SEALING OF RECORDS

Conviction / Acquittal / Dismissal

CLARK COUNTY DISTRICT ATTORNEY'S OFFICE

NOTICE:

This Website contains instructions for using the Clark County District Attorney's record sealing stipulation process.

Per statute, a current, verified copy of **petitioner's criminal history must accompany the Petition to Seal Records**. This information is necessary for the legal review for sealing criminal arrest records. Therefore, a Criminal History Report from the Nevada Criminal History Central Repository, AND a criminal history SCOPE printout from the Las Vegas Metropolitan Police Department, including all criminal arrests in Clark County, and microfiche, if applicable, must be obtained for the record sealing process.

Criminal History Report (CHR)

NV CRIMINAL HISTORY CENTRAL REPOSITORY
DEPARTMENT OF PUBLIC SAFETY

RECORDS & IDENTIFICATION BUREAU

333 NYE LANE, SUITE 100

CARSON CITY, NV 89706

(775)-684-6262

REFER TO: www.NVRepository.State.NV.us

SCOPE

LAS VEGAS METROPOLITAN POLICE DEPARTMENT,
RECORDS SECTION

400 S. MARTIN LUTHER KING BLVD., BLDG. C

LAS VEGAS, NEVADA 89101

(702) 828-3475 AND/OR (702) 828-3476

REFER TO: www.lvmpd.com

No section of this Website should be construed as providing legal advice. Record sealing is a highly sensitive area. You are encouraged to consult with private legal counsel.

CLARK COUNTY DISTRICT ATTORNEY'S OFFICE

REVISED JULY, 2014

THE PROCESS

BEFORE YOU BEGIN, YOU SHOULD KNOW:

Not everyone that wants to have their records sealed is eligible. The following are some of the reasons that your petition can be denied:

- Statutory length of time since your case is closed has not been satisfied (See NRS 176.245)
- You have pending and/or active case(s) in any jurisdiction.
- Your case was recently dismissed without prejudice OR the Statute of Limitations has not yet been met.
- You have Drug and/or DUI (Driving under the Influence of Drugs and/or Alcohol) case(s) recently denied by the District Attorney's Office.
- Your Petition includes a crime relating to a Sexual Assault or crime against a child.
- Your Petition includes a crime in which you received a Dishonorable Discharge from probation.
- You have not listed ALL charges heard in either Las Vegas Justice Court and/or the Eighth Judicial District Court. The District Attorney's Office does not approve partial record sealing.
- You have included any offense that occurred within a municipal court jurisdiction as they must be submitted to the appropriate city attorney's office for approval or denial.

Per Nevada Revised Statue, the following convictions are not eligible for sealing until Statute of Limitation Requirements have been met FROM THE TIME YOUR CASE IS CLOSED INCLUDING PAROLE OR PROBATION.

- Category A or B Felony (15 years)
- Category C or D Felony (12 years)
- Category E Felony (7 years)
- Gross Misdemeanor (5 years)
- Misdemeanor DUI (Driving under the Influence of Drugs and/or Alcohol) (7 years)
- Misdemeanor BDV (Battery Domestic Violence (7 years)
- Misdemeanor (2 years)

Step 1

Obtain your criminal history reports. You are REQUIRED to submit a copy of **EACH** of your criminal history reports from the following agencies:

Nevada Criminal History Central Repository
Dept. of Public Safety
Records & Identification Bureau
333 Nye Lane, Suite 100
Carson City NV 89706
Telephone: (775)-684-6262

Refer to: www.NVRepository.State.NV.US

Las Vegas Metropolitan Police Department, Records Section
400 S. Martin Luther King Blvd., Bldg. C
Las Vegas, NV 89106
Telephone: (702) 828-3475
Refer to: www.lvmpd.com

NOTE: The District Attorney's Office only reviews cases for sealing records that have resulted in charges from either a Justice Court township jurisdiction or Clark County District Court.

Step 2

Prepare record sealing forms (see sample Justice Court or District Court forms) and submit the following:

- Original and 1 copy of Signed Petition (copy is for the DA's office)
- Original and 1 copy of Signed Order (copy is for the DA's office)
- Original and 1 copy of Signed Affidavit (attach to back of the Petition)
- 1 copy of local law enforcement agency SCOPE ****NOTE: You should keep Original****
- 1 copy of Criminal History Report (CHR) ****NOTE: You should keep Original****
- 9" x 12" postage paid manila envelope with your return address with $2.00 minimum postage paid
- DO NOT use PADDED ENVELOPES OR PHOTO MAILERS.

Step 3

Submit the record sealing forms listed above to the District Attorney's Office for review. Also include a 9" x 12" self-addressed envelope with a minimum of $2.00 in postage. Your documents will be mailed back to you in this envelope.

