



Office of the District Attorney
18th Judicial District of Kansas

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 7th 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 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 decide 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

DOWNTOWN
525 N. MAIN, SUITE 235
WICHITA, KANSAS 67203

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)

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

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

Office of the District Attorney, 525 N. Main, Ste 235, 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.

PERSONAL INFORMATION REPORT FOR EXPUGNEMENT APPLICANTS

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

First Name _____ Middle Name _____ Last Name _____

Maiden Name/Other Name Used _____ Date of Birth _____ Race/Sex _____

Social Security Number _____ Driver's License Number _____ State of Issuance _____

Present Street Address _____ City, State and Zip _____

Phone Number _____

Have you had any law enforcement contact since your conviction on this case? Yes No

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

Present Employer

Employer _____ Telephone Number _____

Address _____ Date of Employment _____ Occupation _____

Why are you seeking an expungement?

I swear or affirm that the above and foregoing information is 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 Number _____

vs.

AND/OR

THE STATE OF KANSAS
Respondent

Law Enforcement Case Number _____

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 _____ ;
2. Petitioner's full name at the time of his/her arrest or conviction, if different that #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 from 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 that the Court set this matter for hearing and grant the expungement.

Petitioner _____
Name (print) _____

Attorney for Petitioner (if applicable) _____
Name (print) _____
Supreme Court Number _____

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

_____ [Name]
Petitioner

Case Number _____

vs.

AND/OR

THE STATE OF KANSAS
Respondent

Law Enforcement Case Number _____

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 parties_____, having reviewed file_____, having received evidence _____, and/or having heard statements of counsel, finds as follows:

1. Petitioner's full name is _____ ;
2. Petitioner's full name at the time of his/her arrest or conviction, if different that #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. **[Choose one from 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:

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

JUDGE OF THE DISTRICT COURT

Submitted by:

Approved by

Petitioner or Petitioner' Attorney _____

Name (print) _____

Supreme Court Number _____

Assistant District Attorney _____

Name (print) _____

Supreme Court Number _____