



WISCONSIN DEPARTMENT OF JUSTICE WISCONSIN CRIMINAL HISTORY CHALLENGE

Submit forms to: Crime Information Bureau
P.O. Box 2718
Madison, WI 53701-2718

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|--|---------------|---|--------------------------|------------------------|
| Requester Name (Last, First, Middle, Suffix) | | Subject's Name (If different from requester; Last, First, Middle, Suffix) | | |
| Requester's Street Address | | Subject's Maiden/Alias Names | | |
| Requester's City, State, Zip Code | | WiUPIN (If available) | | |
| Requester's Phone Number | Subject's Sex | Subject's Race | Date of Birth (mm/dd/yy) | Social Security Number |
| Requester's Email | | Subject's Driver License Number & State | | |
| If challenge is due to results of a criminal background check, approximate date of check | | Party who requested background check | | |
| Signature of Requester | | Date | | |

What is the problem with your criminal history? Be specific; use another sheet of paper to explain if necessary. Attach court documents or other supporting documents, if available.

- INCORRECT CHARGE INFORMATION:**
I was the person arrested but the record lists an incorrect charge or charge severity (felony, misdemeanor or non-criminal). Please include the Date of Arrest and original charge information in the space below.
- MISSING DISPOSITION INFORMATION:**
You must provide the disposition documents provided by the prosecutor or court (Judgment of Conviction, Order for Dismissal, etc.).
- INCORRECT DISPOSITION INFORMATION:**
You must provide supporting disposition documents provided by the prosecutor or court. (Judgment of Conviction, Order for Dismissal, etc.).

- IDENTITY THEFT:**
My personal information was used by another individual when arrested.
** (Must submit fingerprint card with challenge form and complete information in the right column.)
- MISTAKEN IDENTITY/FALSE MATCH:**
I am not the person whose record was returned.
** (Must submit fingerprint card with challenge form and complete information in right column)

| Record being challenged: | | |
|---|------|-----|
| WI SID | Name | |
| Sex/Race | DOB | SSN |
| Have you successfully challenged a record before? | | |

- OTHER:**
Explanation: (Attach another sheet of paper to explain , if necessary)

INFORMATION CONCERNING THE PROCESS OF CHALLENGING A CRIMINAL RECORD

Wisconsin statutes permit access to criminal history information based on non-unique identifiers such as name and date of birth. Criminal history records returned based on non-unique identifiers are not guaranteed to be the subject of the inquiry. Several individuals may have the same name and date of birth. All arrest information in the Wisconsin criminal history database is based on the submission of arrest fingerprint cards and can be positively matched using fingerprints.

- If you have undergone a background check by an agency that has received a criminal record from CIB, you may ask the agency to provide you with a copy of the criminal record. You may also request a copy of your adult criminal record from the Crime Information Bureau, P.O. Box 2718, Madison, WI 53701-2718 or go to <https://recordcheck.doj.wi.gov/>.
- CIB charges \$7 fee to provide an individual with a copy of his/her criminal record via the website using your Master Card or Visa. If your request is by mail, the fee is \$12.
- Upon receipt, review the record. Due to the fluid nature of criminal history records, any challenge should be made within 6 months of receipt of the criminal history record. You should submit a copy of the record with your challenge and indicate the information you believe to be incorrect.
- State law does not permit the removal of arrest or disposition information but notations are added to the disposition information for the following:
 - Special dispositions under 973.015, 961.47 or 161.47 Wis. Stats.
 - Court-ordered expungements for cases that did not result in dismissal of all charges.
 - Governor's Pardon or Executive Clemency.
- If you believe that a case is open on your record that should be closed, please submit the Judgment of Conviction or Order for Dismissal issued by the court. You may also submit a letter from the prosecutor indicating the case was not prosecuted. These documents must be obtained from the court having jurisdiction or the office prosecuting the offense.
- If you believe that a disposition is incorrect, contact the court having jurisdiction to obtain a Judgment of Conviction or Order for Dismissal to submit with your request. Many courts have their case information available online at <http://wcca.wicourts.gov>. Challenges to online court records (<http://wcca.wicourts.gov>) must be directed to the court having jurisdiction.
- Challenges to FBI records not based on a Wisconsin arrest must be directed to the FBI or the state submitting the information to the FBI.
- If you believe someone has stolen or improperly used your identity, were arrested or arraigned on criminal charges under your name, or due to the similarities in names, their criminal record was returned on your background check, contact the Crime Information Bureau. In these situations you will need to submit fingerprints for comparison with your challenge. It is required that you contact a law enforcement agency to obtain fingerprints to make sure they are legible. Illegible fingerprints will cause your challenge to be returned. An FBI applicant fingerprint card (form FD-258) can be used for this purpose.

As part of the identity confirmation process, your fingerprints will be compared with other fingerprints on file at CIB. If fingerprint comparison confirms that you are the subject of a criminal history record, or unsolved crime, information provided by you, including name and date of birth, may be added to the corresponding criminal history record and/or shared with other criminal justice agencies.

- The Wisconsin Department of Justice has implemented the use of a Wisconsin Unique Personal Identification Number (WiUPIN) that will be assigned to individuals that have successfully challenged a criminal history record existing in the criminal history database.
- CIB will retain copies of the fingerprint cards, and any other documentation, that were submitted with identity challenges that were successful, along with the other documentation received. This documentation could be used for identification purposes, in the event that there is another identity challenge in the future.
- If there is a warrant currently outstanding against you, you need to contact the court and ask that the warrant be vacated or corrected. This procedure may vary and may or may not require your appearance.
- If you believe that an employer, volunteer agency, housing agency or municipality has been provided with a criminal record that does not pertain to you, the agency should contact CIB for assistance at (608) 266-7314.
- The time required for the challenge process depends on the information provided with your request. If you cannot provide documentation supporting your request, CIB will contact the submitting agency and wait for their reply. Identity challenges require the comparison of fingerprints. That process cannot be expedited and will take a minimum of 2 weeks from receipt.

Including a copy of your photo driver license with the request provides another means of comparison to the criminal record on file.

CIB is not authorized to remove information from arrest records without consent of the submitting entity. Similar results may be returned on a future name search. Challenge results and WiUPINs should be retained and presented to a potential employer when a future name-based background check is anticipated.