

DELAWARE'S AUTOMATED EXPUNGEMENT PROCESS

 CLEAN SLATE
DELAWARE

Last updated August 2024.

In 2021, Delaware became the fifth state to pass a law that meets the Clean Slate criteria: automated sealing of eligible arrest records, misdemeanor records, and some felony records.

Clean Slate's automated expungement implementation began August 1, 2024.

Up to **400,000** people who have a record in Delaware live with limited access to jobs, housing, education, starting a business, or participating fully in social and civic community life. **290,000 of those people are eligible for mandatory expungement.**

If you do not have pending charges, are not on probation or parole, and are not currently incarcerated, your record may be eligible for some form of expungement. **Visit [CleanSlateDe.org](https://www.CleanSlateDe.org) to learn more about your eligibility.**

Delaware's Clean Slate automated expungement process:

1 Identifying Eligible Records

Beginning August 1, 2024, the Delaware Criminal Justice Information System (DELJIS) will identify records in the Delaware Criminal Records database that fit the adult or juvenile mandatory expungement eligibility criteria.

2 Processing of Eligible Records

DELJIS sends batches of records that meet the mandatory expungement eligibility requirements to the Delaware State Bureau of Investigation (SBI).

3 Expungement Process

SBI manually reviews each record identified by DELJIS to confirm eligibility and expunges all mandatory expungement-eligible records

Once expunged, the record will still exist for law enforcement agencies, but the state will no longer provide the record in response to public background checks.

4 Next Steps

As of August 2024, there are two ways to learn if your eligible record has been expunged:

- Visit a court prothonotary office and use the public access terminal to view any remaining records. Public access terminals will only provide information about adult records.
- Or, request a certified criminal history from SBI to view any remaining records (note – this option requires a \$72 fingerprinting fee).

Clean Slate Delaware continues to advocate for alternative notification pathways.



For more information and resources, visit
CleanSlateDE.org