCTIONS

MISDEMEANOR CONVICTIONS

FELONY CONVICTIONS

MISDEMEANOR OFFENSES NOT ELIGIBLE FOR EXPUNGEMENT

FELONY OFFENSES NOT ELIGIBLE FOR EXPUNGEMENT

PETITION FORM

SERVICE

FILING FEES

THE GOVERNOR

§ 5-1-16a. Expungement of criminal record upon full and unconditional pardon



WISCONSIN (04/10/2022)

CRIMINAL PROCEDURE: SENTENCING

973.015. Special disposition

DEPARTMENT OF JUSTICE

165.84. Cooperation in criminal identification, records and statistics

WYOMING (07/01/2019)

EXPUNGEMENT OF CRIMINAL RECORDS

§ 7-13-1401. Petition for expungement; records of arrest, dismissal of charges, disposition; eligibility; no filing fee

SENTENCE AND IMPRISONMENT: EXPUNGEMENT OF RECORDS OF CONVICTION

§ 7-13-1501. Petition for expungement of records of conviction of certain misdemeanors; filing fee; notice; objections; hearing; definitions; exceptions

§ 7-13-1502. Petition for expungement of records of conviction of certain felonies; filing fee; notice; objections; hearing; definitions; restoration of rights

JUVENILES: VICTIMS OF DELINQUENT ACTS

§ 14-6-503. Rights of victims to be informed during the delinquency proceeding

HUMAN TRAFFICKING

§ 6-2-708. Victim defenses; vacating convictions