



Kansas Bureau of Investigation

Kirk D. Thompson
Director

Derek Schmidt
Attorney General

Fact Sheet

Expungement of Criminal History Records

To have a Kansas criminal history record expunged the event must meet the criteria provided in the state statutes listed below.

- **K.S.A. 12-4516** municipal courts and expungement of certain convictions, arrest records and diversion agreements.
- **K.S.A. 21-6614** expungement of certain convictions, arrest records and diversion agreements. (K.S.A. 21-4619 prior to 7/1/2011)
- **K.S.A. 22-2410** expungement of arrest records.
- **K.S.A. 38-2312** expungement of records for minors.
- **K.S.A. 60-5004** expungement of records for the wrongfully convicted

To expunge a criminal history record an individual must file a petition for expungement through the court that has jurisdiction over the event. After the petition is made, the court will determine if the event is eligible to expunge. If the expungement is approved, the clerk of the court will mail a certified copy to the Kansas Bureau of Investigation (KBI).

Once the certified order of expungement is received at the KBI, it takes approximately 2-4 weeks to process the expungement and update the criminal history record. Expungements are processed in the order that they are received. The KBI is responsible for notifying the Federal Bureau of Investigation (FBI), Kansas Secretary of Corrections, and any Kansas law enforcement agency that was involved with the event. The KBI does not notify private record check agencies of an expungement.

Common concerns and misconceptions:

An expungement will seal the event from public view; however, it does not completely remove the event from the record. A select group of agencies has statutory authority to access expunged information. To see a complete list of those agencies, please review the statutes listed above.

An expungement only pertains to the criminal history record not offender registration records. It does not relieve a person from the duty to register as an offender nor does it remove the information from the offender registration website. If a court has ordered you to register then you must continue to report to your local sheriff's department until your registration period has been satisfied.

Expungement of a felony conviction will not guarantee eligibility to purchase of a firearm. Depending on the crime and circumstances of the crime state and federal laws may still prohibit the possession and/or purchase of a firearm even though the case has been expunged.