



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.

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

IN THE MUNICIPAL COURT OF THE CITY OF GLADSTONE
FOR THE STATE OF OREGON, COUNTY OF CLACKAMAS

STATE OF OREGON,)	
)	
Plaintiff,)	No. _____
v.)	
)	
_____,)	ORDER SETTING ASIDE RECORD OF
)	ARREST
Defendant.)	

THIS MATTER having come before the Court upon the Motion of the defendant for an Order Setting Aside Record of Arrest, pursuant to ORS 137.225, and the Court having reviewed the records and file herein, and now being fully advised, the Court finds as follows:

1. That the defendant was arrested and convicted as follows:

Original Arrest Date: _____

Original Arrest Charge: _____

Arresting Agency: _____

Date of Dismissal or
Acquittal: _____

2. That positive identification of the defendant has been established as follows:

FBI Identification Number: _____

Oregon State
Identification Number: _____

Arresting Agency Number: _____

3. That the circumstances and behavior of the defendant since the
- 1 – ORDER SETTING ASIDE RECORD OF ARREST

date of arrest are found to warrant setting aside the record of that arrest.

IT IS HEREBY ORDERED that the defendant's arrest herein should be and the same is set aside, pursuant to ORS 137.225, and hereafter the defendant, for all purposes of the law, shall be deemed not to have been previously arrested.

IT IS FURTHER ORDERED that the Municipal Court Clerk shall forward a certified copy of this Order to all law enforcement agencies mentioned in the court's file, including the following:

- (a) Federal Bureau of Investigation,
- (b) Oregon State Police,
- (c) State of Oregon Department of Corrections, and
- (d) Gladstone Police Department.

IT IS FURTHER ORDERED that thereafter the record of arrest shall be sealed together with all other official records in this case, including investigation reports of the involved law enforcement agencies concerning the criminal episode.

DATED this _____ day of _____, 20__.

Municipal Court Judge

IN THE MUNICIPAL COURT OF THE CITY OF GLADSTONE
FOR THE STATE OF OREGON, COUNTY OF CLACKAMAS

STATE OF OREGON)	
)	
Plaintiff,)	No. _____
v.)	
)	
_____,)	ORDER SETTING ASIDE RECORDS OF
)	CONVICTION AND ARREST
Defendant.)	

THIS MATTER having come before the Court upon the Motion of the defendant for an Order Setting Aside Records of Conviction and Arrest, pursuant to ORS 137.225, and the Court having reviewed the records and file herein, and now being fully advised, the Court finds as follows:

1. That the defendant was arrested and convicted as follows:

Original Arrest Date: _____

Original Arrest Charge: _____

Arresting Agency: _____

Date of Conviction: _____

Conviction Charge: _____

2. That positive identification of the defendant has been established as follows:

FBI Identification Number: _____

Oregon State
Identification Number: _____

Arresting Agency Number: _____

3. That the circumstances and behavior of the defendant since the date of conviction are found to warrant setting aside records of that conviction and arrest.

4. That the defendant has fully complied with and performed all provisions of the sentence herein.

IT IS HEREBY ORDERED that the defendant's conviction and arrest herein should be and the same are set aside, pursuant to ORS 137.225, and hereafter the defendant, for all purposes of the law, shall be deemed not to have been previously convicted or arrested.

IT IS FURTHER ORDERED that the Municipal Court Clerk shall forward a certified copy of this Order to all law enforcement agencies mentioned in the court's file, including the following:

- (a) Federal Bureau of Investigation,
- (b) Oregon State Police,
- (c) State of Oregon Department of Corrections, and
- (d) Gladstone Police Department.

IT IS FURTHER ORDERED that thereafter the records of conviction and arrest shall be sealed together with all other official records in this case, including investigation reports of the involved law enforcement agencies concerning the criminal episode.

DATED this _____ day of _____, 20__.

Municipal Court Judge