



# Automatic Expungement

Under the Automatic Expungement program, qualifying and eligible convictions will be expunged without needing an application. Information from the Criminal Historical Record database determines when the proper waiting period for each conviction has ended. The automatic expungement program will run every day to check for newly eligible convictions. Nothing is needed from you for this process.

## Criteria for Automatic Expungement:

### Number of Convictions and Waiting Periods

#### Misdemeanors punishable by less than 93 days imprisonment

##### **No limit**

Waiting period: 7 years

#### Misdemeanors punishable by 93 days or more imprisonment

##### **Not more than 4**

Waiting period: 7 years

#### Felonies

##### **Not more than 2**

Waiting period: 10 years

### Offenses that are Not Eligible

- Assaultive crimes
- Serious misdemeanors
- Crimes of dishonesty
- Any offense punishable by 10+ years' imprisonment
- Crimes involving a minor, vulnerable adult, injury or serious impairment, or death
- Any violation related to human trafficking

### Reinstatement of Convictions

If it is determined that a conviction was improperly set aside, the court must reinstate the conviction.

If the conviction was automatically set aside, the court must reinstate the conviction if it determines that the individual has not made a good-faith effort to pay ordered restitution.