

What does expunging my criminal record in Oregon mean, and what do I do next?

Congratulations, your expungement has been granted! Now that the judge agrees that your history justifies setting aside your old criminal matter, the judge has signed an order sealing that old record as allowed by Oregon Revised Statutes 137.225. This does not make the record go away, it basically just hides it from almost everyone. This information sheet will use the term “criminal matters” to refer to convictions, arrests, and dismissals.

Expungement in each criminal matter you want sealed must be applied for separately. The Order to Set Aside (“Expungement Order”) that the judge signed in your case only applies to the specific case/criminal matter that you asked to be expunged. You may have other criminal matters on your record that you did not apply to have expunged, or that can’t be expunged. Those will stay on your record either forever, until there is a change of law, or until they too are expunged. There is no limit on the number of expungements you may apply for.

The court’s Expungement Order:

- (1) has set aside the conviction, acquittal, and/or arrest that you applied to have expunged;
- (2) says that the conviction, acquittal, or arrest is considered not to have occurred, and you may answer questions asking about your criminal history accordingly;
- (3) generally requires the clerk of the court to send copies of your Order to both the arresting agency and the Central Bureau of Criminal Investigation of the Oregon Department of State police; and
- (4) requires that Oregon public agencies receiving a copy of your Order to seal their records.

What that all means is that for all purposes of the law you are considered not to have been previously convicted, had a case dismissed, been acquitted, or been arrested. Therefore, the criminal matter(s) that the expungement(s) covered have been, for the most part, erased from your history and will no longer count against you in the eyes of the law. There are a few exceptions, including the ability of someone to reopen your criminal matter if you are involved in a civil (non-criminal) court case where truth is an element of your claim or defense.

You can now legally say to potential employers, landlords, agencies, and others that you have not been convicted of the expunged criminal matter (or arrested or acquitted in that matter). This became true as soon as the Order was signed. However, it generally takes the Oregon State Police approximately three weeks to seal this information in the state’s criminal database: Law Enforcement Data Systems (LEDS).

Unfortunately this is not the end of your process. There are many privately run databases that can be easily accessed on the internet. These databases vary in accuracy, and could potentially be used by anyone who is trying to find your criminal record. Because they are private and online, the court’s order is not sent to them. These private databases are not required to remove your information, but most will do so, **if you ask**. The easiest way to ask for your records to be removed from the online databases is to contact the Foundation for Continuing Justice. You can apply online at www.continuingjustice.org or mail in the form on the back of this page along with a copy of the Order to Set Aside signed by the judge.

After you apply, the Foundation will update their criminal record clearinghouse database. This will tell over 500 independent companies about your expungement, updating records with criminal background providers nationwide. It will take several months for the process to be completed. This service is completely free for you and it can really help.

If you still have a landlord, potential employer, or agency who makes a negative decision about you based on your now expunged criminal matter please contact our office or a private lawyer.

Criminal Database Update

by Foundation For Continuing Justice - ContinuingJustice.org



After your case has been expunged, set aside or otherwise modified by the court, you will want to have your criminal record updated with private databases that provide this information for background checks that are commonly performed by employers, real estate agents, landlords, and banks. The Criminal Database Update is a free service offered by the Foundation for Continuing Justice that helps ensure that background check companies have updated your record to accurately reflect the court's order.

Complete the form below and attach a copy of your granted order. We will update our criminal record clearinghouse database which will furnish the data to over 500 independent companies, updating records with criminal background providers nationwide. Please note, all processing will be handled electronically. Do not provide any additional documentation, we will only accept the completed form and court granted order. All documents will be discarded once processed.

First Name	M. Initial	Last Name	Date of Birth	
Street Address (Current)		City	State	Zip Code
Phone Number		Email Address (Required)		
State	County	Court		
Any Aliases That May Have Been Used (Separated by comma)				

I authorize the Foundation for Continuing Justice to provide this case information to providers of criminal data information for the express and limited purpose of updating their records to reflect that the criminal record has been cleared or modified in my favor.

Date _____ Signature _____

*All fields are required to be filled in. If any fields are left blank, this form will be discarded.

COMPLETE ENTIRE FORM AND ATTACH A COPY OF YOUR SIGNED GRANTED ORDER* AND THEN MAIL TO:

Foundation For Continuing Justice
1504 Brookhollow Dr. Suite 114
Santa Ana, CA 92705

*If you have multiple granted orders please submit this form for each case.