

# Offenses the Court Will Not Expunge In Vermont

## **Non-Qualifying Crimes: Detailed List**

Offenses the court will NOT expunge from your record.

### Non-Qualifying Misdemeanors Listed in 13 V.S.A 5301 (7)

1. Stalking (13 V.S.A. § 1062)
2. Domestic Assault (13 V.S.A. § 1042)
3. Recklessly Endangering Another Person (13 V.S.A. § 1025)
4. Violation of Abuse Prevention order (13 V.S.A. § 1030)
  - a. Excluding violation of an Abuse Prevention Order issued pursuant to 15 V.S.A. § 1104 (emergency relief) or 33 V.S.A. § 6936 (emergency relief)
5. Abuse of a Vulnerable Adult (13 V.S.A. § 1376(a))
6. Neglect of a Vulnerable Adult (13 V.S.A. § 1378(a))
7. Financial Exploitation of a Vulnerable Adult under \$500.00 (13 V.S.A. § 1380)
8. The attempt to commit any of the offenses on this list.

### Non-Qualifying Offenses Involving Prostitution or Lewd Behavior

1. Engaging in, Enabling, or Soliciting Prostitution (13 V.S.A. § 2632)
2. Lewdness and Indecent Conduct (13 V.S.A. § 2601a)

### Non-Qualifying Predicate Offenses

A criminal offense that can be used to enhance a sentence in a later conviction. Includes:

1. Operating a vehicle under the influence of alcohol or other substance (23 V.S.A. § 1201)
2. Domestic Assault (13 V.S.A. § 1042)
3. Stalking (13 V.S.A. § 1062)

### Other Non-Qualifying Offenses

ALL felonies EXCEPT those four listed in the Expungement FAQs cannot be expunged.

ALL traffic-related offenses like DUIs and Reckless Driving cannot be expunged.