

SEALING DISMISSAL or NOT GUILTY RECORDS

If your criminal record shows that the charges against you were **DISMISSED** or you were found **NOT GUILTY** by a judge or jury, answer the following questions to determine if you are eligible to have your dismissal or acquittal (found not guilty) records sealed.

QUESTION #1 - Were all the criminal charges against you dismissed?



NO - GO TO QUESTION #2



YES - SKIP QUESTIONS #2 and #3, and GO ON TO QUESTION #4

QUESTION #2 - Were you found not guilty of all charges that weren't dismissed?



NO - GO TO QUESTION #3



YES - SKIP QUESTION #3, and GO ON TO QUESTION #4

QUESTION #3 - How many years has it been since you completed your sentence for the criminal charges you were convicted of?

If you were charged with more than one crime related to the same incident, and the charges had different outcomes (for example, you were convicted of one charge but the other charge was dismissed) you may NOT apply to seal the dismissal or acquittal records until enough time has passed that you would be allowed to apply to seal the other related convictions.

You must wait a certain amount of time after the "final discharge" of your conviction charges before you may apply to seal the related charges that were dismissed and/or you were acquitted of. Final discharge means you finished serving your punishment for the conviction (jail or prison sentence, probation, parole, or any combination).

- **MISDEMEANOR** - you must wait 1 year after the final discharge of your conviction to apply to seal the related charges that you were acquitted of or were dismissed.
- **FELONY** - you must wait 3 years after the final discharge of your conviction to apply to seal the related charges that you were acquitted of or were dismissed.

QUESTION #4 - Are there any criminal charges pending against you right now?



YES - you **CANNOT** have your records of criminal charges (or arrests) sealed.

NO - You may apply to have records of criminal charges (or arrests) sealed.

(Submit Original and 3 copies)

****** IMPORTANT NOTICE ******

SHOULD THE COURT ORDER YOUR RECORD SEALED, WE STRONGLY SUGGEST THAT YOU FAX THE FOLLOWING COMPANIES YOUR CERTIFIED COPY OF THE COURT ORDER SO YOUR CASE WILL BE REMOVED FROM THEIR DATABASE. THESE COMPANIES CONDUCT BACKGROUND CHECKS FOR MANY EMPLOYERS, SO IT IS IMPORTANT THAT YOU CONTACT THEM DIRECTLY.

EXPERIAN
ATTN: KIM JARAMILLO
FAX (714) 459-8272
kimberly.jaramillo@experian.com

GENUINE DATA SERVICES
FAX (803) 932-3357
ATT: CHRISTINA

CORELOGIC SAFERENT
CONSUMER RELATIONS
FAX (888) 560-6729
7300 WESTMERE ROAD, STE 3
ROCKVILLE, MD 20850
WWW.RESIDENTSCREENING.COM

INNOVATIVE ENTERPRISES
FAX (757) 772-0054
Compliance@knowthefacts.com

CBC COMPANIES
ATTN: CHERYL MCMAHAN
FAX (614) 538-6102
1651 NW PROFESSIONAL PLAZA
COLUMBUS, OHIO 43220-3866

CREDIT BUREAUS:
Experian: toll free 1-888-397-3742
Equifax : toll free 1-800-6856-1111
Transunion: toll free 1-800-916-8800

INTELLICORP RECORDS INC
ATTN: COMPLIANCE DEPARTMENT
FAX (216) 450-5279
3000 AUBURN DR
SUITE 410
BEACHWOOD, OH 44122

ASURINT
ATTN: COMPLIANCE DEPARTMENT
FAX (800) 906-2034
1501 EUCLID AVE
SUITE 900
CLEVELAND, OH 44115

LEXIS NEXIS
Call for further instructions: 866-491-0873

2953.52 Sealing of records after not guilty finding, dismissal of proceedings or no bill by grand jury.

(A)

(1) Any person, who is found not guilty of an offense by a jury or a court or who is the defendant named in a dismissed complaint, indictment, or information, may apply to the court for an order to seal the person's official records in the case. Except as provided in section 2953.61 of the Revised Code, the application may be filed at any time after the finding of not guilty or the dismissal of the complaint, indictment, or information is entered upon the minutes of the court or the journal, whichever entry occurs first.

(2) Any person, against whom a no bill is entered by a grand jury, may apply to the court for an order to seal his official records in the case. Except as provided in section 2953.61 of the Revised Code, the application may be filed at any time after the expiration of two years after the date on which the foreperson or deputy foreperson of the grand jury reports to the court that the grand jury has reported a no bill.

(B)

(1) Upon the filing of an application pursuant to division (A) of this section, the court shall set a date for a hearing and shall notify the prosecutor in the case of the hearing on the application. The prosecutor may object to the granting of the application by filing an objection with the court prior to the date set for the hearing. The prosecutor shall specify in the objection the reasons the prosecutor believes justify a denial of the application.

(2) The court shall do each of the following, except as provided in division (B)(3) of this section:

(a)

(i) Determine whether the person was found not guilty in the case, or the complaint, indictment, or information in the case was dismissed, or a no bill was returned in the case and a period of two years or a longer period as required by section 2953.61 of the Revised Code has expired from the date of the report to the court of that no bill by the foreperson or deputy foreperson of the grand jury;

(ii) If the complaint, indictment, or information in the case was dismissed, determine whether it was dismissed with prejudice or without prejudice and, if it was dismissed without prejudice, determine whether the relevant statute of limitations has expired;

(b) Determine whether criminal proceedings are pending against the person;

(c) If the prosecutor has filed an objection in accordance with division (B)(1) of this section, consider the reasons against granting the application specified by the prosecutor in the objection;

(d) Weigh the interests of the person in having the official records pertaining to the case sealed against the legitimate needs, if any, of the government to maintain those records.

(3) If the court determines after complying with division (B)(2)(a) of this section that the person was found not guilty in the case, that the complaint, indictment, or information in the case was dismissed with prejudice, or that the complaint, indictment, or information in the case was dismissed without prejudice and that the relevant statute of limitations has expired, the court shall issue an order to the

superintendent of the bureau of criminal identification and investigation directing that the superintendent seal or cause to be sealed the official records in the case consisting of DNA specimens that are in the possession of the bureau and all DNA records and DNA profiles. The determinations and considerations described in divisions (B)(2)(b), (c), and (d) of this section do not apply with respect to a determination of the court described in this division.

(4) The determinations described in this division are separate from the determination described in division (B)(3) of this section. If the court determines, after complying with division (B)(2) of this section, that the person was found not guilty in the case, that the complaint, indictment, or information in the case was dismissed, or that a no bill was returned in the case and that the appropriate period of time has expired from the date of the report to the court of the no bill by the foreperson or deputy foreperson of the grand jury; that no criminal proceedings are pending against the person; and the interests of the person in having the records pertaining to the case sealed are not outweighed by any legitimate governmental needs to maintain such records, or if division (E)(2)(b) of section 4301.69 of the Revised Code applies, in addition to the order required under division (B)(3) of this section, the court shall issue an order directing that all official records pertaining to the case be sealed and that, except as provided in section 2953.53 of the Revised Code, the proceedings in the case be deemed not to have occurred.

(5) Any DNA specimens, DNA records, and DNA profiles ordered to be sealed under this section shall not be sealed if the person with respect to whom the order applies is otherwise eligible to have DNA records or a DNA profile in the national DNA index system.

Amended by 129th General Assembly File No. 99, SB 268, §1, eff. 8/6/2012.

Effective Date: 10-11-2002