

Community Legal Aid

A non-profit law firm serving the legal needs of low-income individuals and families in central northeast Ohio

www.communitylegalaid.org

Is record sealing the same as expungement?

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Most people refer to these two things as being the same, but there is a slight difference between the two.

Record sealing means that any electronic or paper records of your criminal conviction are kept separate and secure from other files. Basically, it's treated like the criminal case never happened.

Record sealing also gives you back your rights and privileges, including:

- Being able to tell an employer you don't have a criminal past
- Being able to tell a landlord you don't have a criminal past
- Being able to tell a bank or financial lender that you don't have a criminal past

If you qualify to get your record sealed, it can open a lot of doors that may have been closed to you before. But it's important to know that there are some people who still may be able to access your record, even after it's been sealed.

These could include:

- If you apply for a job working with vulnerable populations, like kids or the elderly, the employer may be able to access your record
- If you apply for a job where you need to get a certain type of license, the licensing board can still see your record
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If you are arrested and/or charged with a crime, the police can still see your record

Expungement, on the other hand, actually completely destroys the files of your record, so that no one can ever access them again. This is rare and only happens in specific cases, like juvenile court records or survivors of human trafficking who have convictions related to their time being trafficked.

If the difference between expungement and record sealing still seems confusing, think of it this way: expungement is like putting your criminal record through a shredder, whereas record sealing is like locking it in a filing cabinet that only certain people have the key to.

Record sealing is more common than expungement and easier to get. It can still be a long process, though, because the court wants to make sure you are truly committed to a fresh start. So regardless of which path you choose, you will have to fill out a lot of paperwork and jump through some hoops to prove your case.

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