

# CONVICTIONS THAT CANNOT BE EXPUNGED UNDER R.C. 2953.32

I. ANY F-1 or F-2 or more than two F-3's

II. TRAFFIC/DRIVER LICENSE OFFENSES INCLUDING OVI

4506	Commercial Drivers Licensing Offenses
4507	Driver's License Offenses
4510	Driver's License Suspension, Cancellation, Revocation
4511	Traffic Laws - Operation of Motor Vehicles
4549	Motor Vehicle Crimes

...Or a conviction for a violation of a municipal ordinance that is substantially similar to any section contained in the chapters above or designated below.

III. ANY FELONY OFFENSE OF VIOLENCE DEFINED IN R.C. 2901.01, THAT ARE NOT SEXUALLY ORIENTED OFFENSES AND CERTAIN MISDEMEANORS, AS INDICATED BELOW

2903.01	Aggravated Murder
2903.02	Murder
2903.03	Voluntary Manslaughter
2903.04	Involuntary Manslaughter
2903.11	Felonious Assault
2903.12	Aggravated Assault
2903.13	Assault (M-1 eligible)
2903.15	Permitting Child Abuse
2903.21	Aggravated Menacing (Misdemeanor eligible)
2903.211	Menacing By Stalking (Misdemeanor eligible)
2903.22	Menacing (Misdemeanor eligible)
2903.34	Patient Abuse (A)(1) only
2905.01	Kidnapping
2905.02	Abduction
2905.11	Extortion
2905.32	Compulsion to Involuntary Servitude
2909.02	Aggravated Arson
2909.03	Arson
2909.24	Terrorism [One Degree Higher Than Most Serious Underlying Specified Offense]
2911.01	Aggravated Robbery
2911.02	Robbery
2911.11	Aggravated Burglary
2911.12	Burglary (A) (1)(2) or (3) (Subsection B is eligible)
2917.01	Inciting To Violence (Felonies only; Misdemeanor eligible)
2917.02	Aggravated Riot
2917.31	Inducing Panic (Felonies only; Misdemeanor eligible)
2919.22	Endangering Children (B) (1)(2)(3) or (4) if Felony; Misdemeanors and other subsections, even if F-3 or F-4 eligible if child 13 years or older
2919.25	Domestic Violence (Felony or Misdemeanor not eligible)
2919.27	Violating a Protection Order (Felony or Misdemeanor not eligible, even though not offense of violence)
2921.03	Intimidation
2921.04	Intimidation-Witness Or Victim
2921.34	Escape
2923.161	Discharge Firearm into Habitat or School

IV. ANY CONVICTION OF AN OFFENSE AND VICTIM WAS UNDER AGE 13 YEARS OF AGE (WITH THE EXCEPTION OF 2919.21-NON-SUPPORT OF DEPENDENTS).

V. ANY SEXUALLY ORIENTED OFFENSE WHEN THE OFFENDER WAS ORDERED TO REGISTER AND IS STILL SUBJECT TO REGISTRATION REQUIREMENTS UNDER CURRENT OR FORMER CHAPTER 2950

VI. WAITING PERIODS FOR RECORD SEALING

Minor misdemeanors - 6 months after payout  
Misdemeanors - 1 year after final discharge  
Felonies of 4<sup>th</sup> and 5<sup>th</sup> degree - 1 year after final discharge  
Felony of 3<sup>rd</sup> degree - 3 years after final discharge  
Sexually oriented offenses where the offender was subject to registration requirements - 5 years after registration requirements have ended  
R.C. 2921.43 - soliciting improper compensation - 7 years after final discharge  
Ignored Cases - 2 years after Grand Jury report ignoring case  
Dismissals or Acquittals - No waiting period  
Pardons - Generally no waiting period

VII. WAITING PERIODS FOR EXPUNGEMENT

Minor misdemeanors - 6 months after payout  
Misdemeanors - 1 year after final discharge  
Felonies of 4<sup>th</sup> and 5<sup>th</sup> degree - 10 years after date on which offender could have filed for record sealing  
Felony of 3<sup>rd</sup> degree - 10 years after date on which offender could have filed for record sealing  
Sexually oriented offenses where the offender was subject to registration requirements - as offense can be a misdemeanor or felony, unclear of waiting period for expungement after record sealed  
R.C. 2921.43 - soliciting improper compensation - as offense is a misdemeanor, unclear of waiting period for expungement after record sealed  
Ignored Cases - there is no provision in the statutes for expungement  
Dismissals or Acquittals - there is no provision in the statutes for expungement  
Pardons - there is no provision in the statutes for expungement

**JUVENILE ADJUDICATIONS THAT CANNOT BE SEALED OR EXPUNGED**

2903.01	Aggravated Murder
2903.02	Murder
2907.02	Rape

If under the age of 18, application to seal can be filed six months after final disposition. If over the age of 18, there is no waiting period, but all dispositions/court orders must be complete before application can be filed. If sealing is granted, it may be expunged immediately. If expungement is not immediately granted by the juvenile court, sealed charges are expunged automatically after 5 years or at the age of 23, whichever occurs first.