

Record Sealing and Expungement in Ohio

A guide for adult NON-convictions - **UPDATED: April 2025**



STEP 1: IS THE OFFENSE A NON-CONVICTION?

Ohio Revised Code (R.C.) 2953.33 applies to the following:

Dismissed Charges **Ignored Charges/No Bills** **Acquittals**

STEP 2: WHAT DISMISSED/IGNORED CHARGES CANNOT BE EXPUNGED?

These dismissed and ignored charges can only be sealed:

- 1st and 2nd degree felonies
- A 3rd degree felony if applicant has (2) or more prior felony convictions of any degree
- A 3rd degree felony if applicant has exactly (1) prior 3rd degree felony + (2) misdemeanors + any other convictions
- Traffic offenses (including OVI/DUI)
- Felony offenses of violence that are not sexually oriented offenses
- Sexually oriented offenses when the applicant is subject to the requirements of Chapter 2950 of R.C. (sex offender registry)
- Offenses in which the victim of the offense was less than 13 years old (Note: this does not apply to nonsupport of dependents.)
- Domestic violence offenses
- Violating protection order offenses

Sexually Oriented Offenses (per R.C. 2950.01)

2905.02(B)	Abduction	2907.321	Pandering obscenity involving a minor or impaired person
2903.01	Aggravated murder*	2907.322	Pandering sexually oriented matter involving a minor or impaired person
2907.21	Compelling Prostitution	2907.22	Promoting prostitution
2905.05(B)	Criminal Child Enticement	2907.09	Public indecency *
2919.22(B)(5)	Endangering Children	2907.02	Rape
2903.11	Felonious assault*	2907.03	Sexual battery
2907.05	Gross Sexual Imposition	2907.06	Sexual imposition
2907.323	Illegal use of minor in nudity-oriented material or performance	2905.32	Trafficking in persons*
2907.07	Importuning	2905.03(B)	Unlawful restraint
2903.04(A)	Involuntary manslaughter*	2907.04	Unlawful sexual conduct with a minor*
2905.01	Kidnapping*	2903.03(B)	Voluntary manslaughter
2903.211(A)(3)	Menacing by Stalking	2907.08	Voyeurism
2903.02	Murder*		
2907.32	Pandering obscenity		

*Check R.C. 2950.01 for extended definition

Offenses of Violence (per R.C. 2901.01)

2905.02	Abduction
2909.02	Aggravated arson
2903.12	Aggravated assault
2911.11	aggravated burglary
2903.21	Aggravated menacing
2903.01	Aggravated murder
2917.02	Aggravated riot
2911.01	Aggravated robbery
2909.03	Arson
2903.13	Assault
2911.12 (A)(1), (2), (3)	Burglary
2919.25	Domestic violence
2919.22 (B)(1), (2), (3), (4)	Endangering children
2921.34	Escape
2905.11	Extortion
2903.11	Felonious assault
2907.12	(former) Felonious sexual penetration
2907.05	Gross sexual imposition
2923.161	Improperly discharging firearm
2917.01	Inciting to violence
2917.31	Inducing panic
2921.03	Intimidation
2921.04	Intimidation of attorney, victim or witness
2903.04	Involuntary manslaughter
2905.01	Kidnapping
2903.22	Menacing
2903.211	Menacing by stalking
2903.02	Murder
2903.34(A)(1)	Patient Abuse or Neglect
2903.15	Permitting child abuse
2907.02	Rape
2917.03	Riot
2911.02	Robbery
2907.03	Sexual battery
2903.18	Strangulation or Suffocation
2917.321	Swatting
2909.24	Terrorism
2905.32	Trafficking in Persons
2903.03	Voluntary Manslaughter

All other dismissed, ignored/no bill, and acquitted charges not specifically excluded above can be expunged.

STEP 3: HAVE YOU SATISFIED THE WAITING PERIOD?

Dismissed Charges	→	No waiting period
Acquittals	→	No waiting period
No Bills/Ignored Charges	→	Two years after grand jury returns no bill

Disclaimer: This guide is a general source of information about criminal record sealing and expungement. It is not a substitute for individualized legal advice. For answers to specific questions, please consult an attorney. If you have questions about record sealing/expungement eligibility and other ways to overcome the barriers of a criminal record, register to participate in OJPC's Second Chance Legal Clinic at www.ohiojpc.org

STEP 4: WHEN CAN A PERSON APPLY?

Are there pending criminal cases? The court will not seal or expunge any record if the applicant is facing pending charges. Applicants should wait until any pending cases have resolved. Depending on where in Ohio their records are, that could include completing requirements like probation.

Was the applicant's case dismissed without prejudice? If the charge was dismissed without prejudice, the state may be allowed to re-file charges within a period of time called the statute of limitations. The relevant statute of limitations must have expired before the court will seal or expunge the record.

STEP 5: HOW CAN A PERSON APPLY?

For each offense, complete an application in each court where there is a case to be sealed or expunged. **If you are only filing non-conviction applications, there is no filing fee.**

If you are filing non-conviction and conviction applications, there will be a \$50-\$100 filing fee per court, not per case number. A person can ask to waive this fee by completing a poverty affidavit (sometimes called an "affidavit of indigence").

Every court has its own application forms and processes, so contact the Clerk of Courts to find out what documents to file and how to file them. If a hearing is scheduled, the applicant must attend.

STEP 6: WHY SHOULD A PERSON APPLY?

"Sealing" and "expungement" are words that certain jurisdictions sometimes use interchangeably, but they are not the same thing. A granted expungement deletes, destroys, and erases a record—sealing does not do this. Some employers and professional licensing boards may still be able to see a sealed records (e.g. nursing, childcare, and security-related employment). Further investigation may be needed to evaluate individual circumstances.

NOTE: CONVICTIONS AND NON-CONVICTIONS IN THE SAME CASE

When a case has charges that resulted in convictions and charges that resulted in non-convictions, all of the charges in that case must be eligible for sealing or expungement before a person can apply to seal or expunge the case. If a conviction is not eligible for record sealing or expungement, then a non-conviction in the same case is also not eligible for record sealing or expungement.

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