

IN THE MUNICIPAL COURT OF THE CITY OF SALINA, KANSAS

CITY OF SALINA,

Plaintiff,

vs.

Case No. _____

Defendant.

ORDER FOR EXPUNGEMENT

NOW on this ____ day of _____, 20____, this matter comes on for hearing on the Defendant's Petition for Expungement filed herein. The petitioner appears in person. The City of Salina appears by Christina Trocheck, City Prosecutor. There are no other appearances.

WHEREUPON, the Court, having reviewed the file and the pleadings, and having heard the statements of the parties, finds:

1. The petitioner's full legal name is _____.
2. The petitioner's full name at the time of arrest was (if different than stated above) _____.
3. The petitioner is a _____ (race/sex), born on _____.
4. My Social Security number is XXX-XX-_____.
5. The petitioner was arrested by the Salina Police Department on _____ (date) on a charge of _____.
6. The petitioner was convicted of the charge of _____ on _____ (date) in Salina Municipal Court. (OR)
The petitioner was granted a diversion on the charge of _____ on _____ (date) in Salina Municipal Court.
7. More than _____ years have passed since the petitioner completed the sentence, OR was discharged from probation, parole or a suspended sentence, OR since petitioner fulfilled the terms of the diversion agreement.

8. The petitioner has not been convicted of a felony in the past two years and no proceeding involving any such crime is presently pending or being instituted against petitioner.
9. The circumstances and behavior of the petitioner warrant the expungement.
10. The expungement is consistent with the public welfare.

IT IS THEREFORE, BY THE COURT, CONSIDERED, ORDERED, ADJUDGED AND DECREED that the defendant's _____ conviction (OR) _____ diversion and related records should be and are hereby expunged.

IT IS FURTHER, BY THE COURT, CONSIDERED, ORDERED, ADJUDGED AND DECREED that the petitioner shall disclose that the arrest, conviction or diversion occurred if asked about previous arrests, convictions or diversions as follows:

- A. in any application for licensure as a private detective, private detective agency, certification as a firearms trainer pursuant to K.S.A. 75-7b21, and amendments thereto, or employment as a detective with a private detective agency, as defined by K.S.A. 75-7b01, and amendments thereto; as security personnel with a private patrol operator, as defined by K.S.A. 75-7b01, and amendments thereto; or with an institution as defined in K.S.A. 76-12a01, and amendments thereto, of the department for aging and disability services;
- B. in any application for admission, or for an order of reinstatement, to the practice of law in this state;
- C. to aid in determining the petitioner's qualifications for employment with the Kansas lottery or for work in sensitive areas within the Kansas lottery as deemed appropriate by the executive director of the Kansas lottery;
- D. to aid in determining the petitioner's qualifications for executive director of the Kansas racing and gaming commission, for employment with the commission or for work in sensitive areas in parimutuel racing as deemed appropriate by the executive director of the commission, or to aid in determining qualifications for licensure or renewal of licensure by the commission;

- E. to aid in determining the petitioner's qualifications for the following under the Kansas expanded lottery act: (i) Lottery gaming facility manager or prospective manager, racetrack gaming facility manager or prospective manager, licensee or certificate holder; or (ii) an officer, director, employee, owner, agent or contractor thereof;
- F. upon application for a commercial driver's license under K.S.A. 8-2,125 through 8-2,142, and amendments thereto;
- G. to aid in determining the petitioner's qualifications to be an employee of the state gaming agency;
- H. to aid in determining the petitioner's qualifications to be an employee of a tribal gaming commission or to hold a license issued pursuant to a tribal-state gaming compact;
- I. in any application for registration as a broker-dealer, agent, investment adviser or investment adviser representative all as defined in K.S.A. 17-12a102, and amendments thereto;
- J. in any application for employment as a law enforcement officer as defined in K.S.A. 22-2202 or K.S.A. 74-5602, and amendments thereto; or
- K. for applications received on and after July 1, 2006, to aid in determining the petitioner's qualifications for a license to carry a concealed weapon pursuant to the personal and family protection act, K.S.A. 75-7c01 et seq., and amendments thereto;
- L. The petitioner shall also disclose that the arrest, conviction or diversion occurred in the following circumstances as deemed appropriate by the Court:

IT IS THEREFORE ORDERED that the petitioner's arrest record, conviction or diversion record herein, named above, shall be expunged. The Clerk of the Municipal Court, upon receipt and filing herein, shall send a certified copy of the Order of Expungement to the Kansas Bureau of Investigation which shall notify the Federal Bureau of Investigation, the Secretary of Corrections, and any other criminal justice agency which may have a record of the arrest, conviction or diversion described herein.

IT IS SO ORDERED this ____ day of _____, 20__.

Municipal Court Judge

Submitted by:

Petitioner (signature)

Name (Print): _____

Address 1: _____

Address 2: _____

City, State, Zip: _____

Telephone: _____

[Fax Number]: _____

[E-mail Address]: _____

Approved by:

Christina Trocheck, #17275
Salina City Prosecutor