



## State of Rhode Island Judiciary

### Marijuana Expungement Questions and Answers

**Question:** What is in Executive Order 2023-02?

**Answer:** The Rhode Island Cannabis Act (Act) made possession of less than one (1) ounce of marijuana legal for people aged twenty-one (21) and over. The Act also provides for the automatic expungement of prior convictions for marijuana possession which are no longer crimes. Executive Order 2023-02 lays out the process and timeline for the expungement of eligible marijuana convictions and civil violations.

**Question:** What does expungement mean?

**Answer:** Expungement means the removal of a record of conviction. The public is prevented from viewing expunged records, and you are protected from disclosure subject to certain exceptions provided by law. Marijuana expungements will apply to the Superior and District Courts and the Rhode Island Traffic Tribunal records.

The automatic expungement process is free and does not require the individual to file any court documents.

**Question:** What type of marijuana charges will be automatically expunged?

**Answer:** All marijuana possession charges involving [AMOUNT] are eligible for automatic expungement.. All criminal convictions committed by individuals eighteen (18) and over and all civil violations committed by individuals twenty-one (21) and over will be expunged. That means that the Executive Order does not apply to all other marijuana convictions including, but not limited to, the selling, delivering, or manufacturing of marijuana.

**Question: How many eligible convictions will be automatically expunged?**

**Answer:** All eligible convictions will be automatically expunged. Marijuana possession charges that resulted in a civil violation will be automatically expunged by the Rhode Island Traffic Tribunal. Where possession of marijuana resulted in a criminal conviction, the Superior and District Courts will process the expungements.

**Question: When will the automatic expungements happen?**

**Answer:** Cases that involve only one charge of marijuana possession will be expunged by April 30, 2023. Cases where possession of marijuana was one of multiple charges or counts will be expunged by July 1, 2024. Expungements will be ongoing prior to the deadlines so individuals can search the [Rhode Island Judiciary Public Portal](#) to check the records. Note that there will be no indication that a record was expunged in the Public Portal; it will simply no longer appear.

**Question: Will a marijuana expungement apply across state agencies and partners?**

**Answer:** Yes, there will be coordinated record expungement across the Rhode Island Judiciary, the Attorney General's Office, the State Police, and the law enforcement agency where a charge may have been filed.

**Question: Can I request an expedited expungement?**

**Answer:** If you need your marijuana possession conviction expunged sooner than the dates listed above, you can request an expedited expungement through the clerk's office of the Superior or District Courts or the Rhode Island Traffic Tribunal. Requests will be processed within five (5) business days. The expungement process is free but does require some documents to be filed. See the Rhode Island Judiciary's website at [www.courts.ri.gov](http://www.courts.ri.gov) for detailed instructions and forms.

**Question:** Will I be notified if a marijuana conviction has been expunged from my record?

**Answer:** Unfortunately, due to the volume of expungements, individuals will not be individually notified when the expungement occurs. Individuals can search the [Rhode Island Judiciary Public Portal](#) to check the records. Note that there will be no indication that a record was expunged in the Public Portal; it will simply no longer appear. Also, please be advised that Clerk's Office staff cannot confirm that a record was expunged following removal. This is because Clerks' Office staff is prohibited by law from disclosing any information relative to an expunged case.