



When a criminal record is “sealed,” that means that most people can’t see it.

A sealed record cannot be seen or considered by:

- The general public
- Landlords
- Schools
- Licensing boards
- Most employers -- Employers who do not use FBI background checks won’t see a sealed criminal record. That means the vast majority of employers won’t see a sealed record.

When a criminal record is “sealed,” you can deny it ever happened.

You are allowed to deny your sealed cases if you are asked by someone listed above. *See below for important exceptions to this rule.*

You still have access to your own full criminal record, so you can see what cases were sealed.

- The easiest way to get a record of your *sealed* cases is to visit the clerk of courts in a Pennsylvania courthouse and ask for your complete record, including sealed cases.
- You can also order your entire record – called an “Access and Review” – from the Pennsylvania State Police, but currently that can take months.
- To see the criminal history information that is available to the general public (your *unsealed* record), visit The Unified Judicial System of Pennsylvania at <https://ujportal.pacourts.us> and search by your name.

In these limited situations, your sealed record can be seen and used:

- Law enforcement purposes (police, prosecutors and criminal courts)
- Gun ownership and use applications (including permits to carry and Act 235)
- Immigration
- International travel
- Other court cases, sometimes (dependency, custody, or protection from abuse cases)
- Admission to the bar to be a lawyer
- Limited situations where federal law requires a background check for employment
- **FBI records will show sealed cases**, but they may be considered only where required by federal law (**see reverse side for types of jobs affected and more information**)

If you are asked about your sealed record by someone listed here, you should *not* deny your record. You should explain you have a record that has been sealed.

For new developments or more information about sealing, see www.MyCleanSlatePA.com.

Some jobs require FBI background checks, which currently include sealed records. Examples include:

- Schools
- Police departments
- Jobs requiring regular contact with children
- Caring for older adults, if you moved to PA in the last 2 years
- Banks
- Airports and seaports, if working as a screener or with access to secured areas
- Casinos
- Insurance and securities industries
- HAZMAT-endorsed commercial driver's licenses
- Any job requiring a fingerprint-based FBI background check.
- Foster care and adoption require FBI background checks.

You will know that you are getting an FBI check because you will have to provide fingerprints. You will usually get the check through the State's vendor, IDEMIA. For more information, see <https://bit.ly/2ttuOkz>.

If you are asked by someone listed above, you should not deny your sealed record. **However, most of the time your sealed record should *not* cause you to lose your job** because most employers are not allowed to make decisions based on sealed records.

- You should prepare to prove to the employer that your case is sealed by showing your sealing order or by getting an "Access and Review" from the State Police.
- Banks, airports, seaports and jobs requiring HAZMAT-endorsed commercial driver's licenses *can* consider a sealed record when deciding whether to hire or fire.
- If you have a problem with an employer and an FBI check, seek legal assistance.

If your sealed record continues to cause problems for you, or if you know your job requires FBI background checks, you may want to seek expungement.

Your sealed record may be eligible for expungement if:

- Charges were dismissed or withdrawn by the judge or prosecutor
- Charges were dismissed after completing a diversion program
- You were found not guilty by a judge or jury
- You were convicted of a summary offense and have not been arrested for 5 years
- You are 70 years of age or older and have not been arrested for 10 years

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FBI Records: Main things to remember

- Sealed cases are currently reported on FBI records.
- Most employers are not allowed to get your FBI record.
- You will know if you are getting an FBI check because you will have to provide fingerprints.
- If you have a problem with an FBI check, or if a sealed record is used against you by an employer, seek legal help.
- If your job requires a FBI background check, look into expungement.