

# Rhode Island Judiciary Completes Phase One of Marijuana Expungement Process

*20k+ Individual Marijuana Cases Expunged to Date*

PROVIDENCE, RI- The Rhode Island Cannabis Act (Act), passed by the General Assembly in 2022, made possession of certain amounts of marijuana legal. The Act also provided for the automatic expungement of prior marijuana possession charges. Expungement means the removal and destruction of records relating to the case(s) or charge(s) in question. Usually a person would have to file a request to have a record expunged. The Act modifies that process and requires the courts to automatically expunge any eligible case(s) and charge(s). The automatic expungement process is free.

In accordance with the requirements of the Act, in January of 2023, Rhode Island Supreme Court Chief Justice Paul A. Suttell signed Executive Order 2023-02, which outlines the process for implementing the Act's expungement provisions. All criminal convictions for marijuana possession committed by individuals eighteen (18) and over and all civil violations committed by individuals twenty-one (21) and over are to be expunged. The Executive Order does not apply to other marijuana convictions including, but not limited to, the selling, delivering, or manufacturing of marijuana.

"The automatic expungement of marijuana charges has been an organizational feat," said State Court Administrator Julie P. Hamil. "There has been coordination at every level of the Judiciary to execute this process in a timely and holistic fashion."

The Executive Order provides for the automatic expungement of cases in two (2) phases. Phase one called for the expungement of singular possession charges (meaning, the possession charge was the only charge on the case) by the Superior and District Courts and the Rhode Island Traffic Tribunal. With the cooperation and the coordination of the Attorney General's Office, the State Police, and the law enforcement agency that filed the marijuana possession charge(s), the courts completed phase one before the deadline of April 30, 2023. Judiciary-wide, more than twenty-three thousand cases have been expunged: 3,015 individual cases were expunged in the Superior Court, 10,650 in the District Court, and 9,952 cases in the Rhode Island Traffic Tribunal.

"The RI Judiciary has executed the auto-expungement of marijuana charges in a near seamless manner and so many Rhode Islanders are grateful for its expediency, said Mavis Nimoh, Executive Director of the Center for Health and Justice Transformation. "Common sense policy on criminal record relief is desperately needed as the state enters into a burgeoning economy that for far too long has penalized its citizens."

Phase two of this expungement process will include cases where possession of marijuana was one of multiple charges or counts. The process is still in the planning stages. This is a much more involved process that requires cases to be manually updated. The courts are on track to ensure that eligible charges will be expunged by July 1, 2024.

Individuals can search the [Rhode Island Judiciary Public Portal](#) (Public Portal) to check the courts' records to determine if a case(s) or charge(s) has been expunged. Once a case(s) or charge(s) is expunged, the information will no longer appear on the Public Portal.

If an individual needs a marijuana possession case(s) or charge(s) expunged sooner than the dates listed above, the individual can request an *expedited expungement* by submitting a Notice for Expedited Marijuana Possession Expungement to the court that heard the case. An individual may submit this notice in person or by email to the addresses listed below:

Superior Court: [SuperiorCourtHelpDesk@courts.ri.gov](mailto:SuperiorCourtHelpDesk@courts.ri.gov)

District Court:

Murray Judicial Complex: [2ndDistrictCourtHelpDesk@courts.ri.gov](mailto:2ndDistrictCourtHelpDesk@courts.ri.gov)

Noel District Court: [3rdDistrictCourtHelpDesk@courts.ri.gov](mailto:3rdDistrictCourtHelpDesk@courts.ri.gov)

McGrath Judicial Complex: [4thDistrictCourtHelpDesk@courts.ri.gov](mailto:4thDistrictCourtHelpDesk@courts.ri.gov)

Garrahy Judicial Complex: [6thDistrictCourtHelpDesk@courts.ri.gov](mailto:6thDistrictCourtHelpDesk@courts.ri.gov)

Rhode Island Traffic Tribunal: [TrafficTribunalHelpDesk@courts.ri.gov](mailto:TrafficTribunalHelpDesk@courts.ri.gov)

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