

## The Second Chance Expungement Law

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The probability that criminal offenders may seal their existing criminal records has now been substantially increased. Under prior law, judges had the ability to seal criminal court records, but were generally prohibited from sealing records collected by other state agencies. As a result, even if records were ordered judicially expunged, they were still available through other channels.

Under the Second Chance Expungement Law, state agencies must now seal their records when ordered to do so under a judicial expungement order. Any business screening services must also delete records if they know that a record has been sealed, expunged, or is the subject of a pardon.

The factors used by courts to determine whether or not to grant an expungement remain unchanged and include steps the offender has taken towards rehabilitation, the nature and severity of the underlying crime, and the reasons for expungement, such as the impact the criminal record has on obtaining employment or housing.