

POLICY CHANGES TO DALLAS COUNTY EXPUNCTIONS

CONDITIONAL DISMISSALS

As of January 1, 2019, the Dallas County District Attorney's Office will agree early (prior to the running of the statute of limitations) to cases involving a Conditional Dismissal **IF** the Petitioner signs a waiver saying that Dallas County may keep his/her name, date of birth, offense, and State identification number.

If the Petitioner does not want to sign a waiver, the DA's Office will not agree to the expunction until the statute of limitations has run.

Exception: For conditional dismissals on offenses that were part of a multiple offense arrest, we will not agree if any of the offenses from that arrest are not eligible for expunction.

THIS POLICY IS RETROACTIVE FOR ANY CONDITIONAL DISMISSAL.

FIRST-TIME MARIJUANA AND THC OFFENDERS

We will agree to a limited expunction, pursuant to Texas Code of Criminal Procedure Art. 55.01(a)(2)(A)(i), for first-time offenders that are not prosecuted for possession of marijuana and/or possession of tetrahydrocannabinol (THC) pursuant to our new office policies. Limited expunctions allow our office and the police agency to retain records on the Petitioner. Limited expunctions are available once the following timelines have passed (from the date of arrest):

3 years on any felony;

1 year on Class A or B misdemeanors (no felony in same transaction);

6 months on Class C misdemeanors (no felony in same transaction).

If an indictment or information is filed against a first-time marijuana or THC offender, and the case is then dismissed, we will agree early if the Petitioner signs a waiver saying that Dallas County may keep his/her name, date of birth, offense, and State identification number.

THIS POLICY IS EFFECTIVE FEBRUARY 7, 2019.

POLICY THAT IS NOT CHANGING

We will not agree early (prior to the running of the statute of limitations) to any FAMILY VIOLENCE cases, including Class C misdemeanors and cases that begin as family violence but are reduced to lesser offenses.