

## DISQUALIFYING CHARGES FOR EXPUNCTION/SEALING

A request for a certificate of eligible for an expunction or sealing of a criminal history record will be denied if the defendant was found guilty or pled guilty or nolo contendere, even if the adjudication was withheld, on any violation of the following:

### **Offenses listed in S.907.041, F.S.**

1. Arson
2. Aggravated Assault
3. Aggravated Battery
4. Illegal use of explosives
5. Child abuse or Aggravated Child Abuse
6. Abuse of an elderly person or disabled adult, or aggravated abuse of an elderly person or disabled adult
7. Aircraft piracy
8. Kidnapping
9. Homicide
10. Manslaughter
11. Sexual Battery
12. Robbery
13. Carjacking
14. Lewd, lascivious, or indecent assault or act upon or in the presence of a child under the age of 16 years
15. Sexual activity with a child, who is 12 years of age or older but less than 18 years of age, by or at solicitation of a person in familial or custodial authority
16. Burglary of a dwelling
17. Stalking of Aggravated Stalking
18. Act of Domestic Violence, as defined in **s.741.28**
19. Home-invasion Robbery
20. Act of Terrorism as defined by s.775.30
21. Attempting or conspiring to commit any of the above crimes
22. Manufacturing any substances in violation of chapter 893

### **S.393.135, F.S.**

Sexual misconduct with developmentally disabled person and related offenses

### **S.394.4593, F.S.**

Sexual misconduct with mentally ill person and related offenses

### **S.787.025, F.S.**

Luring or enticing a child

### **Chapter 794, F.S.**

Sexual Battery and related offense

### **S.796.03, F.S.**

Procuring person under 18 for prostitution

### **S.800.04, F.S.**

Lewd or lascivious offenses committed upon or in the presence of persons less than 16 years of age

### **S.810.14, F.S.**

Voyeurism

### **S.817.034, F.S.**

Florida Communication Fraud Act

(Scheme to Defraud or Organized Fraud, as defined in s.817.034, F.S.)

### **S.825.1025, F.S.**

Lewd or lascivious offense upon or in presence of elderly person or disabled adult

### **S.827.071, F.S.**

Sexual performance by a child

### **Chapter 839, F.S.**

Offenses by Public Officers and Employees

### **S.847.0133, F.S.**

Showing, etc., obscene literature to minor

### **S.847.0135, F.S.**

Computer pornography

### **S.847.0145, F.S.**

Selling or buying of minors

### **S.893.135, F.S.**

Trafficking in controlled substances

### **S.916.1075**

Sexual misconduct with mentally deficient or mentally ill defendant and related offenses

A violation of any offense qualify for registration as a sexual predator under **s.775.21** or for registration as a sexual offender under **s.943.0435**.

All references are from Florida Statutes