MAIL TO: Record Sealing Coordinator
Office of the District Attorney,
200 Lewis Avenue, Room 3305
P.O. Box 552212
Las Vegas, NV 89155-2212

-- OR –

DELIVER TO: Office of the District Attorney
Regional Justice Center, 3rd Floor, District Attorney Reception Window
200 Lewis Avenue
Las Vegas, NV 89155

Step 4

If the District Attorney's Office determines that Petitioner is eligible to have his/her records sealed and signs the Order, the original Petition and Order, and supporting documents, will be mailed back to petitioner or to the submitting legal counsel's office in the 9" x 12" postage paid mailing envelope provided.

It is the responsibility of the Petitioner or legal counsel to deliver or send originals of each form to the appropriate court clerk for filing. You will be responsible for paying the filing fee required by the Court with which you file.

Step 5

If and when the Order is signed by a Judge, the Petitioner or legal counsel **MUST** send a copy of the signed/filed Order to the agencies involved in the arrests as listed in your Petition and Order including the District Attorney's office. **Your records will not be sealed in our office until a copy of the signed/filed Order has been received by us.**

On the Order to Seal Records form include the following:

In the Matter of the Application of

Name (and any aliases or other names you are known by)

LVMPD CS# or ID# (found on your SCOPE)

Date of Birth

IT IS HEREBY ORDERED that the following records of arrest be sealed:

PLEASE BEGIN WITH YOUR MOST RECENT ARREST (refer to your SCOPE or Criminal History Report)

Date of Arrest:

Arresting Agency: (Example – LVMPD, NHP, School Police, Nevada Gaming Authority, State Contractor's Board, etc.)

Case Number:

Charge:

Final Outcome/Result/Disposition:

If there are multiple charges for any arrest date, each charge must be listed separately.

**IMPORTANT: The signature line for the District Attorney MUST be on the same page as the Judge's signature line. The District Attorney will not sign a blank or signature only page on the Order to Seal.

Attorneys and/or Record Sealing Agencies need to update their current templates at District Attorney's signature site to include current name of District Attorney, Steven B. Wolfson and current wording referring to NRS 179.et.seq. as seen on the Order Sample Forms.

How to put your Record Sealing Package together: Place in the following order—PLEASE DO NOT STAPLE

Signed Original Order and copy (paper clip together)

Signed Original Petition and copy (including Affidavit) (paper clip together)

1 copy of SCOPE (for the DA's office)

1 copy of Nevada Repository Criminal History Report (CHR) (for the DA's office)

1 copy of any supporting documents (for the DA's office)

Self-addressed 9" x 12" envelope with at least $2.00 postage affixed to the envelope

GUIDELINES" FOR UTILIZING THE STIPULATION PROCESS

Criminal History Records

FIRST, request a copy of your Criminal History Report from the Nevada Criminal History Central Repository. It may take 6-8 weeks for this to be sent to you. THEN, obtain a current, verified copy of your criminal history (SCOPE printout***) for the purpose of sealing records*** (including offline microfiche entries) from The Las Vegas Metropolitan Police Department. ***Petitioner will be required to pay the fee for this service.*** The SCOPE that is to be attached to the record sealing packet must be obtained within 90 days of submission to our office. If you have questions or need an interpretation of SCOPE entries, you should call (702) 828-3475.

Court of Jurisdiction

The Clark County District Attorney cannot stipulate to Petitions to Seal Records that include arrests or convictions under ***Municipal Court*** jurisdiction. Arrests or convictions that occurred under the jurisdiction of one of the municipal courts or prosecuted by a city attorney must be ruled on by the municipal court that handled the case. Requests for stipulations to seal municipal criminal records should be submitted to the city attorney of proper jurisdiction.

The Eighth Judicial ***District Court***, the highest Court in the County, can be petitioned to seal all charges within justice and district courts of Clark County.

There are several ***Justice Courts*** within Clark County. Therefore, the specific township where the case was, or would have been, prosecuted, should be the heading of the Petition and Order. If there are multiple arrests in more than one Township (i.e., Henderson JC case and North Las Vegas JC case), use the District Court forms.

Approval

If the Order is signed by the District Attorney's Office, take the original Petition, Affidavit and Order to the Clerk of the appropriate court. District Court documents are filed on the 3rd Floor of the Regional Justice Center, 200 Lewis Avenue, Las Vegas, Nevada. Justice Court documents are filed in the appropriate township. Call the Clerk of the Court (See Frequently Called Numbers) for applicable filing fees and acceptable forms of payment. The Clerk of the appropriate Court can also advise regarding requirements/fees required to obtain certified copies of the Order.

The Clerk of the Court will submit your forms to a Judge for review and signature. Ask the Clerk how your copies will be returned to you.

Except where the Court orders otherwise, it is the responsibility of the Petitioner to distribute copies of the filed/stamped Order to the agencies involved listed in the Petition and Order. A copy of the filed/stamped Order should also be retained by you for your records.

