



The Commonwealth of Massachusetts

NORFOLK DISTRICT ATTORNEY'S OFFICE

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Press Release

District Attorney Morrissey provides Information on erasing old pot charges

As president Biden pardons old marijuana cases, Massachusetts goes even further

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The mass presidential pardon of people convicted of possessing marijuana announced in early October only reaches Federal cases; but state criminal records for the same offense can be erased entirely in Massachusetts, according to Norfolk District Attorney Michael W. Morrissey..

"The Massachusetts expungement statute created in 2018 has been vastly underutilized," Morrissey said. "Particularly for [erasing charges for activities that are no longer considered crime](#) – including simple possession of marijuana, possession of a hypodermic needle, and knowingly being present where heroin is kept, among others."

Expungement is not like sealing a record or getting a pardon, Morrissey said. It removes the crime entirely from any publicly accessible database and destroys the original court records.

In the months after District Attorney [Morrissey began training his staff](#), defense attorneys, and court personnel in how to utilize the three new expungement mechanisms created in 2018, the judiciary created a form to make the process easy for past defendants. It is available at this web address:

<https://www.mass.gov/doc/petition-for-expungement-form/download>

"It is a very simple form, with instructions on back saying you need to hand or mail a copy of the completed petition to the DA's office that handled the original case. We then have the right to demand a hearing before a judge," Morrissey said. "We are trying to expedite the process and not requesting hearings on simple marijuana possession or similar cases. The people of Massachusetts have decided that this is not a crime, and it should not appear on your record and interfere with housing or employment."

Those whose charges originated in the Norfolk District can mail a copy of what they send to the court clerk to this address: NDAO – Expungement, 45 Shawmut Road 2nd floor, Canton, MA 02021.

Or if you are hand delivering it to the criminal clerk's office you can hand a copy to the DA's office in the same building.