

EXPUNGING AN ADULT CONVICTION

I. What You Must Know:

A. The court can expunge criminal records in two circumstances:

1. For certain crimes committed by youthful offenders where the sentence is successfully completed (Wisconsin Statute §973.015). Expungement must be approved by the court at the time of sentencing.
2. If the offender committed a commercial sex act as a victim of human trafficking (Wisconsin Statute §973.015(2m)).

NOTE: Other than in the above two circumstances a Judge has no authority or power to expunge other types of cases.

B. Is your conviction eligible for expungement:

1. If you were sentenced **on or after July 1, 2009**, the record of your conviction may be eligible to be expunged if you were **under the age 25** at the time of the offense and if the maximum punishment for the crime was **6 years or less**.

SOME OFFENSES ARE EXCLUDED AND FELONY OFFENDERS ARE NOT ELIGIBLE IF THEY HAVE A PRIOR FELONY CONVICTION.

2. If you were sentenced **before July 1, 2009**, the record of your conviction may be eligible to be expunged if you were **under age 21** at the time of the offense and if the crime was a **misdemeanor**.

II. Documentation For Court:

A. You must show proof that the court approved the expungement at the time of your sentencing by including one of the following along with your expungement request:

1. A copy of the sentencing transcript or judgment; **OR**
2. A court docket entry showing expungement granted at sentencing; **OR**
3. Other proof that the court approved expungement at sentencing.