

HAMILTON

PUBLIC



COUNTY

DEFENDER

THE

FRESH START

EXPUNGEMENT PROGRAM

PRESENTED BY THE LAW OFFICE OF THE HAMILTON COUNTY PUBLIC DEFENDER

What Can We Do To Help Seal The Arrest
Records Of Eligible Offenders?



Who wants to know what's in your background?



Employers
Schools
Landlords, etc...

Criminal Records will keep you from employment, housing, education and from participating in certain programs



Record Sealing

Effective 9/28/2012

BASIC RULE:

- Two misdemeanor convictions; or
- One misdemeanor conviction and one felony conviction.

Unfortunately, some offenses cannot be sealed

- 1st and 2nd degree felony
- Violence
- Sex offenses
- Child victim
- Traffic, DUI/OVI

“Minor misdemeanors” can be sealed

Record Sealing

Non-conviction cases are a part of a criminal record and can come up on background checks

Non-convictions do not automatically disappear. You must apply to seal these cases.

Non-conviction case

- Dismissed
- Ignored (Grand Jury)
- Acquitted

There is no limit to the number of non-conviction cases to seal

Who is Eligible?

Individuals who have

- No more than 2 misdemeanor convictions
- or
- No more than 1 felony and 1 misdemeanor

Scenario 1



- Drug Trafficking (4th Degree Felony)
- Possessing Drug Abuse Instrument (2nd Degree Misdemeanor)



Eligible for expungement

Scenario 2

Four Counts of Theft (all misdemeanors)

- If the 4 counts of theft all occurred at the same time
 eligible for expungement
- If the 4 counts of theft occurred at different times
(1998, 2003, 2007 and 2010)
 would not be eligible for expungement

Scenario 3

- Passing a Bad Check (1st Degree Misdemeanor)



Eligible for expungement

Scenario 4

- Drug Abuse (Minor Misdemeanor)
- Disorderly Conduct (Minor Misdemeanor)
- Public Intoxication (Minor Misdemeanor)
- Obstruction Official Business (2nd Degree Misdemeanor)



Eligible for Expungement

WHEN CAN I APPLY FOR EXPUNGEMENT?

**MISDEMEANORS – ONE YEAR AFTER COMPLETION OF SENTENCE
FELONY – THREE YEARS AFTER COMPLETION OF SENTENCE**

COMPLETION OF SENTENCE INCLUDES PROBATION

**SENTENCED AUGUST 1, 2014 FOR A MISDEMEANOR AND GIVEN 1 YEAR PROBATION
SENTENCE WILL END ON AUGUST 1, 2015
ELIGIBLE TO FILE FOR EXPUNGEMENT ON AUGUST 1, 2016.**

**SENTENCED ON AUGUST 1, 2014 FOR A FELONY AND GIVEN 2 YEARS PROBATION
PROBATION TERMINATES ON AUGUST 1, 2016
ELIGIBLE TO FILE FOR EXPUNGEMENT AUGUST 1, 2019.**

When is the “Fresh Start Program”?

When:

1st and 3rd Wednesday of every month from
1:00-4:00 P.M.

Where:

Law Office of the Hamilton County Public
Defender, 125 E. Court Street, 9th Floor,
Cincinnati, OH 45202.

Questions, please contact our office at 513-946-3700 or visit our
website at www.hamiltoncopd.org