

Can anyone find out about my criminal record once it has been expunged or sealed?

Some agencies will be able to find out that you expunged a criminal record and see your sealed records:

Law enforcement agencies including police departments, prosecutors, correctional institutions, military, and court services and Department of Child and Family Services can see all sealed records, expunged pardoned convictions, and some five year-waiting-period expunged records for limited purposes.

Any employer required by law to conduct fingerprint background checks can see sealed felony conviction records. **These employers include financial institutions, fire departments, private carrier companies, schools, park districts, health care organizations, and childcare organizations.**

An employer not listed above and members of the public can't see expunged or sealed records or find out that you have had a record expunged or sealed.

In Illinois it is against the law for employers to ask if you have expunged or sealed any criminal records **unless they are one of the agencies above authorized by law.**

If an employer finds out that you expunged or sealed any criminal records, they cannot use that against you or they will violate the Illinois Human Rights Act 775 ILCS 5/1-101-10/104.

See page 11 of the Illinois Supreme Court's approved form:

<https://ilcourtsaudio.blob.core.windows.net/antilles-resources/resources/94c3721e-428b-405e-a7f1-d71237998bad/EXP-AD%20Instructions.pdf>