

**IN THE CIRCUIT COURT OF THE STATE OF OREGON  
FOR MULTNOMAH COUNTY**

STATE OF OREGON,

PLAINTIFF,

V.

Court case #: \_\_\_\_\_

DA case #: \_\_\_\_\_

**MOTION AND DECLARATION TO  
SET ASIDE A RECORD OF  
ARREST**

DEFENDANT.

COMES NOW the defendant and respectfully moves the court for an order to set aside the arrest in the above matter pursuant to ORS 137.225. This motion is well founded in law and is made in good faith.

Full Name: \_\_\_\_\_ Date of Birth: \_\_\_\_\_

Mailing Address: \_\_\_\_\_ Phone Number: \_\_\_\_\_

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

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

Arrest Charge(s): \_\_\_\_\_

(Optional) Additional Info/Request: \_\_\_\_\_

\_\_\_\_\_  
Defendant's Signature

If you are represented by an attorney, please include a  
letter of representation with your submission.

**DECLARATION SUPPORTING MOTION TO SET ASIDE A RECORD OF ARREST**

**I, \_\_\_\_\_, hereby declare that the following statement is true to the best of my knowledge and belief and that I understand it is made for use as evidence in court and is subject to penalty for perjury:**

1. I am the defendant named in the above-entitled matter;
2. At least sixty (60) days have passed since the date of my arrest and no formal written complaint or other accusatory instrument has been filed against me, or I have been found not guilty or acquitted of the charge(s), or the charges have been dismissed;
3. I have not been convicted of a crime (other than traffic violations or one (1) non-traffic violation) within the applicable time period as follows:
  - If my motion is concerning a **Class B Felony**, no convictions within seven (7) years;
  - If my motion is concerning a **Class C Felony**, no convictions within five (5) years;
  - If my motion is concerning a **Class A Misdemeanor**, no convictions within three (3) years;
  - If my motion is concerning a **Class B or C Misdemeanor, Violation, or Contempt**, no convictions within one (1) year.
4. I have no pending charges (other than traffic violations) in any court.

Defendant's Signature: \_\_\_\_\_

Date: \_\_\_\_\_

**THIS ENTIRE FORM MUST BE COMPLETED TO QUALIFY FOR SETTING ASIDE A RECORD OF ARREST**

Original to: Court / Copies to: District Attorney's Office and Defendant

Multnomah County District Attorney's Office, Portland, OR 97204 (503) 988-3162

Rev. 12/21