Denial

If the Order is denied by the District Attorney's Office, there will be an explanation accompanying your paperwork. You can either correct/change the paperwork as advised and resubmit to the District Attorney's Office or petition the court for a hearing before a judge. **The petitioner, or his/her legal counsel, must notify the District Attorney's Office if a hearing is scheduled.**

FREQUENTLY CALLED NUMBERS

Eighth Judicial District Court

Records Information- Clark County Clerk's Office..... 702-671-0530

Justice Courts

Boulder City..... 702-455-8000
Bunkerville 1-702-346-5711
Goodsprings 702-874-1405
Henderson..... 702-455-7951
Las Vegas..... 702-671-3116
Laughlin..... 702-298-4622
Mesquite 1-702-346-5298
Moapa..... 1-702-864-2333
Moapa Valley 1-702-397-2840
North Las Vegas 702-455-7801
Searchlight 702-297-1252

Legal Aid Center of Southern Nevada 702-386-1070

Municipal Court / Prosecuting Official

Boulder City..... 702-293-9278 702-293-9238
Henderson.....702-267-3300..... 702-267-1200
Las Vegas..... 702-229-6575 702-229-6201
Mesquite 1-702-346-5291 1-702-346-5181
North Las Vegas 702-633-1130 702-633-2100

Nevada Criminal History Central Repository..... 1-775-684-6262

FREQUENTLY ASKED QUESTIONS

How do I expunge my records? Nevada statutes allow for sealing of criminal records only. Therefore, expunging the record is not an option. Sealed records are not destroyed; they are removed from public access.

What does it cost to seal records? The District Attorney's Office does not charge for stipulating to sealing records. However, you must include 9" x 12" self-addressed envelope with at least $2.00 in postage attached to it. When you file with the clerk of the court, you must pay their fees.

What does it cost for a Nevada Criminal History Report (CHR) and a SCOPE printout? Refer to the websites or call the Nevada Criminal History Central Repository (www.NVRepository.State.NV.US), (775)-684-6262 and the Las Vegas Metropolitan Police Department (www.lvmpd.com) (702) 828-3475 for applicable fees.

I have my criminal history. How do I know if my record is sealable? (See Statutory Requirements). If you are uncertain if your record is sealable, you should consult with private legal counsel.

What is the court filing fee? Call the appropriate Court Clerk (Frequently Called Numbers) for the filing fee and acceptable form of payment.

I have multiple arrests. Do I prepare a set of forms for each arrest? No. Only one set of forms is prepared for either the District Court or the appropriate township Justice Court. Each arrest entry is listed, one below the other, in the body of one (1) Petition and (1) Order, and should be entered in the same order on both forms.

What do I give to the District Attorney's Office? The following documents should be submitted to the District Attorney's Office:

1. Signed original and 1 copy of the Petition (including Affidavit)

2. Signed original and 1 copy of the Order,

3. One copy of the Criminal History Report from the Nevada Criminal History Central Repository and one copy of SCOPE as received from the Las Vegas Metropolitan Police Department. You should keep the originals to submit to the court.

4. If applicable, a copy of the District Court Judgment of Conviction and discharge from probation, or other form of successful completion of requirements, if petitioning to seal records pursuant to NRS 176A.265, 179.259 and/or 453.3365.

5. A 9" x 12" self-addressed envelope with at least $2.00 in postage affixed to the envelope.

How long does it take the Court to process record sealing forms? Call the appropriate Court Clerk (Frequently Called Numbers) and ask for the current time frames.

How long does it take the Las Vegas Metropolitan Police Department to seal records? Call LVMPD at (702) 828-3475 and ask for the current time frames.

How do I seal my juvenile records? Chapter 62H, Records Related to Children, governs the sealing of juvenile records. The Juvenile Court is the court of jurisdiction. You should first contact the probation officer who handled the case by calling (702) 455-5290. If there was not a probation officer involved or if you have a legal question regarding the sealing of juvenile records, you can call the Juvenile Division of the Clark County District Attorney's Office at (702) 455-5320.

How do I obtain a pardon? The Nevada Board of Pardons Commissioners is comprised of the Governor, the Attorney General and members of the Nevada Supreme Court. (See Nevada Revised Statutes 213.020). You can obtain an application for a pardon by writing to:

EXECUTIVE SECRETARY OF THE PARDONS BOARD

1445 HOT SPRINGS ROAD, SUITE 108-B

CARSON CITY, NEVADA 89711

Or, you can download the form from the following site:

http://www.silversource.state.nv.us/forms/parole/parole2.pdf

How do I restore my civil rights? If you have satisfied the statutory criteria for sealing records, the District Court record sealing forms incorporate restoration of civil rights. Call Parole and Probation at (775) 684-2605 if you are not eligible to seal records or if you have questions.

Where can I get the record sealing forms? User friendly forms are available in the Record Sealing Forms section.

Who do I contact if I have a question about the record sealing process? We suggest you contact private counsel or The Legal Aid Center of Southern Nevada.

