**Website Sealing Definitions List**

1. Acquitted – This means that a person was found “not guilty” for the crime which he was charged. It is the legal and formal certification of the innocence of a person who has been charged with a crime. For example: Mr. Smith was arrested and charged for theft. However, Mr. Smith was found “not guilty” and acquitted of his theft charge.

1. Actual Innocence – In the context of sealing records in the District of Columbia under D.C. Code § 16-802, this refers to one of two situations: (1) when the offense for which the person was arrested or charged did not occur; and/or (2) when the person did not commit the offense for which she was arrested or charged. Assuming that she was never convicted for that charge, she can attempt to seal her arrest and charge records anytime without any waiting period. If she was convicted, she cannot use actual innocence to seal records related to her conviction.
2. Case Disposition – This refers to the court’s final determination of a lawsuit or criminal charge. A person can have a case disposition of Acquitted, Dismissed for Want of Prosecution, Dismissal, Found Guilty – Plea, Non Jury Trial Guilty, Jury Trial Not Guilty, Jury Trial Guilty, Non Jury Trial Not Guilty, No Papered, Nolle Diversion, Nolle Prosequi, or Post and Forfeit.
3. Case Number – This is the identification number that the court assigns to each and every case that it handles. In the context of sealing criminal records, this number is always necessary for sealing. In rare instances where the court does not have a court case number for your arrest or charge, you should request the court to assign you a case number.
4. Case Pending – This refers to any case that is pending or has not been fully resolved. For example, if a case does not have a case disposition, it is likely a case pending.
5. Conviction – It refers to the judgment (sentence) on a verdict or a finding of guilty, a plea of guilty or a plea of nolo contendere, or a plea or verdict of not guilty by reason of insanity.
6. Conviction Set Aside
7. Court Dismissed Charges – This is also known as “Dismissed for Want of Prosecution.” It is an order or judgment disposing of the charges without a trial. An involuntary dismissal accomplished on the Court’s own motion for lack of prosecution or on motion from the defendant for lack of prosecution or failure to introduce evidence of facts on which relief may be granted. The dismissal is without prejudice which allows the prosecutor the right to re-bring the charges at a later date.
8. D.C Superior Court – This is the court that has jurisdiction over most criminal cases in Washington, D.C. That is, if the arrest occurred in the District of Columbia, it is likely that D.C. Superior will be the court that handles that case.
9. Deferred Sentencing Agreement
10. Disqualifying misdemeanor Conviction - If a person has a “disqualifying misdemeanor conviction” in any jurisdiction, that is, they have a conviction for an ineligible misdemeanor, that conviction is not eligible for sealing but after waiting at least 5 years after sentence completion. For that conviction the individual can file to seal any D.C. non-convictions on their record. (the waiting periods that apply to each non-convictions still apply.)
11. Disqualifying Felony Conviction – If a person has a “disqualifying felony conviction” in any jurisdiction, that is, they have a conviction for any felony other for felony BRA, that conviction is not eligible for sealing but after waiting at least 10 years after sentence completion. For conviction, the client can file to seal any D.C. non-convictions on their record. (The waiting periods that apply to each non-convictions still apply.)
12. Dropped Charges
13. Eligible Felony – *See* Felony BRA
14. Eligible misdemeanor – Eligible misdemeanors are misdemeanors that are not considered “ineligible misdemeanors” *See* Ineligible misdemeanors. Generally, with exceptions, eligible misdemeanor convictions can be sealed after a waiting period. Also *see* “waiting period” and “disqualifying convictions”
15. Expunged Criminal Record – D.C. generally uses the term “sealed” instead of “expunged” Sealed criminal records are records that are not available to the public
16. Felony BRA – The ONLY eligible felony is BRA (which stands for Bail Reform Act violation), also known as “failure to appear.” If the client was convicted of “failure to appear,” then their record is eligible for sealing. If they were convicted of any other felony, they are NOT eligible. If the client has an ineligible felony conviction and a nonconviction, they may be able to seal the non-conviction after a waiting period following their ineligible felony.
17. Felony Conviction – With the exception of an eligible felony (Felony BRA), felony convictions cannot be sealed
18. Fugitive From Justice – It refers to a situation where a person has a warrant from another jurisdiction. If that person is arrested in D.C. because of a warrant from another jurisdiction, that person may be eligible to file a § 16-803.01 Motion to seal a fugitive arrest after they appear before the proper authority in the demanding jurisdiction.
19. Inappropriately attributed arrest record
20. Incorrectly Attributed Record
21. Ineligible misdemeanor – This refers to a long list of misdemeanors that are found and defined in D.C. Code § 16-801. Misdemeanor convictions cannot be sealed. Furthermore, ineligible misdemeanor non-convictions require longer waiting periods for sealing (compared to eligible misdemeanors).
22. Innocent – *See* Actual Innocence
23. Interpersonal Violence – In the context of sealing it is an ineligible misdemeanor. As defined in D.C. Code § 16-1001(6)(B), it is an “act punishable as a criminal offense that is committed or threatened to be committed by an offender upon a person … [w]ho is or was married to, in a domestic partnership with, divorced or separated from, or in a romantic, dating, or sexual relationship with another person who is or was married to, in a domestic partnership with, divorced or separated from, or in a romantic, dating, or sexual relationship with the offender.”
24. Intimate Partner Violence – In the context of sealing, it is an ineligible misdemeanor. As defined in D.C. Code § 16-1001(7), it means “act punishable as a criminal offense that is committed or threatened to be committed by an offender upon a person: (A) To whom the offender is or was married; (B) With whom the offender is or was in a domestic partnership; or (C) With whom the offender is or was in a romantic, dating, or sexual relationship.”

