



WASHINGTON STATE PATROL
 CRIMINAL HISTORY RECORDS SECTION
 PO BOX 42633
 OLYMPIA WA 98504-2633

WSP USE ONLY

SID _____

DATE _____ INITIALS _____

REQUEST FOR EXPUNGEMENT/DELETION OF NON-CONVICTION RECORDS

Persons qualified under RCW 10.97.060 desiring to have their record deleted must complete this form and mail to the Washington State Patrol, Criminal History Records Section, PO Box 42633, Olympia WA 98504-2633, or deliver personally to 3000 Pacific Avenue, Suite 202, Olympia.

NOTE: Statute/rules and regulations are printed on the reverse side.

I, _____, whose description, fingerprints, and
 (print name)
 duly witnessed signature appear below, do hereby request that, as provided in RCW 10.97.060, the following described record of arrest be deleted from the files of the Washington State Patrol Identification and Criminal History Section.

NAME _____
 (last) (first) (middle)

DATE OF BIRTH _____ SEX _____ RACE _____ SSN (optional) _____

ADDRESS _____ PHONE _____

CITY/STATE/ZIP _____

AGENCY MAKING ARREST _____ DATE OF ARREST _____

OFFENSE CHARGED _____

COURT _____ COURT CASE NO. _____

DISPOSITION DATE _____

DISPOSITION _____

 Date Signature of Applicant

 Witnessed by (print name)

 Signature of Witness

 Address of Witness

Prints of right four fingers taken simultaneously. If unable to print, use left four fingers.

STATUTE/RULES AND REGULATIONS

RCW 10.97.060 Deletion of certain information, conditions. Criminal history record information which consists of nonconviction data only shall be subject to deletion from criminal justice agency files which are available and generally searched for the purpose of responding to inquiries concerning the criminal history of a named or otherwise identified individual when two years or longer have elapsed since the record became nonconviction data as a result of the entry of a disposition favorable to the defendant, or upon the passage of three years from the date of arrest or issuance of a citation or warrant for an offense for which a conviction was not obtained unless the defendant is a fugitive, or the case is under active prosecution according to a current certification made by the prosecuting attorney.

Such criminal history record information consisting of nonconviction data shall be deleted upon the request of the person who is the subject of the record: PROVIDED, HOWEVER, That the criminal justice agency maintaining the data may, at its option, refuse to make the deletion if:

- (1) The disposition was a deferred prosecution or similar diversion of the alleged offender;
- (2) The person who is the subject of the record has had a prior conviction for a felony or gross misdemeanor;
- (3) The individual who is the subject of the record has been arrested for or charged with another crime during the intervening period.

Nothing in this chapter is intended to restrict the authority of any court, through appropriate judicial proceedings, to order the modification or deletion of a record in a particular cause or concerning a particular individual or event. [1977 ex.s. c 314 § 6.]

WAC 446-16-025 Deletion of arrest records. (1) A person desiring the destruction of his or her fingerprints and/or other identifying data, pursuant to RCW [43.43.730](#), must make his or her request on a form furnished by the section.

(2) The request must be completed, signed by the person whose record is sought to be deleted and his or her signature witnessed. It must include the address of the applicant, the printed name and the address of the witness to the applicant's signature and such other information requested on the application as identifies the applicant and the offense for which the request of deletion is made.

(3) The request must include reasonable proof that the person making the request for deletion is the same person whose fingerprints or other identifying data are sought to be deleted. Such proof must include fingerprints of the applicant if requested by the section.

(4) The request must include the information necessary for the section to determine whether the request is consistent with RCW [10.97.060](#) including all details pertaining to the decision not to prosecute, dismissal, or acquittal of the offense for which the fingerprints or other identifying data were taken.