

SET ASIDE CRIMINAL RECORD CHECK SUBMISSIONS TO OSP UNDER ORS 137.225 / ORS 137.223

Effective January 1, 2022 (SB397)

The process to apply for the set aside of a criminal arrest or conviction by a court will change effective January 1, 2022, as a result of Senate Bill 397. The following outlines the steps necessary for submission of fingerprints to Oregon State Police under ORS 137.225 (2)(c) and ORS 137.223(3)(c) as amended by the Oregon Legislature.

1. FINGERPRINTS

- a. Obtain a properly rolled, complete set of your fingerprints using the FBI standard blue applicant fingerprint card (FD-258). An example of this fingerprint card can be viewed at:
<https://www.edo.cjis.gov/artifacts/standard-fingerprint-form-fd-258-1.pdf>
Please contact a local criminal justice agency or public fingerprinting service for information regarding availability and any fee that may apply for these services.
- b. The following are required fields and must be completed on the fingerprint card form in order to avoid rejection of your request.
 - Printed Name of person filing a motion
 - Signature (manual fingerprinting only) of person filing a motion
 - Fingerprinting Official signature and date
 - Date of Birth of person filing a motion
 - Reason Fingerprinted: (must include one of these applicable references)
 - **APPLICATION FOR SET ASIDE ORS 137.225**
 - **APPLICATION FOR SET ASIDE ORS 137.223**

2. SET ASIDE FORM/FEE

- a. Complete all information on the [OSP REQUEST FOR SET ASIDE FORM](#).
Please note that Oregon law requires the results of the background check be returned to the prosecuting attorney(s) for each county or municipality included within the set aside motion application.
- b. The fee for an Oregon fingerprint-based Criminal record check for motions to set aside convictions is \$33.00.

3. MAIL THE COMPLETED PACKET TO OSP

- a. The request must include all of the following items:
 - A completed fingerprint card as noted above.
 - Completed OSP Set Aside Request form
 - Check or money order in the amount of \$33.00, payable to Oregon State Police for motions to set aside convictions.
 - Mail the completed packet to:

Oregon State Police, CJIS – Unit 11

ATTN: SET ASIDE

P.O. Box 4395

Portland, OR 97208-4395



OREGON STATE POLICE

REQUEST FOR SET ASIDE CRIMINAL RECORD CHECK

(Effective 1/1/2022)

The following information is required to ensure timely completion of your criminal record check request for set aside purposes. Please ensure all information is accurate and the \$33.00 fee is included to avoid delays in processing.

NAME _____
(First) (Middle) (Last)

DATE OF BIRTH _____ PHONE NUMBER_(_____)_____
MM/DD/YYYY

MAILING ADDRESS _____

OTHER NAMES YOU ARE KNOWN BY (Ex: Maiden Name, Name used at time of arrest):

1. NAME _____
(First) (Middle) (Last)

2. NAME _____
(First) (Middle) (Last)

3. NAME _____
(First) (Middle) (Last)

CIRCUIT OR MUNICIPAL COURT IN WHICH YOU ARE SEEKING A SET ASIDE

(Example: Circuit Court for Wasco County, Municipal Court for City of Springfield)

1. _____ 6. _____
2. _____ 7. _____
3. _____ 8. _____
4. _____ 9. _____
5. _____ 10. _____

Does the motion to set aside include a conviction? YES NO

THE FOLLOWING MUST BE INCLUDED WITH THIS FORM AND MAILED TO OREGON STATE POLICE:

- Fingerprint Card Form
- Fee for set aside of CONVICTION. Include check or money order in the amount of \$33.00, payable to Oregon State Police.

Please note that Oregon law requires the results of the background check be returned to the prosecuting attorney(s) for each county or municipality included within the set aside motion application. This form and the fingerprint card will not be returned to you. OSP will not be contacting you upon completion of the criminal record check.