

# What is an Expungement?

❖ An **EXPUNGEMENT** seals a criminal record, so that it does not appear on state-run background checks.



- ▶ You May be Eligible to Petition for an Expungement in Four Scenarios:



# Mandatory Expungement

## Scenario #1:

- ▶ All Charges Terminated in your Favor
- Or
- ▶ After 3 years for a single violation conviction
- Or
- ▶ After 5 years for a single misdemeanor conviction

*\*Exclusions Apply*

## ▶ Eligible Applicants must:

- ▶ Complete fingerprints with the State Bureau of Identification(SBI)
- ▶ Wait 4-6 weeks to receive Official Eligibility letter and SBI Report
- ▶ Complete application and return form and filing fee to SBI's Office directly.

# Discretionary Expungement

## Scenario #2:

- ▶ After 3 years for a single misdemeanor conviction for one or more charges relating to the same case for specified offenses
- Or
- ▶ After 7 years for a single misdemeanor conviction for one or more charges relating to the same case for specified offenses not included above
- Or
- ▶ After 7 years for a single felony conviction

*\*Exclusions Apply*

## ▶ Eligible Applicants must:

- ▶ Complete fingerprints with SBI to receive Eligibility letter and SBI Report
- ▶ File petition and filing fee with applicable court(Family or Superior Court)
- ▶ AG will send a response to the Court indicating its opposition or support
- ▶ Presiding Judge will have the discretion to grant or deny the petition
- ▶ A hearing will be scheduled only if Court deems necessary



# Expungement After a Pardon

## Scenario #3

- ▶ After receiving a Governor's pardon
- ▶ **Eligible Applicants must:**
  - ▶ Complete fingerprints with SBI to receive SBI Report
  - ▶ Submit pardon application with applicable documentation
  - ▶ Attend scheduled Board of Pardons Hearing at KC Courthouse
  - ▶ If recommended by the Board, applicant must await the Governor's final decision
  - ▶ If Pardon is officially granted, begin discretionary expungement process

# Juvenile Expungement

## Scenario #4:

- ▶ Eligibility depends on the number of juvenile charges, the severity of the offenses, & the time elapsed since the offenses.
- ▶ **Eligible Applicants Must:**
  - ▶ Complete fingerprints with the State Bureau of Identification(SBI)
  - ▶ Wait 4-6 weeks to receive Official Eligibility letter and SBI Report
  - ▶ Complete applicable Mandatory or Discretionary Juvenile Expungement petition.