

[Date]  
By email and U.S. mail

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Re: John Doe  
\_\_\_\_\_ County File No. \_\_\_\_\_

Dear \_\_\_\_\_:

I am writing in response to your [date] [email/letter] regarding \_\_\_\_\_.

The law does not compel newspapers to alter their archives in response to expunction orders, nor could it, consistent with the First Amendment. Newspapers – sometimes described as the “first draft of history” – undertake to report the news, as it happens. Sometimes, of course, that reporting is merely a snapshot in time, and readers certainly know that. As you understand, an expunction is a legal fiction that erases the legal or judicial ramifications of an individual’s actions, but it does not change history or convert prior accurate reporting into inaccurate reporting. We believe it is essential to maintain our archives as a complete record of what has been published. For that reason, it is our policy not to remove articles other than in the extraordinary circumstances that we are persuaded they are inaccurate. Although the legal effect of an expungement is that an arrest or conviction has no legal effect, the information published by paper was, and still is, accurate.

We are not unsympathetic to \_\_\_\_\_ or the fact that the internet has created an almost “permanent record.” However, for the reasons I have explained here, the paper does not intend to make any alteration to its website.