

# ***Expungement Eligibility***

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## **WHERE TO APPLY**

Utah Department of Public Safety  
Bureau of Criminal Identification  
3888 W 5400 S  
Salt Lake City UT 84129  
801-965-4445

## **EXPUNGEMENT ELIGIBILITY**

Your expungement eligibility will be based upon your total criminal history, not just what has been reported to the Bureau of Criminal Identification (BCI). This includes incidents in all states and previous expungements. We will conduct a thorough background check and you will be notified by mail of your approval or denial.

### **Reasons for Denial:**

- Capital felony U.C.A. 77-40-105(2)(a)(i)
- First degree felony U.C.A. 77-40-105(2)(a)(ii)
- Violent felony U.C.A. 76-3-203.5(1)(c)(i)
- Automobile homicide U.C.A. 77-40-105(2)(a)(iv)
- Felony DUI Alcohol/Drugs U.C.A. 41-69-501(2)
- Registerable sex offenses U.C.A. 77-27-21.5(1)(n)
- A proceeding is pending or being investigated 77-40-105(2)(b)
- Statute of limitations has not been met U.C.A. 77-40-104(1)(c)(iv)
- Fines, interest, and restitution not paid U.C.A. 77-40-105(3)(a)
- Time required by law not met 77-40-105(3)
- Two or more felony criminal episodes U.C.A. 77-40-105(4)(a)
- Any combination of three or more convictions that contain two class A misdemeanors U.C.A. 77-40-105(4)(b)
- Any combination of four or more convictions that contain three or more class B misdemeanors U.C.A. 77-40-105(4)(c)
- Five or more misdemeanors or felony episodes U.C.A. 77-40-105(4)(d)

Decisions are made according to Utah state statute. Go to <http://le.utah.gov/> and select "Utah Code/Constitution" link to search by title.

Time period does not begin until all confinement and probation has been completed.

**Time Periods:**

- 10 years - Any alcohol/drug related traffic
- 7 years - Eligible Felonies
- 5 years - Class A Misdemeanor
- 4 years – Class B Misdemeanor
- 3 years- Class C Misdemeanor and infractions
- 30 days - Dismissals

*There are no limits on the number of infractions that may be expunged.*

If you have questions you may contact BCI at 801-965-4445 option 2.

Updated December 16, 2011