



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) |
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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
- 943.0589. 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

EXPUNGEMENT 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. Marihuana offenses; application to set aside conviction; procedure

780.621f. Marihuana 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

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UTAH 05/04/2022



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

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***WEST VIRGINIA JUDICIARY
EXPUNGEMENT OF CRIMINAL RECORD AND CRIMINAL OFFESES***

***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

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