

Rhode Island Expungement Law

If you have an arrest record, your records are available for all the world to see. Your employer or future employer, landlords, banks, even family and neighbors can discover all the details of your case, even though you were not convicted.

Depending on the facts of your arrest and disposition, we often are able to expunge or seal your records. Wouldn't it be a relief to keep such a personal matter private and to protect your future?

Don't delay:

Contact us for a free evaluation of your case by calling (401) 228-8271.

Rhode Island law sets out a procedure for an individual to expunge a record of conviction for a felony or misdemeanor. Under Rhode Island Law, an individual may have the right to **expunge all court records**, all records in the possession of any state or local **police** department, the **bureau of criminal identification** and the probation department, including, but not limited to, any fingerprints, photographs, physical measurements, or other records of identification.

Contact us today to schedule a **free, confidential consultation** to discuss expungement of your felony or misdemeanor criminal record. Call us at **401-228-8271** or email us at mm@matthewmarin.com. Attorney Matthew T. Marin can review your history and guide you through the process of having your criminal record expunged if you are eligible. We will make every effort to **expunge your record of arrest or criminal conviction**.

Below you can read about Rhode Island's Expungement statute in greater depth.

What is the Purpose of Expungement?

If an individual qualifies to have his or her record of criminal conviction expunged, certified copies of the court order are then provided by the Expungement Attorney to the arresting police department, the Department of Attorney General, and to the probation department to give notify them that the record has been ordered expunged. Each agency will then destroy its record.

What is the Expungement Process?

A **Motion for Expungement** must be filed in the Court system. There are several **limitations** on an individual's ability to expunge a record of conviction. First, there is a five year waiting period for misdemeanor convictions and a ten year waiting period for felony convictions.

Misdemeanor Convictions - [Section 12-1.3-2\(b\)](#) - "a person may file a motion for the expungement of records relating to a misdemeanor conviction after **five (5) years** from the date of the completion of his or her sentence."

Felony Convictions - [Section 12-1.3-2\(c\)](#) - "a person may file a motion for the expungement of records relating to a felony conviction after **ten (10) years** from the date of the completion of his or her sentence."

Limited to "First Offenders"

Rhode Island law limits the ability to expunge criminal records to those individuals who qualify as "First Offenders." First time offenders are those who have no other criminal convictions, including probation and suspended sentence, and have no criminal charges pending against them currently.

First Offenders - [Section 12-1.3-1\(3\)](#) - "'First offender' means a person who has been convicted of a felony offense or a misdemeanor offense, and **who has not been previously convicted of or placed on probation** for a felony or a misdemeanor **and against whom there is no criminal proceeding pending** in any court."

Prohibition Against Crimes of Violence

Rhode Island law prohibits the expungement of any record of criminal conviction defined by statute as a "Crime of Violence." Any record of those convictions cannot be expunged under current Rhode Island law.

Crime of Violence - [Section 12-1.3-1\(1\)](#) - "'Crime of violence' includes murder, manslaughter, first degree arson, kidnapping with intent to extort, robbery, larceny from the person, first degree sexual assault, second degree sexual assault, first and second degree child molestation, assault with intent to murder, assault with intent to rob, assault with intent to commit first degree sexual assault, burglary, and entering a dwelling house with intent to commit murder, robbery, sexual assault, or larceny."

Call for a Free, Confidential Consultation Today

If you think you are eligible to have your Rhode Island criminal records expunged, contact The Law Offices of Matthew T. Marin, Esq., Inc. today for a **free, confidential consultation** and **discuss** your options. Call us now at **401-228-8271** or email us at mm@matthewtmarin.com.