

## General Instructions

Wisconsin Statute 165.84(1) states in part "*Any person arrested or taken into custody and subsequently released without charge, or cleared of the offense through court proceedings, shall have any fingerprint record taken in connection therewith returned upon request*". Completion and submission of this form will result in the removal of arrest information for those arrests that meet the requirements of the statute.

In order to qualify, all offenses reported on the arrest fingerprint card must have resulted in you being released without charge (or not prosecuted) or you being cleared of the offenses through court proceedings. This would include dismissal of the case by the prosecutor or judge, or acquittal by a judge or jury. Dismissal of only some of the offenses but convictions on others precludes the removal of the record. Convictions on lesser offenses also precludes removal of the record. Completion of a first offender program which results in no prosecution or dismissal qualifies for removal, providing documentation is provided showing successful completion along with proof of dismissal or no prosecution.

If this is a request for removal of juvenile arrest information (under 18 prior to 01/01/1996 and under 17 after 01/01/1996 for state charges and 07/01/1996 for ordinance changes), documentation of the dismissal or no prosecution **MUST** accompany the request. The Crime Information Bureau does not collect disposition information on juvenile arrests therefore this information must be provided at the time of the removal request.

A court ordered expungement does not qualify if the case resulted in any type of conviction. Court ordered expungement or sentencing under a youthful offender provision still results in a conviction. Any conviction precludes the removal of the record from the criminal history files. Court ordered expungement seals the court files but has no effect on files maintained by the Wisconsin Department of Justice. Removal of arrest information from the Department of Justice files has no effect on the availability of the same information from court files or police records. If the arrest information being removed from the Department of Justice files was reported to the Federal Bureau of Investigation, the Department of Justice will notify the Federal Bureau of Investigation to remove that information from the FBI's file.

Not all offenses are reported to the Department of Justice. If you request removal of a record that the Department of Justice does not possess, it was not submitted by the arresting agency. All criminal history files maintained by the Department of Justice require submission of an arrest fingerprint card by the arresting agency. If you were not fingerprinted for the requested offense, the Department of Justice will not have a record of that offense and it does not appear on your criminal history.

Time to process a request varies. If your request qualifies and the disposition has been reported to the Department of Justice your request will be processed promptly. If the disposition has not been submitted by the court, prosecutor or arresting agency, staff will need to obtain the disposition, make sure the disposition qualifies the removal of the record, update the criminal history and then process the request. If you have documentation regarding the dismissal of the offense(s) involved in your request, you should include copies with the request to speed processing.

### Complete the form:

Name, Sex/Race, Date of Birth: As submitted by the law enforcement agency on the arrest fingerprint card.

Arresting Agency: The name of the arresting law enforcement agency.

Arrest Charge: The offense(s) you were arrested for. Use one form for each arrest event for which you are requesting removal.

Date of Arrest: The date on which you were arrested. Use one form for each arrest event for which you are requesting removal.

Disposition: Indicate the disposition for each arrest charge listed. Include documentation if available. Convictions on lesser offenses, dispositions under first offender/youthful offender or court expungements do not necessarily qualify for removal unless the charge(s) were dismissed by the court.

Requester Information: Name and address you wish correspondence and/or the arrest fingerprint card returned to.

Right Index Fingerprint Impression: A legible, rolled fingerprint impression is required. The form will not be processed without a legible fingerprint impression.

Signature: Sign the form and mail to:

**Crime Information Bureau  
Attn: Criminal Records Unit  
P.O. Box 2718  
Madison, WI 53701-2718**

Successful requests will result in either the return of the arrest fingerprint card or deletion of the electronically stored document. If the offense was reported to the FBI they will be notified to remove the offense from their record. The FBI will then destroy their copy of the arrest fingerprint card.



STATE OF WISCONSIN DEPARTMENT OF JUSTICE

DIVISION OF LAW ENFORCEMENT SERVICES Crime Information Bureau

17 West Main Street. PO Box 2718 Madison WI 53701-2718 608/266-7314

FINGERPRINT RECORD REMOVAL REQUEST

This form is used to request the removal of a fingerprint record pursuant to Wisconsin Statute 165.84(1). The use of this form is intended to safeguard the rights of the signatory and to ensure proper record removal. A legible inked fingerprint impression is mandatory and is used to verify identity of the signatory with the record, should one exist. Any law enforcement agency can assist in providing the inked, rolled fingerprint impression. If the right index finger is injured, etc., provide the impression of another finger, but clearly designate which finger was used for the rolled impression. This form may not be submitted by fax.

If you are requesting removal of a record consistent with completion of a first offender school (deferred prosecution), evidence of successful completion and/or documentation that there was no prosecution or dismissal must accompany this request.

\* \* \* \* \*

I hereby request the Crime Information Bureau, Division of Law Enforcement Services of the Wisconsin Department of Justice, to remove the following described fingerprint record, if it exists, pursuant to Wisconsin Statute 165.84(1). This information must agree with the information furnished by the arresting agency at the time of the arrest.

Name: \_\_\_\_\_ (Last) / \_\_\_\_\_ (First) / \_\_\_\_\_ (Middle)

Sex/Race: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Arresting Agency: \_\_\_\_\_ Date of Arrest: \_\_\_\_\_

Arrest Charge: \_\_\_\_\_ Disposition: \_\_\_\_\_

Arrest Charge: \_\_\_\_\_ Disposition: \_\_\_\_\_

Arrest Charge: \_\_\_\_\_ Disposition: \_\_\_\_\_

Arrest Charge: \_\_\_\_\_ Disposition: \_\_\_\_\_

Arrest Charge: \_\_\_\_\_ Disposition: \_\_\_\_\_

Arrest Charge: \_\_\_\_\_ Disposition: \_\_\_\_\_

Arrest Charge: \_\_\_\_\_ Disposition: \_\_\_\_\_

REQUESTER INFORMATION

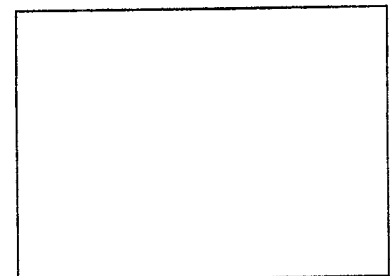
Name: \_\_\_\_\_

Address: \_\_\_\_\_

City: \_\_\_\_\_

State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Signature: \_\_\_\_\_ (Complete Name)



Right Index Fingerprint Impression