

EXPUNGEMENT INFORMATION

The summary below is for informational purposes only. It is recommended that you contact an attorney to discuss the procedures for filing a motion for expungement in your particular case. This summary information does not guarantee that your case will be expunged after a motion has been filed.

Title 12, Chapter 1.3 of the Rhode Island General Laws sets out a procedure for a first offender to file a motion to expunge a record of conviction for a felony or a misdemeanor. "Expungement" is a legal procedure by which certain individuals can ask the court to seal criminal a record. Once sealed, the criminal record is no longer public. Some time limits apply before a motion to expunge a case can be filed and anyone convicted or placed on probation on more than one occasion is ineligible for expungement.

The motion for expungement should be filed in the court in which the charge and/or the conviction took place and should contain: 1) a copy of the conviction records from the Office of Attorney General's Bureau of Criminal Identification Unit (BCI) and 2) a certified copy of the criminal complaint located at the Judicial Records Center. A ten-day period is necessary for the offender to give the Attorney General's Office and the arresting police department notice that the motion to expunge is being filed. The court Clerk's Office will assign a hearing date at least ten (10) days from the filing date the motion for expungement was filed.

If the motion to expunge is granted by the court, certified copies of the court order should be provided to the arresting police department, the Department of Attorney General, and to the probation department (if applicable), in order to give notification that the record has been ordered expunged.