Links to Regional Justice Center and Other Local and State Agencies

The Regional Justice Center is located at 200 Lewis Avenue, in Downtown Las Vegas, Nevada and houses the Eighth Judicial District Court, Las Vegas Township Justice Court and Municipal Court.

These links are provided for information purposes only. The Clark County District Attorney's Office is not responsible for the content on these sites and has no control over their accuracy or whether they are kept up-to-date.

Additional information about the Clark County Courts, Regional Justice Center, Court Clerk, Justice Court, District Court and Law Library may be obtained on the following website:

http://www.clarkcountycourts.us

Court	Phone	Website
Nevada Criminal History Central Repository	775-684-6262	www.NVRepository.State.NV.us
Clark County Virtual Court Center		www.clarkcountycourts.us
Las Vegas Township Justice Court Regional Justice Center 200 Lewis Avenue Las Vegas, NV 89101	702-671-3444	www.clarkcountycourts.us/lvjc/
Clark County District Court	702-671-0530	www.clarkcountycourts.us/ejdc
State of Nevada Appeals Court (Nevada Supreme Court)	702-486-9300	http://supreme.nvcourts.gov/Supreme/Court_Information/Overview_of_the_Supreme_Court/
Family Division Eighth Judicial District Court 601 N. Pecos Las Vegas, NV 89155	702-455-2591	www.clarkcountycourts.us/ejdc/courts-and-judges/family.html
U.S. District Court (Federal Court) 333 Las Vegas Blvd. South Las Vegas, NV 89101	702-464-5400	www.nvd.uscourts.gov
Las Vegas Municipal Court Regional Justice Center 200 Lewis Avenue Las Vegas, NV 89101	702-382-6878	www.lasvegasnevada.gov/Government/municipalcourt.htm
Nevada Highway Patrol 4615 W. Sunset Road Las Vegas, NV 89118	702-486-4100	http://nhp.nv.gov
Las Vegas Metropolitan Police Department (Records Section) 400 S. Martin Luther King, Bldg. C Las Vegas, NV 89106	702-828-3475	www.lvmpd.com/Sections/PoliceRecordsBureau/tabid/181/Default.aspx
North Las Vegas Police Department 1301 E. Lake Mead Blvd. N. Las Vegas, NV 89030	702-633-9111	www.cityofnorthlasvegas.com/Departments/Police/Police.shtm
Henderson Police Department 223 Lead Street Henderson, NV 89015	702-267-5000	www.cityofhenderson.com/police/
Clark County Detention Center 330 S. Casino Center Las Vegas, NV 89101	702-671-3900	www.clarkcountynv.gov/depts/ccdc/Pages/About.aspx
Eighth Judicial District Court-Probate 601 N. Pecos Road Las Vegas, NV 89101	702-455-2650	www.clarkcountycourts.us/ejdc/courts-and-judges/probate/probate.html

POTENTIAL AGENCIES INVOLVED FOR SEALING RECORDS

(List only the agencies involved in your request to seal records in the petition and order)

Boulder City Justice Court

Boulder City Municipal Court and City Attorney
Boulder City Police Department
Bunkerville Justice Court

Clark County District Attorney

Goodsprings Justice Court

Henderson Justice Court

Henderson Municipal Court and City Attorney
Henderson Police Department

Las Vegas Justice Court

Las Vegas Metropolitan Police Department

Las Vegas Municipal Court and City Attorney

Laughlin Justice Court

Mesquite Justice Court

Mesquite Municipal Court and City Attorney
Moapa Justice Court

Moapa Valley Justice Court

Nevada Attorney General

Nevada Criminal History Central Repository

Nevada Department of Corrections
Nevada Department of Motor Vehicles and Public Safety

Nevada Department of Parole and Probation

Nevada Gaming Control Board

North Las Vegas Justice Court
North Las Vegas Municipal Court and City Attorney
North Las Vegas Police Department

Searchlight Justice Court

Record Sealing Forms Instructions

The legal documents (petition, affidavit and order) are prepared with arrest information as reflected on your criminal history (SCOPE). You cannot proceed without this information. (See Guideline for Utilizing the Stipulation Process –Criminal History Records)

How do I determine my Court of Jurisdiction? (See Guidelines for Utilizing the Stipulation Process – Court of Jurisdiction)

How do I go from field to field in the forms?

Press F11 – Type the requested information and press F11 again to navigate to the next field.

Example of inserts:

Attorney or Petitioner's Name	=	F11 + John Doe + F11
Bar # (if attorney)	=	Space bar if not represented by counsel + F11
Street Address	=	1234 Main Street + F11
City, State & Zip Code	=	Las Vegas, Nevada 89000 + F11
Telephone Number	=	(702) 123-4567

The Internet forms are not protected and allow for the insertion of required information. The forms allow for the sealing of multiple arrests entries. This will enable you to insert all sealable events, one underneath the other, in the body of the petition and order. Each sealable entry should include the date of arrest, the name of the arresting agency and charge(s) and final disposition. Attachments listing sealable items are not acceptable to the court.

