Commonwealth of Mirginia

County of Fairfax

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FAIRFAX COMMONWEALTH'S ATTORNEY STEVE DESCANO ANNOUNCES NEW EXPUNGEMENT REFORM, REMOVING BARRIERS FOR RESIDENTS

Fairfax County, VA — Commonwealth's Attorney Steve Descano announced that beginning March 1, residents will no longer need to attend a court hearing for eligible expungements, as part of a new streamlined process developed in conjunction with the court and clerk's office. Currently, individuals can petition to expunge charges that were dropped or dismissed, or as part of successfully completing a deferred disposition program.

"A person's criminal record can follow them around for a lifetime -- even if they haven't been convicted of the charges -- potentially limiting their ability to get a job, benefits, or housing," CA Descano said. "For people who want to start fresh, old criminal charges can prevent them from stabilizing their lives."

Descano emphasized that this reform will help those who stand to benefit the most from expungements. "Previously, individuals would have to come to court for a one-minute hearing, which is a considerable burden if you're unable to take off work, get childcare, or have other barriers to attending. Now, individuals can petition for an expungement by filing paperwork, which will be reviewed weekly. They'll only have to come in for a hearing if the Judge or Commonwealth's Attorney rejects the petition."

Virginia has historically had strict limits on expungements, but in 2021 passed a significant reform that will fully go into effect in 2025, ensuring that some criminal records (dropped or dismissed charges, certain misdemeanor convictions) are automatically sealed.

Descano added, "We're grateful to Judge Oblon for his leadership on this issue and the clerk's office for their partnership. Our office welcomes every opportunity to work across agencies to improve the justice system for Fairfax residents."