



*Downtown*  
535 North Main  
Wichita, Kansas 67203

**Office of the District Attorney**  
*18<sup>th</sup> Judicial District of Kansas*

*Juvenile*  
1900 East Morris  
Wichita, KS 67211

### **GENERAL INFORMATION**

Kansas statute (K.S.A. 22-2410) allows any person arrested in this state to petition the court for an expungement of such arrest record if: the arrest occurred because of mistaken identity; a court has found that there was no probable cause for the arrest; the petitioner was found not guilty in court proceedings; or the expungement would be in the best interests of justice and (A) the charges have been dismissed or (B) no charges have been or are likely to be filed.

The following documents are to be used in preparing the expungement pleadings. The forms include a personal information report, petition and an order of expungement. You can fill out the documents online and print to submit.

In completing the documents, please provide **all** of the requested information in the order listed. The information is needed by this office in conducting the record check and is also needed by the various law enforcement agencies which must identify the specific event which led to the arrest. Your name must appear as it was written on the original charge. A separate petition and order must be completed for every arrest you want to have expunged. When you have completed the forms, please send them to the Office of the District Attorney at the downtown address.

Once the required record check has been completed and an attorney has reviewed the file, a decision will be made as to eligibility for expungement. If we agree to the expungement, the attorney will sign the Order and return it to you for further handling. You will then need to obtain a judge's signature and file the Petition and Order with the Clerk of the Criminal Court on the 7<sup>th</sup> floor of the Sedgwick County Courthouse, 525 North Main Street, Wichita. The Clerk's office will advise you regarding how many copies of each document that they require. You may be required to pay a filing fee.

If this office decides to object to the expungement, you will be so notified and the documents you submitted will be returned to you. You have the right to file your petition with the court and set the matter for hearing before a Judge for determination of your eligibility for expungement. Should you decided to set the matter for hearing, please notify our office in writing no less than 14 days prior to the hearing date.

Please feel free to contact our office if you have any questions

## **RESOURCES FOR COMPLETING THE EXPUNGEMENT PROCESS**

For information on dates and charges, you can contact the District Court Clerk's Office, Records Department, on the 6<sup>th</sup> floor of the Sedgwick County Courthouse. (316) 660-5720

For arrest records you must contact the agency who arrested you:

Sedgwick County Sheriff's Department, 141 West Elm, Wichita (316) 660-3888)

Wichita Police Department, Records, 455 North Main, Wichita (316) 268-4186)

Kansas Highway Patrol, Records, 122 SW 7<sup>th</sup>, Topeka, KS 66603 (785) 296-6800 (#2)

Completed and signed forms can be mailed or hand-delivered to:

Office of the District Attorney, 535 North Main, Wichita, KS 67203

**The Office of the District Attorney cannot give you legal advice.** If you need legal assistance consider using the "Find a Lawyer" Service that can be found on the Wichita Bar Association website: [www.wichitabar.org](http://www.wichitabar.org).



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Personal Information Report for Expungement Applicants

**Note: all questions must be completed. If not applicable, put N/A in the box**

<b>1. First Name</b>	<b>2. Middle Name</b>	<b>3. Last Name</b>
<b>4. Maiden Name/Other Name used</b>	<b>5. Date of Birth</b>	<b>6. Race/Sex</b>
<b>7. Social Security Number</b>	<b>8. Driver's License Number</b>	<b>9. State of Issuance</b>
<b>10. Present Street Address</b>	<b>11. City, State and Zip</b>	<b>12. Phone Number</b>
<b>13. Have you had any law enforcement contact since your conviction on this case?</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<b>14. If yes, please list each occurrence, date of occurrence and the circumstances of the contact. Attach additional sheets of paper if necessary.</b>		
<b>Law Enforcement Contact and Date</b>	<b>Nature of Contact</b>	
<b>15. Present Employer</b>		
<b>Employer</b>	<b>Telephone number</b>	<b>Address</b>
<b>Date of Employment</b>	<b>Occupation</b>	
<b>16. Why are you seeking an expungement?</b>		

I swear or affirm that the above and foregoing information in support of my application for expungement is true and correct to the best of my knowledge and belief.

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Date

IN THE EIGHTEENTH JUDICIAL DISTRICT  
DISTRICT COURT OF SEDGWICK COUNTY, KANSAS  
CRIMINAL DIVISION

\_\_\_\_\_ [Name]  
Petitioner

Case No. \_\_\_\_\_

vs.

AND/OR

THE STATE OF KANSAS  
Respondent

Law Enforcement Case No. \_\_\_\_\_

**PETITION FOR EXPUNGEMENT OF ARREST RECORD**

COMES NOW, the respondent and petitions the Court for an Order of Expungement pursuant to K.S.A. 22-2410.