NOTICE:

The following forms contain information

as recommended by the District Attorney's Office

for sealing of criminal records.

Microsoft WORD Documents

For user friendly, fill in the blank form, or to print a sample,

click the appropriate District or Justice Court link below.

District Court Forms

or

Justice Court Forms

NO PORTION OF THIS WEBSITE SHOULD BE CONSTRUED AS PROVIDING LEGAL ADVICE. RECORD SEALING IS A HIGHLY SENSITIVE AREA. YOU ARE ENCOURAGED TO CONSULT WITH PRIVATE LEGAL COUNSEL.

STATUTORY REQUIREMENTS

NRS 179.245 Sealing records after conviction: Persons eligible; petition; notice; hearing; order. [Effective January 1, 2014.]

1. Except as otherwise provided in subsection 5 and NRS 176A.265, 176A.295, 179.259, 453.3365 and 458.330, a person may petition the court in which the person was convicted for the sealing of all records relating to a conviction of:

   (a) A category A or B felony after 15 years from the date of release from actual custody or discharge from parole or probation, whichever occurs later;
   (b) A category C or D felony after 12 years from the date of release from actual custody or discharge from parole or probation, whichever occurs later;
   (c) A category E felony after 7 years from the date of release from actual custody or discharge from parole or probation, whichever occurs later;
   (d) Any gross misdemeanor after 5 years from the date of release from actual custody or discharge from probation, whichever occurs later;
   (e) A violation of NRS 484C.110 or 484C.120 other than a felony, or a battery which constitutes domestic violence pursuant to NRS 33.018 other than a felony, after 7 years from the date of release from actual custody or from the date when the person is no longer under a suspended sentence, whichever occurs later; or
   (f) Any other misdemeanor after 2 years from the date of release from actual custody or from the date when the person is no longer under a suspended sentence, whichever occurs later.

2. A petition filed pursuant to subsection 1 must:

   (a) Be accompanied by the petitioner's current, verified records received from:
      (1) The Central Repository for Nevada Records of Criminal History; and
      (2) All agencies of criminal justice which maintain such records within the city or county in which the conviction was entered;
   (b) If the petition references NRS 453.3365 or 458.330, include a certificate of acknowledgment or the disposition of the proceedings for the records to be sealed from all agencies of criminal justice which maintain such records;
   (c) Include a list of any other public or private agency, company, official or other custodian of records that is reasonably known to the petitioner to have possession of records of the conviction and to whom the order to seal records, if issued, will be directed; and
   (d) Include information that, to the best knowledge and belief of the petitioner, accurately and completely identifies the records to be sealed, including, without limitation, the:
      (1) Date of birth of the petitioner;
      (2) Specific conviction to which the records to be sealed pertain; and
      (3) Date of arrest relating to the specific conviction to which the records to be sealed pertain.

3. Upon receiving a petition pursuant to this section, the court shall notify the law enforcement agency that arrested the petitioner for the crime and:

   (a) If the person was convicted in a district court or justice court, the prosecuting attorney for the county; or
   (b) If the person was convicted in a municipal court, the prosecuting attorney for the city.
   ➥ The prosecuting attorney and any person having relevant evidence may testify and present evidence at the hearing on the petition.

4. If, after the hearing, the court finds that, in the period prescribed in subsection 1, the petitioner has not been charged with any offense for which the charges are pending or convicted of any offense, except for minor moving or standing traffic violations, the court may order sealed all records of the conviction which are in the custody of any agency of criminal justice or any public or private agency, company, official or other custodian of records in the State of Nevada, and may also order all such records of the petitioner returned to the file of the court where the proceeding was commenced from, including, without limitation, the Federal Bureau of Investigation, the California Bureau of Criminal Identification and Information and all other agencies of criminal justice which maintain such records and which are reasonably known by either the petitioner or the court to have possession of such records.

5. A person may not petition the court to seal records relating to a conviction of:
   (a) A crime against a child;
   (b) A sexual offense;
   (c) A violation of NRS 484C.110 or 484C.120 that is punishable as a felony pursuant to paragraph (c) of subsection 1 of NRS 484C.400;
   (d) A violation of NRS 484C.430;
   (e) A homicide resulting from driving or being in actual physical control of a vehicle while under the influence of intoxicating liquor or a controlled substance or resulting from any other conduct prohibited by NRS 484C.110, 484C.130 or 484C.430;
   (f) A violation of NRS 488.410 that is punishable as a felony pursuant to NRS 488.427; or
   (g) A violation of NRS 488.420 or 488.425.

6. If the court grants a petition for the sealing of records pursuant to this section, upon the request of the person whose records are sealed, the court may order sealed all records of the civil proceeding in which the records were sealed.