1. Intrafamily Violence – In the context of sealing, it is an ineligible misdemeanor. As defined in D.C. Code § 16-1001(9), it means “act punishable as a criminal offense that is committed or threatened to be committed by an offender upon a person to whom the offender is related by blood, adoption, legal custody, marriage, or domestic partnership, or with whom the offender has a child in common.”
2. MPD - Metropolitan Police Department – This is the local law enforcement agency in Washington, D.C. If you are arrested in the District of Columbia, it is likely that it was a police officer, or someone, from the MPD. If you plan to seal your D.C. criminal records, you should get a copy of your full records from the MPD.
3. No Charge
4. Non-Conviction – This refers to any arrest or charges that did not result in a conviction. See Conviction. Amongst others, this can refer to finding of not guilty, no papered, and dismissed.
5. Off-Papered – When a person has been unconditionally discharged from incarceration, commitment, probation, parole or supervised release – whichever is the latest.
6. Papered – This means that the United States Attorney’s Office of the District of Columbia or the Office of the Attorney General for the District of Columbia has decided to proceed with prosecution against you for the incident that leads to your arrest.
7. PDID (Police Department ID Number) – Identification number used by the Metropolitan Police Department to identify individuals whom they arrest. Regardless of the number of arrest incidents, an individual should only have one PDID.
8. Public Record – In the context of sealing under D.C. Code § 16-801, these are records that are available to the public. "Public" means any person, agency, organization, or entity other than: (A) Any court; (B) Any federal, state, or local prosecutor; (C) Any law enforcement agency; (D) Any licensing agency with respect to an offense that may disqualify a person from obtaining that license; (E) Any licensed school, day care center, before or after school facility or other educational or child protection agency or facility; (F) Any government employer or nominating or tenure commission with respect to: (i) Employment of a judicial or quasi-judicial officer; or (ii) Employment at a senior-level, executive-grade government position.
9. Sealed Criminal Record
10. Waiting period – In the context of sealing, this is the amount of time that a person must wait until he is eligible to seal his criminal record(s). Please note that some criminal record sealing do not have a waiting period because either (i) it is not eligible for sealing; or (ii) it does not require a waiting period.
11. Youth Rehabilitation Act
12. Preponderance of the evidence
13. Clear and convincing evidence
14. Post and Forfeit – The Metropolitan Police Department (MPD) or the Office of the Attorney General for the District of Columbia has resolved the incident that leads to your arrest using the Post and Forfeit procedure. The Post and Forfeit procedure allows a person charged with certain offenses to post and forfeit an amount as collateral (which otherwise would serve as security upon release to ensure the arrest’s appearance at trial) and thereby obtain a full and final resolution of the offense. The agreement to resolve the offense using the Post and Forfeit procedure is final
15. Multiple Arrest Record

Definitions from DC Code 16-801 - <http://dccode.org/simple/sections/16-801.html>