



Downtown
535 North Main
Wichita, Kansas 67203

Office of the District Attorney
18th Judicial District of Kansas

Juvenile
1900 East Morris
Wichita, Kansas 67211

GENERAL INFORMATION

The Kansas statute 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 interest of justice and (A) charges have been dismissed or (B) no charges have been or are likely to be filed (K.S.A. 22-2410).

If an attorney is representing you, your attorney will prepare the necessary documents to petition for expungement of arrest. If you are proceeding without an attorney (*pro se*) you will need to follow these instructions carefully.

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 forms online and print them to be submitted with your expungement packet.

When you have completed the forms, please send one copy of the petition, one copy of the personal information report, and the original of the order of expungement to the Office of the District Attorney at the downtown address shown above. Once the required record check has been completed and the 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. At that time, you will need to obtain the judge's signature and then file the petition and the order with the Clerk of the Criminal Court. Please note that the judge's signature must be on the order before it can be filed with the clerk. The clerk's office will advise you regarding how many copies of each pleading they require.

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 can then decide whether you wish to file the petition, schedule a hearing on the petition, and present your request to the Court.

In preparing the petition and order, all information presently set out in the forms should be contained in the original documents that are prepared. 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. Since the records are maintained by name and date of arrest and other identifying information, all of the information requested must be provided. A separate petition and order must be completed for each arrest you are petitioning the court to expunge.

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 6th 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)

When the forms are completed and signed, you can either mail or hand deliver 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.



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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

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

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.

THE STATE OF KANSAS
Respondent

PETITION FOR EXPUNGEMENT OF ARREST RECORD

Pursuant to K.S.A. 22-2410.

I respectfully request of the Court an order of expungement of my arrest record. In support thereof, I state the following:

1. My full name is _____;
2. My full name at the time of my arrest, if different than #1, was
_____;
3. I am a _____ [Race] _____ [Sex] born in _____ [Year of Birth];
4. I was arrested in _____ County, Kansas on _____ [Date] by
_____ [Law Enforcement Agency] for the crime of
_____;
5. Expungement of my arrest record is proper because:

[CHOOSE ONE OF THE FOLLOWING]

a. The arrest occurred because of mistaken identity;

OR

b. There was no probable cause for the arrest;

OR

c. I was found not guilty in court proceedings;

OR

d. The expungement would be in the best interests of justice and charges have been dismissed or no charges have been or are likely to be filed;

I affirm under penalty of perjury that the statements in this Petition are accurate to the best of my knowledge and I respectfully request that the Court set this matter for hearing and grant the expungement.

Petitioner, Pro Se
Name (Print): _____
Address 1: _____
Address 2: _____
City, State, Zip: _____
Telephone Number: _____
[Fax Number]: _____
[E-mail Address]: _____

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

_____ [Name]
Petitioner

Case No. _____

vs.

THE STATE OF KANSAS
Respondent

ORDER FOR EXPUNGEMENT OF ARREST RECORD

Pursuant to K.S.A. 22-2410.

On this ____ day of _____ 20____, the Court considers the Petition for Expungement filed herein.

The State appears by _____, assistant county/district attorney or designee. The petitioner appears

pro se **in person** with _____ [Attorney's name, if any]. 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 the file, having received the evidence, and/or having heard statements of counsel, finds as follows:

1. The full name of the petitioner is _____;
2. The full name of the petitioner at the time of his/her arrest, if different than #1, was _____;
3. The petitioner is a _____ [Race] _____ [Sex] born in _____ [Year of Birth];
4. The petitioner was arrested in _____ County, Kansas on _____ by _____
[Law Enforcement Agency] for the crime of _____;
5. CHOOSE **ONE** OF THE FOLLOWING:
 - a. The arrest occurred because of mistaken identity;

OR

- b. The arrest occurred as a result of mistaken identity or another person using the identifying information of the named person, and the charge against the named person was dismissed or not prosecuted;

OR

- c. A court found that there was no probable cause for the arrest;

OR

- d. The petitioner was found not guilty in court proceedings;

OR

- e. The expungement is in the best interests of justice and charges have been dismissed or no charges are likely to be filed.

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 the 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 the 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 the 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 the petitioner's qualifications to be an employee of the state gaming agency;

7. To aid in determining the 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:

_____.

IT IS SO ORDERED this ____ day of _____, 20 ____.

JUDGE OF THE DISTRICT COURT
EIGHTEENTH JUDICIAL DISTRICT

Submitted by:

Approved by:

Petitioner

Assistant County/District Attorney

Name(Print): _____

Name(Print): _____

[Supreme Court Number]: _____

[Supreme Court Number]: _____

Address 1: _____

Address 1: _____

Address 2: _____

Address 2: _____

City, State, Zip: _____

City, State, Zip: _____

Telephone: _____

Telephone: _____

[Fax Number]: _____

[Fax Number]: _____

[E-mail Address]: _____

[E-mail Address]: _____