7. As used in this section:
   (a) "Crime against a child" has the meaning ascribed to it in NRS 179D.0357.
   (b) "Sexual offense" means:
      (1) Murder of the first degree committed in the perpetration or attempted perpetration of sexual assault or of sexual abuse or sexual molestation of a child less than 14 years of age pursuant to paragraph (b) of subsection 1 of NRS 200.030.
      (2) Sexual assault pursuant to NRS 200.366.
      (3) Statutory sexual seduction pursuant to NRS 200.368, if punishable as a felony.
      (4) Battery with intent to commit sexual assault pursuant to NRS 200.400.
      (5) An offense involving the administration of a drug to another person with the intent to enable or assist the commission of a felony pursuant to NRS 200.405, if the felony is an offense listed in this paragraph.
      (6) An offense involving the administration of a controlled substance to another person with the intent to enable or assist the commission of a crime of violence pursuant to NRS 200.408, if the crime of violence is an offense listed in this paragraph.
      (7) Abuse of a child pursuant to NRS 200.508, if the abuse involved sexual abuse or sexual exploitation.
      (8) An offense involving pornography and a minor pursuant to NRS 200.710 to 200.730, inclusive.
      (9) Incest pursuant to NRS 201.180.
      (10) Open or gross lewdness pursuant to NRS 201.210, if punishable as a felony.
      (11) Indecent or obscene exposure pursuant to NRS 201.220, if punishable as a felony.
      (12) Lewdness with a child pursuant to NRS 201.230.
      (13) Sexual penetration of a dead human body pursuant to NRS 201.450.
      (14) Luring a child or a person with mental illness pursuant to NRS 201.560, if punishable as a felony.
      (15) An attempt to commit an offense listed in this paragraph.

NRS 179.255 Sealing of records after dismissal, decline of prosecution or acquittal: Petition; notice; hearing; order; inspection of records. [Effective January 1, 2014.]

1. If a person has been arrested for alleged criminal conduct and the charges are dismissed, the prosecuting attorney having jurisdiction declined prosecution of the charges or such person is acquitted of the charges, the person may petition:
   (a) The court in which the charges were dismissed, at any time after the date the charges were dismissed;
   (b) The court having jurisdiction in which the charges were declined for prosecution:
      (1) Any time after the applicable statute of limitations has run;
      (2) Any time 10 years after the arrest; or
      (3) Pursuant to a stipulation between the parties; or
   (c) The court in which the acquittal was entered, at any time after the date of the acquittal,
   ➥ for the sealing of all records relating to the arrest and the proceedings leading to the dismissal, declination or acquittal.
2. If the conviction of a person is set aside pursuant to NRS 458A.240, the person may petition the court that set aside the conviction, at any time after the conviction has been set aside, for the sealing of all records relating to the setting aside of the conviction.
3. A petition filed pursuant to subsection 1 or 2 must:
   (a) Be accompanied by the petitioner's current, verified records received from
      (1) The Central Repository for Nevada Records of Criminal History; and
      (2) All agencies of criminal justice which maintain such records within the city or county in which the petitioner appeared in court;
   (b) Except as otherwise provided in paragraph (c), include the disposition of the proceedings for the records to be sealed;
   (c) If the petition references NRS 453.3365 or 458.330, include a certificate of acknowledgment or the disposition of the proceedings for the records to be sealed from all agencies of criminal justice which maintain such records;
   (d) Include a list of any other public or private agency, company, official and other custodian of records that is reasonably known to the petitioner to have possession of records of the arrest and of the proceedings leading to the dismissal, declination or acquittal and to whom the order to seal records, if issued, will be directed; and
   (e) Include information that, to the best knowledge and belief of the petitioner, accurately and completely identifies the records to be sealed, including, without limitation, the:
      (1) Date of birth of the petitioner;
      (2) Specific charges that were dismissed or of which the petitioner was acquitted; and
      (3) Date of arrest relating to the specific charges that were dismissed or of which the petitioner was acquitted.
4. Upon receiving a petition pursuant to subsection 1, the court shall notify the law enforcement agency that arrested the petitioner for the crime and:
   (a) If the charges were dismissed, declined for prosecution or the acquittal was entered in a district court or justice court, the prosecuting attorney for the county; or
   (b) If the charges were dismissed, declined for prosecution or the acquittal was entered in a municipal court, the prosecuting attorney for the city.
   ➥ The prosecuting attorney and any person having relevant evidence may testify and present evidence at the hearing on the petition.
5. Upon receiving a petition pursuant to subsection 2, the court shall notify:
   (a) If the conviction was set aside in a district court or justice court, the prosecuting attorney for the county; or
   (b) If the conviction was set aside in a municipal court, the prosecuting attorney for the city.
   ➥ The prosecuting attorney and any person having relevant evidence may testify and present evidence at the hearing on the petition.