In support of this request, petitioner states the following:

1. Petitioner's full name is \_\_\_\_\_;
2. Petitioner's full name at the time of his/her arrest or conviction, if different than #1, was \_\_\_\_\_;
3. Petitioner is a \_\_\_\_\_ [Race] \_\_\_\_\_ [Sex] who was born in \_\_\_\_\_ [Year of Birth];
4. Petitioner was arrested in Sedgwick County, Kansas on \_\_\_\_\_ [Date] by \_\_\_\_\_ [Law Enforcement Agency] for the following crime(s) [list charge(s) and statute number(s)]
5. Expungement of petitioner's arrest record is proper because:

**[CHOOSE ONE OF THE FOLLOWING]**

Petitioner affirms under penalty of perjury that the statements in this Petition are accurate to the best of petitioner's knowledge; petitioner respectfully requests that the Court set this matter for hearing and grant the expungement.

\_\_\_\_\_  
Petitioner  
Name (Print) \_\_\_\_\_

\_\_\_\_\_  
Attorney for Petitioner (if applicable)  
Name (Print): \_\_\_\_\_  
Supreme Court No. \_\_\_\_\_

IN THE EIGHTEENTH JUDICIAL DISTRICT  
DISTRICT COURT OF SEDGWICK COUNTY, KANSAS  
CRIMINAL DIVISION

\_\_\_\_\_ [Name]  
Petitioner

Case No. \_\_\_\_\_

vs.

AND/OR

THE STATE OF KANSAS  
Respondent

Law Enforcement Case No. \_\_\_\_\_

**ORDER FOR EXPUNGEMENT OF ARREST RECORD**

**NOW** on this \_\_\_\_ day of \_\_\_\_\_ 20\_\_\_\_, the Court considers the Petition for Expungement filed herein pursuant to K.S.A. 22-2410. The State is represented by \_\_\_\_\_, Assistant District Attorney. Petitioner is  **pro se**  **represented by** \_\_\_\_\_ [Attorney's name]. Others appearing, if any, are: \_\_\_\_\_.

The Court finds jurisdiction and venue are proper. Notice to parties and those required to receive notice has been given as required by law.

The Court,  upon agreement of the parties,  having reviewed file,  having received evidence, and/or  having heard statements of counsel, finds as follows:

1. The full name of the petitioner is \_\_\_\_\_;
2. The full name of petitioner at the time of his/her arrest or conviction, if different than #1, was \_\_\_\_\_;
3. Petitioner is a \_\_\_\_\_ [Race] \_\_\_\_\_ [Sex] who was born in \_\_\_\_\_ [Year of Birth];
4. Petitioner was arrested in Sedgwick County, Kansas on \_\_\_\_\_ by \_\_\_\_\_ [Law Enforcement Agency] for the following crime(s) [list charge(s) and statute number(s)]

5. CHOOSE **ONE** OF THE FOLLOWING:

**IT IS THEREFORE ORDERED** that petitioner's arrest records herein, named above, shall be expunged and petitioner shall be treated as not having been arrested. The Clerk of the District Court, upon receipt and filing herein, shall send a certified copy of the Order of Expungement to the Kansas Bureau of Investigation which shall notify the Federal Bureau of Investigation, the Secretary of Corrections, and any other criminal justice agency which may have a record of the arrest described herein.

*If the expungement is granted because of 5b above,*

**IT IS FURTHER ORDERED**, the Kansas bureau of investigation is to purge the arrest information from the criminal justice information system central repository and all applicable state and federal databases.

*If the expungement is granted because of 5e above,*

**IT IS FURTHER ORDERED**, in the interest of public welfare, that petitioner shall disclose the arrest herein expunged as follows:

1.  In any application for employment as a detective with a private detective agency, as defined in K.S.A. 75-7b01 and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01 and amendments thereto; or with an institution, as defined in K.S.A. 76-12a01 and amendments thereto, of the department for aging and disability services;
2.  In any application for admission, or for an order of reinstatement, to the practice of law in this state;
3.  To aid in determining petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;
4.  To aid in determining petitioner's qualifications for executive director of the Kansas racing commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;
5.  In any application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142 and amendments thereto;
6.  To aid in determining petitioner's qualifications to be an employee of the state gaming agency;
7.  To aid in determining petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact; or
8.  In the following circumstances as deemed appropriate by the Court:

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**IT IS SO ORDERED** this \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_.

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JUDGE OF THE DISTRICT COURT

Submitted by:

Approved by:

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Petitioner or Petitioner's Attorney

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Assistant District Attorney

Name (Print): \_\_\_\_\_

Name (Print): \_\_\_\_\_

[Supreme Court Number]: \_\_\_\_\_

[Supreme Court Number]: \_\_\_\_\_