

The Court ordered my record expunged.

Why is this arrest still on my criminal history?

Wisconsin law permits courts to expunge records in which adjudication of guilt is made. Those circumstances are limited to misdemeanors and certain felonies committed by a person under the age of 25 upon successful completion of the sentence or a juvenile upon reaching the age of 17 and making a request.



The Wisconsin criminal history repository maintained by the Wisconsin Department of Justice operates under rules set by the Wisconsin Legislature in section 165.84 of the Wisconsin Statutes. These rules state *“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 conjunction therewith returned upon request.”*

Any record of a conviction ordered to be expunged by a court cannot be removed from the Wisconsin criminal history repository because the conviction disqualifies

that arrest for removal.

How can I challenge the accuracy of the information in my criminal history record?

Wisconsin has established a process for individuals to challenge the information contained in their criminal history record. Information on this process may be found at

www.doj.state.wi.us/dles/cib/challenge.asp

Other Websites:

Wisconsin Circuit Courts

wcca.wicourts.gov

Pardons & Executive Clemency

www.wi-doc.com/index_management.htm

Background Checks

wi-recordcheck.org

Copy of your FBI Record

www.fbi.gov/hq/cjisd/fprequest.htm

Criminal Records from Other States

Crime Information Bureau
17 West Main Street
Mailing Address: P.O. Box 2718
Madison, WI 53701-2718

Phone: 608-266-7314
Fax: 608-267-1338
<http://www.doj.state.wi.us>

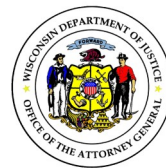


Removal of Arrest Information

How can arrest information be removed from my criminal record?



Wisconsin Department of Justice



Wisconsin Department of Justice

J.B. VAN HOLLEN, Attorney General

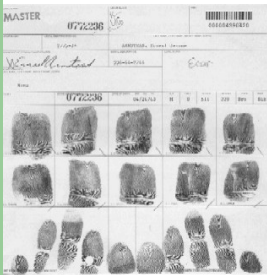
What information can be removed?

All arrest information in Wisconsin criminal history records maintained by the Wisconsin Department of Justice must be accompanied by an arrest fingerprint card.

Wisconsin law allows removal of an arrest fingerprint card when the person arrested is subsequently released without charge or cleared of the offense through court proceedings.

If you were arrested and 1) found to be not guilty, 2) the charges were dismissed by the court or prosecutor, or 3) no charges were filed by the prosecutor, you may qualify for removal of the arrest information from your record.

Because the law requires removal of the fingerprint card from a record, only in those cases where **ALL** offenses reported on the fingerprint card qualify for removal may the fingerprint card and all information contained on it be removed.



All arrest information is obtained from fingerprint cards.

What about information at the FBI?

If the arrest information being removed from your Wisconsin criminal history record was forwarded to the FBI, the FBI will be contacted to remove the information from their record.

What can I do if I was convicted?

Information must remain in a criminal history record unless no conviction resulted. If you were convicted, the information does not qualify for removal even if the court record was expunged.

Courts do not possess the statutory authority to reopen and dismiss cases. Courts may expunge convictions in two situations:

- Misdemeanors or certain felonies committed by persons under the age of 25 when provided at sentencing and successfully completing any sentence, (s. 973.015 Wis. Stats.)
- Juvenile delinquency adjudications upon request once the subject reaches the age of 17.

If the case was not dismissed, the information must remain on your record. You may contact the Governor's office to investigate a pardon. While a pardon will not remove the arrest from your record, the disposition will show that a Governor's pardon has been issued and restore certain rights. Information on pardons may be found at www.wi-doc.com/index_management.htm

Is there a fee?

There is no fee required for removal of arrest information from your record.

Why is a fingerprint required?

All identification in the criminal history repository is based on fingerprint comparison. The fingerprint on the form you submit will be compared to the arrest fingerprints on file to make sure the information is removed from the proper record.



A fingerprint must accompany your request.

How can I remove information?

You must submit a completed form DJ-LE-250B. If you have documentation showing dismissal or no prosecution of the offenses on the arrest card, submitting copies will speed the removal process. The form may be found at <http://www.doj.state.wi.us/dles/cib/removeai.asp> or call to request a form.

Charges/Dispositions/Sentences					
Count 1	Statute / Offense	Severity	Description	Offense Date	Place
	947.01	Mod. 5	Domestic Conduct	11-27-1976	
	Change Modifier				
	Statute	Modified Severity	Description		
	947.01(3)(a)		"Domestic Abuse" / "Child Abuse"		
	Disposition	Disposition Date	Disposing Court Official	Judgment of Conviction	
	1	Dismissed (W. Stat.)	Ben. James S.	0	
Count 2	Statute / Offense	Severity	Description	Offense Date	Place
	947.01	Mod. 5	Domestic Conduct	11-28-1976	
	Change Modifier				
	Statute	Modified Severity	Description		
	947.01(3)(a)		"Domestic Abuse" / "Child Abuse"		
	Disposition	Disposition Date	Disposing Court Official	Judgment of Conviction	
	1	Dismissed (W. Stat.)	Ben. James S.	0	

Send copies of any information showing dismissal or no prosecution.