6. If, after the hearing on a petition submitted pursuant to subsection 1, the court finds that there has been an acquittal, that the prosecution was declined or that the charges were dismissed and there is no evidence that further action will be brought against the person, the court may order sealed all records of the arrest and of the proceedings leading to the acquittal, declination or dismissal which are in the custody of any agency of criminal justice or any public or private company, agency, official or other custodian of records in the State of Nevada.
7. If, after the hearing on a petition submitted pursuant to subsection 2, the court finds that the conviction of the petitioner was set aside pursuant to NRS 458A.240, the court may order sealed all records relating to the setting aside of the conviction which are in the custody of any agency of criminal justice or any public or private company, agency, official or other custodian of records in the State of Nevada.
8. If the prosecuting attorney having jurisdiction previously declined prosecution of the charges and the records of the arrest have been sealed pursuant to subsection 6, the prosecuting attorney may subsequently file the charges at any time before the running of the statute of limitations for those charges. If such charges are filed with the court, the court shall order the inspection of the records without the prosecuting attorney having to petition the court pursuant to NRS 179.295.

NRS 179.259 Sealing records after completion of program for reentry: Persons eligible; procedure; order; inspection of sealed records by professional licensing board.

1. Except as otherwise provided in subsections 3 and 4, 5 years after an eligible person completes a program for reentry, the court may order sealed all documents, papers and exhibits in the eligible person's record, minute book entries and entries on dockets, and other documents relating to the case in the custody of such other agencies and officers as are named in the court's order. The court may order those records sealed without a hearing unless the Division of Parole and Probation of the Department of Public Safety petitions the court, for good cause shown, not to seal the records and requests a hearing thereon.
2. If the court orders sealed the record of an eligible person, the court shall send a copy of the order to each agency or officer named in the order. Each such agency or officer shall notify the court in writing of its compliance with the order.
3. A professional licensing board is entitled, for the purpose of determining suitability for a license or liability to discipline for misconduct, to inspect and to copy from a record sealed pursuant to this section.
4. A person may not petition the court to seal records relating to a conviction of a crime against a child or a sexual offense.
5. As used in this section:
   (a) "Crime against a child" has the meaning ascribed to it in NRS 179D.0357.
   (b) "Eligible person" means a person who has:
      (1) Successfully completed a program for reentry to which the person participated in pursuant to NRS 209.4886, 209.4888, 213.625 or 213.632; and
      (2) Been convicted of a single offense which was punishable as a felony and which did not involve the use or threatened use of force or violence against the victim. For the purposes of this subparagraph, multiple convictions for an offense punishable as a felony shall be deemed to constitute a single offense if those offenses arose out of the same transaction or occurrence.
   (c) "Program for reentry" means:
      (1) A correctional program for reentry of offenders and parolees into the community that is established by the Director of the Department of Corrections pursuant to NRS 209.4887; or
      (2) A judicial program for reentry of offenders and parolees into the community that is established in a judicial district pursuant to NRS 209.4883.
   (d) "Sexual offense" has the meaning ascribed to it in paragraph (b) of subsection 7 of NRS 179.245.

(Added to NRS by 2001, 1166; A 2003, 26, 2586; 2007, 2753)

NRS 179.265 Rehearings after denial of petition: Time for; number.

1. A person whose petition is denied under NRS 179.245 or 179.255 may petition for a rehearing not sooner than 2 years after the denial of the previous petition.
2. No person may petition for more than two rehearings.

(Added to NRS by 1971, 956)

NRS 179.275 Order sealing records: Distribution to Central Repository and persons named in order; compliance. Where the court orders the sealing of a record pursuant to NRS 176A.265, 176A.295, 179.245, 179.255, 179.259, 453.3365 or 458.330, a copy of the order must be sent to:

1. The Central Repository for Nevada Records of Criminal History; and
2. Each agency of criminal justice and each public or private company, agency, official or other custodian of records named in the order, and that person shall seal the records in his or her custody which relate to the matters contained in the order, shall advise the court of compliance and shall then seal the order.

(Added to NRS by 1971, 956; A 1991, 304; 1999, 2089; 2001, 1168; 2001 Special Session, 261; 2003, 312; 2009, 107, 420; 2013, 111)

NRS 179.285 Order sealing records: Effect; proceedings deemed never to have occurred; restoration of civil rights. Except as otherwise provided in NRS 179.301:

