

Instructions for the Expungement of Criminal History Records
(Human Trafficking Victim)

Pursuant to Florida Statute 943.0583, a person who is a victim of human trafficking may petition for the expunction of a criminal history record resulting from the arrest or filing of charges for an offense committed or reported to have been committed while the person was a victim of human trafficking.

For complete definitions, qualifications and requirements visit the Florida Legislature website:
http://www.leg.state.fl.us/Statutes/index.cfm?App_mode=Display_Statute&Search_String=&URL=0900-0999/0943/Sections/0943.0583.html

The required forms may be downloaded at <https://www.hillsclerk.com/Court-Services/Expungement-and-Sealing>. Each form must have all of the sections accurately completed. The petition and proposed order must include the primary case number and the case numbers for each related case, if any. Once you have completed the forms you may file by mail or in person.

Attorneys filing through the Florida Courts E-Filing Portal are not to submit them through – Proposed Documents link in the portal. Clerk staff will submit all required documents to the respective Circuit or County court administrative judge for review.

By mail: Clerk of Court and Comptroller, Attn: Expungement and Sealing Unit, P.O. Box 3360, Tampa, Florida 33601

In person:

Clerk of Court and Comptroller
Customer Service Center
800 E. Twiggs St. Rm 101
Tampa, FL 33602
(813) 276-8100, ext. 3800

Clerk of Court and Comptroller
Plant City Courthouse
301 N. Michigan St. Rm 1071
Plant City, FL 33563
(813) 276-8100, ext. 3800

Required Documents:

- **Sworn Statement:** Must be completed and signed before a notary.
- **Petition to Expunge/Human Trafficking Victim:** Must be completed and signed.
 - **Arrest charges must include all charges at the time of arrest as listed in the criminal report affidavit & any subsequent arrests for the case(s)**
- **Proposed Order to Expunge/Human Trafficking Victim F.S.943.0583:**
 - Must be completed except for judge's signature block
 - **Arrest charges must include all charges at the time of arrest as listed in the criminal report affidavit & any subsequent arrests for the case(s)**

A copy of the Petition must be delivered to the Office of the State Attorney (813-272-5400), and the arresting agency at the same time it is filed with the Clerk.

The Clerk will submit your petition and unsigned order to the Court for review after 15 business days has lapsed from the date of filing. If corrected or modified forms are requested, you will be advised of the due date by which they must be filed with our office. The parties and agencies involved in the case will receive certified copies of the court's ruling by mail or encrypted e-mail.

**IN THE CIRCUIT/COUNTY COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA**

State of Florida

Case Number(s): _____

vs

(Defendant's Name)

Division: _____

PETITION TO EXPUNGE/HUMAN TRAFFICKING VICTIM

The petitioner, _____, by and through the undersigned attorney, petitions this honorable court, under Florida Rule of Criminal Procedure 3.693 and section 943.0583 Florida Statutes, to expunge all criminal history record information in the custody of any criminal justice agency and the official records of the court concerning the petitioner's arrest and/or conviction on _____ (date(s)) by _____ (arresting agency and/or prosecuting authority), for _____ (charges and/or offenses), and as grounds therefore shows:

1. On _____ (date(s)), the petitioner, _____, a _____ (race/sex), whose date of birth is _____ (date of birth), was arrested by _____ (arresting agency), and charged with _____ (charges) or was convicted by _____ (name of prosecuting authority) of _____ (offenses).

2. The petitioner has been the victim of human trafficking, as discussed in section 787.06, Florida Statutes, and has committed, or is reported to have committed, an offense, other than those offenses listed in section 775.084(1)(b)1, Florida Statutes, which was committed, or reported to have been committed, as a part of a human trafficking scheme of which he/she was the victim or at the direction of an operator of the scheme as evidenced by the attached official documentation of his/her status, or may be shown by clear and convincing evidence presented to the Court.

WHEREFORE, the petitioner moves to expunge any criminal history record information and any official court records regarding his/her arrest and/or conviction by _____
_____ (arresting agency and/or name of prosecuting authority),
for _____ (charges and/or offenses), on
_____ (date(s)).

