

## What can and can't be expunged

- Those persons who have undergone Pre-Trial Intervention (PTI) or have had their records expunged do not need to report their arrest (or the fact that they had PTI/Expunged record) on an application or divulge that information to employers.
- Expunged Records: The law allows expunged records to be used when a person applies for a job with a law enforcement agency, state, county, and local corrections departments, prosecutors, courts and police.
- Eligibility for Expungement:
  - Indictable offense- crimes punishable by 6 months jail time or more.
    - May only have 1 indictable offense in any state. Must wait 10 years from the conviction.
  - Disorderly persons offense- crime punishable by less than 6 months of jail time. (municipal court)
    - 5 years from conviction or completion of probation/parole, and payment of fines.
    - May not have more than 2 disorderly persons convictions after the indictable offense.
  - Violation of municipal ordinance
    - Municipal Ordinances – 2 years from conviction or completion of probation/parole, and payment of fines.
  - PTI – 6 months from completion.
- Convictions which may not be expunged:
  - Aggravated Sexual Assault
  - Conspiracies or attempts to commit such crimes
  - False Swearing
  - Kidnapping
  - Murder
  - Not Guilty by Reason of Insanity (NGRI)
  - Perjury
  - Robbery