

## Severity of Crimes and Expungement

Updated 05/09/2018

Type of Crime or Specific Criminal Offense	Amount of Time Needed After Fulfilled Sentence (parole, probation, jail time) Before Expungement can be Requested in Court
Class A Felony	5 Years
Class B Felony	5 Years
Class C Felony	5 Years
Class D Felony	3 Years
Class E Felony	3 Years
Severity Level 1-5 Non-drug Crime	5 Years
Severity Level 6-10 Non-drug Crime	3 Years
Non-grid felony after 7/1/93, based on current non-drug grid with severity level 6-10	3 Years
Non-grid felony after 7/1/93, based on current non-drug grid with severity level 1-5	5 Years
Severity Level 1-3 Drug Crime	5 Years
Severity Level 4 Drug Crime committed between 7/1/93 and 7/1/12	3 Years
Severity Level 4 Drug Crime committed after 7/1/12	5 Years
Severity level 5 Drug Grid, committed after 7/1/12	3 Years
Traffic Infraction	3 Years
Cigarette or Tobacco Infraction	3 Years
Vehicular Homicide	5 Years
Driving With A Canceled, Suspended, or Revoked License	5 Years
Perjury	5 Years
Applying for Motor Vehicle Title Under a False Name or Address	5 Years
Any Crime Punishable as Felony Where A Motor Vehicle Was Used	5 Years
Failure to Stop at the Scene of an Accident and Perform Required Duties	5 Years
Failure to Have Motor Vehicle Insurance	5 Years
Misdemeanor Crimes	3 Years

Failure to submit to test for drugs/alcohol 8-1025	
1 <sup>st</sup> Offense	5 Year
2 <sup>nd</sup> or more Offense	10 Years

The following crimes may not be expunged:

- Rape
- Indecent liberties with a child
- Aggravated indecent liberties with a child
- Criminal sodomy
- Aggravated criminal sodomy
- Indecent solicitation of a child
- Aggravated indecent solicitation of a child
- Sexual exploitation of a child
- Aggravated incest
- Endangering a child
- Abuse of a child
- Capital murder
- Murder in the first degree
- Murder in the second degree
- Voluntary manslaughter
- Involuntary manslaughter
- Involuntary manslaughter while driving under the influence
- Sexual battery when the victim is less than 18 years of age
- Aggravated sexual battery
- Any comparable offense.

KSA 21-3502 OR KSA 21-5503  
KSA 21-3503 OR