I HEREBY CERTIFY that a true and correct copy of the foregoing pleading has been served on
_____ (name of prosecuting authority), (check one) State Attorney for
the Thirteenth Judicial Circuit, in and for Hillsborough County, Special Prosecutor, Statewide
Prosecutor; _____ (arresting agency); and Hillsborough County Sheriff
(Sheriff of county in which defendant was arrested, if different); on _____ (date).

Defendant Name or Attorney: _____

Address: _____

City/State: _____

Telephone Number: _____

E-mail Address: _____

Florida Bar Number: _____

Personally known _____ or produced identification _____
Type of identification produced _____

My commission expires:

**IN THE CIRCUIT/COUNTY COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA**

State of Florida

Case Number(s): _____

vs

(Defendant's Name)

Division: _____

SWORN STATEMENT/HUMAN TRAFFICKING VICTIM

State of Florida

County of Hillsborough

I, _____ (name of defendant/petitioner),
am the defendant/petitioner in the above-styled cause and I do hereby swear or affirm that:

1. I fully understand the meaning of all of the terms of this sworn statement.
2. I have been the victim of human trafficking, as discussed in section 787.06, Florida Statutes, and have committed, or was reported to have committed, an offense, other than those offenses listed in section 775.084(1)(b)1, Florida Statutes, which was committed, or reported to have been committed, as a part of a human trafficking scheme of which I was the victim or at the direction of an operator of the scheme.
3. I was arrested and/or convicted on _____ (date(s)), by _____ (arresting agency and/or name of prosecuting authority).
4. I am eligible for the relief requested, to the best of my knowledge and belief.

Petitioner

Sworn to and subscribed before me on _____.

NOTARY PUBLIC, or other person
authorized to administer an oath

Printed, typed, or stamped commissioned
name of Notary Public

Personally known _____ or produced identification _____

Type of identification produced _____

My commission expires:

**IN THE CIRCUIT/COUNTY COURT OF THE THIRTEENTH JUDICIAL CIRCUIT,
IN AND FOR HILLSBOROUGH COUNTY, FLORIDA**

State of Florida

Case Number(s): _____

vs

(Defendant's Name)

Division: _____

**ORDER TO EXPUNGE, HUMAN TRAFFICKING VICTIM, UNDER SECTION 943.0583,
FLORIDA STATUTES, AND FLORIDA RULE OF CRIMINAL PROCEDURE 3.693**

THIS CAUSE, having come on to be heard before me this date upon a petition to expunge certain records of the petitioner's arrest and/or conviction on _____ (date(s)), by _____ (arresting agency and/or name of prosecuting authority), for _____ (charges and/or offenses), and the court having heard argument of counsel and being otherwise fully advised in the premises, the court hereby finds the following:

The petitioner has been the victim of human trafficking, as discussed in section 787.06, Florida Statutes, and has committed an offense, or is reported to have committed, other than those offenses listed in section 775.084(1)(b)1, Florida Statutes, which was committed, or reported to have been committed, as a part of a human trafficking scheme of which he/she was the victim, or at the direction of an operator of the scheme. A conviction expunged under this section is deemed to have been vacated due to a substantive defect in the underlying criminal proceedings.

Whereupon it is

ORDERED AND ADJUDGED that the petition to expunge is granted. All court records pertaining to the above-styled case shall be sealed in accordance with the procedures set forth in Florida Rule of Criminal Procedure 3.693; and it is further

ORDERED AND ADJUDGED that the clerk of this court shall forward a certified copy of this order to the (check one) State Attorney, Special Prosecutor, Statewide Prosecutor, _____ (arresting agency), and the Sheriff of Hillsborough County, who will comply with the procedures set forth in section 943.0583, Florida Statutes, and appropriate regulations of the Florida Department of Law Enforcement, and who will further forward a copy of this order to any agency that their records reflect has received the instant criminal history record information; and it is further

ORDERED AND ADJUDGED that _____ (arresting agency) shall expunge all information concerning indicia of arrest, conviction, or criminal history record information regarding the arrest, conviction, or alleged criminal activity to which this petition pertains in accordance with the procedures set forth in section 943.0583, Florida Statutes, and Florida Rule of Criminal Procedure 3.693.

DONE AND ORDERED in Chambers at Hillsborough County, Florida, on _____ (date).

Judge