

# TO BE ELIGIBLE FOR EXPUNGEMENT ON YOUR CONVICTION OR DIVERSION:

## 1. MUST BE AN ELIGIBLE OFFENSE

### NOT eligible for expungement:

- Capital Murder
- Murder in first degree
- Murder in second degree
- Voluntary manslaughter
- Involuntary manslaughter
- Involuntary manslaughter while driving under the influence
- Sexual battery (victim less than 18)
- Aggravated sexual battery
- Commercial driving under the influence
- Any comparable offense
- Rape
- Indecent Liberties with a child
- Aggravated indecent liberties with a child
- Criminal sodomy
- Aggravated criminal sodomy
- Indecent solicitation of a child
- Aggravated incest
- Endangering a child
- Aggravated endangering a child
- Abuse of a child

## 2. REQUIRED AMOUNT OF TIME HAS PASSED SINCE SATISFACTION OF

### Three year wait time:

- Traffic infraction
- Cigarette or tobacco infraction
- Misdemeanor
- Class D or E felony
- Severity level 6-10 non-drug crime
- Severity level 4 or 5 drug crime (except after 2012)

### Five year wait time:

- Class A, B, or C felony
- Off-grid felony
- Severity level 1-5 non-drug felony
- Severity level 1-3 drug crime
- Vehicular homicide
- Driving while cancelled/suspended/revoked
- Perjury
- Applying for title of motor vehicle under false name/address
- Any crime punishable as felony where motor vehicle used
- Failing to stop at scene of accident
- Failing to have motor vehicle insurance
- DUI (most first DUIs, second will be different)

## ELIGIBLE FOR EXPUNGEMENT!

## 3. NO FELONY CONVICTIONS WITHIN LAST 2 YEARS AND NO PENDING FELONY CHARGES

## 4. CIRCUMSTANCES AND BEHAVIOR WARRANT EXPUNGEMENT

## 5. CONSISTENT WITH PUBLIC WELFARE