

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