1. If the court orders a record sealed pursuant to NRS 176A.265, 176A.295, 179.245, 179.255, 179.259, 453.3365 or 458.330:
   (a) All proceedings recounted in the record are deemed never to have occurred, and the person to whom the order pertains may properly answer accordingly to any inquiry, including, without limitation, an inquiry relating to an application for employment, concerning the arrest, conviction, dismissal or acquittal and the events and proceedings relating to the arrest, conviction, dismissal or acquittal.
   (b) The person is immediately restored to the following civil rights if the person's civil rights previously have not been restored:
      (1) The right to vote;
      (2) The right to hold office; and
      (3) The right to serve on a jury.
2. Upon the sealing of the person's records, a person who is restored to his or her civil rights pursuant to subsection 1 must be given:
   (a) An official document which demonstrates that the person has been restored to the civil rights set forth in paragraph (b) of subsection 1; and
   (b) A written notice informing the person that he or she has not been restored to the right to bear arms, unless the person has received a pardon and the pardon does not restrict his or her right to bear arms.
3. A person who has had his or her records sealed in this State or any other state and whose official documentation of the restoration of civil rights is lost, damaged or destroyed may file a written request with a court of competent jurisdiction to restore his or her civil rights pursuant to this section. Upon verification that the person has had his or her records sealed, the court shall issue an order restoring the person to the civil rights to vote, to hold office and to serve on a jury. A person must not be required to pay a fee to receive such an order.
4. A person who has had his or her records sealed in this State or any other state may present official documentation that the person has been restored to his or her civil rights or a court order restoring civil rights as proof that the person has been restored to the right to vote, to hold office and to serve as a juror.

(Added to NRS by 1971, 956; A 1981, 1105; 1991, 304; 2001, 1169, 1694; 2001 Special Session, 262; 2003, 312, 316, 319, 2687; 2009, 108, 420; 2011, 22)

NRS 179.295 Reopening of sealed records. [Effective January 1, 2014.]

1. The person who is the subject of the records that are sealed pursuant to NRS 176A.265, 176A.295, 179.245, 179.255, 179.259, 453.3365 or 458.330 may petition the court that ordered the records sealed to permit inspection of the records by a person named in the petition, and the court may order such inspection. Except as otherwise provided in this section, subsection 8 of NRS 179.255 and NRS 179.259 and 179.301, the court may not order the inspection of the records under any other circumstances.
2. If a person has been arrested, the charges have been dismissed and the records of the arrest have been sealed, the court may order the inspection of the records by a prosecuting attorney upon a showing that as a result of newly discovered evidence, the person has been arrested for the same or a similar offense and that there is sufficient evidence reasonably to conclude that the person will stand trial for the offense.
3. The court may, upon the application of a prosecuting attorney or an attorney representing a defendant in a criminal action, order an inspection of such records for the purpose of obtaining information relating to persons who were involved in the incident recorded.
4. This section does not prohibit a court from considering a conviction for which records have been sealed pursuant to NRS 176A.265, 176A.295, 179.245, 179.255, 179.259, 453.3365 or 458.330 in determining whether to grant a petition pursuant to NRS 176A.265, 176A.295, 179.245, 179.255, 179.259, 453.3365 or 458.330 for a conviction of another offense.

(Added to NRS by 1971, 956; A 1981, 1105; 1991, 304; 1997, 3160; 2001, 1169, 1694; 2001 Special Session, 262; 2003, 312, 316, 319; 2009, 108, 420; 2013, 1386, effective January 1, 2014)

NRS 179.301 Inspection of sealed records by certain agencies.

1. The State Gaming Control Board and the Nevada Gaming Commission and their employees, agents and representatives may inquire into and inspect any records sealed pursuant to NRS 179.245 or 179.255, if the event or conviction was related to gaming, to determine the suitability or qualifications of any person to hold a state gaming license, manufacturer's, seller's or distributor's license or registration as a gaming employee pursuant to chapter 463 of NRS. Events and convictions, if any, which are the subject of an order sealing records:
    a. May form the basis for recommendation, denial or revocation of those licenses.
    b. Must not form the basis for denial or rejection of a gaming work permit unless the event or conviction relates to the applicant's suitability or qualifications to hold the work permit.
2. A prosecuting attorney may inquire into and inspect any records sealed pursuant to NRS 179.245 or 179.255 if:
    a. The records relate to a violation or alleged violation of NRS 202.575; and
    b. The person who is the subject of the records has been arrested or issued a citation for violating NRS 202.575.
3. The Central Repository for Nevada Records of Criminal History and its employees may inquire into and inspect any records sealed pursuant to NRS 179.245 or 179.255 that constitute information relating to sexual offenses, and may notify employers of the information in accordance with NRS 179A.180 to 179A.240, inclusive.
4. Records which have been sealed pursuant to NRS 179.245 or 179.255 and which are retained in the statewide registry established pursuant to NRS 179B.200 may be inspected pursuant to chapter 179B of NRS by an officer or employee of the Central Repository for Nevada Records of Criminal History or a law enforcement officer in the regular course of his or her duties.
5. The State Board of Pardons Commissioners and its agents and representatives may inquire into and inspect any records sealed pursuant to NRS 179.245 or 179.255 if the person who is the subject of the records has applied for a pardon from the Board.
6. As used in this section:
    a. "Information relating to sexual offenses" means information contained in or concerning a record relating in any way to a sexual offense.
    b. "Sexual offense" has the meaning ascribed to it in NRS 179A.073.

(Added to NRS by 1981, 1105; A 1987, 1759; 1997, 1674; 2003, 2688, 2833; 2003, 20th Special Session, 16; 2005, 973; 2011, 23; 2013, 111)