



## INSTRUCTIONS FOR COMPLETING A WISCONSIN DNA DATABANK RECORD EXPUNGEMENT REQUEST

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All expungements will be in compliance with Wisconsin State Statutes 165.77(4) & 165.84(7)(am)2m, Wisconsin Administrative Justice Code 9.06(2), and US Code § 14132.

1. All expungement requests must be made by the expungement candidate using the Wisconsin DNA Databank Record Expungement Request Form (DJ-LE-177), and sent to the Wisconsin DNA Databank Unit at the Wisconsin State Crime Laboratory in Madison.
2. The form must be completed fully, including all identifying information, two fingerprints and candidate's signature.
  - a. Conviction information must include court case number and charge. This information may be found on CCAP (Wisconsin Circuit Court Access) <http://wcca.wicourts.gov/index.xsl>.
  - b. If the request is subsequent to a conviction, finding, or an adjudication, supporting documentation must be provided, which shall include a certified copy of the court order reversing, setting aside, or vacating the conviction.
  - c. If the request is subsequent to an arrest no supporting documentation is necessary, however, one of the following parameters must be met before arrest DNA can be expunged:
    1. All charges for which the person was required to provide a biological specimen under s. 165.84 (7) or 970.02 (8) have been dismissed. Wisconsin State Statute 165.77(4)(am)2.a.
    2. The trial court reached final disposition for all charges for which the person was required to provide a biological specimen under s. 165.84 (7) or 970.02 (8), and the person was not adjudged guilty of a violent crime in connection with any such charge. Wisconsin State Statute 165.77(4)(am)2.b.
    3. At least one year has passed since the arrest and the person has not been charged with a violent crime in connection with the arrest. Wisconsin State Statute 165.77(4)(am)2.c.
    4. The person was adjudged guilty of a violent crime in connection with any charge for which the person was required to provide a biological specimen under s. 165.84 (7) or 970.02 (8), and all such convictions for a violent crime have been reversed, set aside, or vacated. Wisconsin State Statute 165.77(4)(am)2.d.
3. **DNA will not be expunged or destroyed if a separate collectible offense or arrest is identified.** If the candidate is convicted of any other felony or misdemeanor, do not send another copy of this form as the expungement will not take place.
4. Per Wisconsin State Statute 165.84 (7) (am) 2m., if probable cause has not been established one year after DNA collection, the expungement process will be initiated by crime lab personnel and notification will be made to the candidate. The candidate does not need to submit a request form.



## WISCONSIN DNA DATABANK RECORD EXPUNGEMENT REQUEST

I hereby request that the Wisconsin DNA Databank remove all data, records, and identifiable information pertaining to my DNA sample previously submitted for inclusion in the Convicted Offender or Arrestee Index. Additionally, I am requesting that all remaining sample be destroyed. The sample for which an expungement is being requested was collected as the result of an arrest, conviction, or adjudication which occurred on the date below.

DJ-LE-177 3/11/2015

### Print or Type all Identifying Information

LAST NAME:		FIRST NAME:		FULL MIDDLE NAME:	
STREET ADDRESS:				APARTMENT NUMBER:	
CITY			STATE		ZIP CODE
GENDER: <input type="checkbox"/> Male <input type="checkbox"/> Female		DATE OF BIRTH (mm/dd/yyyy): ___/___/_____			
DATE OF CONVICTION OR ADJUDICATION:		COUNTY/AGENCY		COURT CASE NUMBER OR CHARGE	
DATE OF ARREST :		COUNTY/AGENCY		CHARGE	

### FINGERPRINTS

Place one fingerprint from each of the subject's index fingers in the boxes to the right. This fingerprint will be used to confirm the identity of the expungement candidate.



LEFT INDEX FINGER



RIGHT INDEX FINGER

I attest that all the information provided is accurate and true to the best of my knowledge. I further attest that I have not been arrested, convicted or adjudicated delinquent for any other offense, separate from the one described above, which would have obligated me to provide a DNA sample to the Wisconsin DNA Databank. I also attest that no court has ordered me, separate from the occasion above, to provide a DNA sample to the Wisconsin DNA Databank.

<b>SIGNATURE OF EXPUNGEMENT CANDIDATE OR DLES ADMINISTRATOR</b>	<b>DATE</b>
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**DNA WILL NOT BE EXPUNGED OR DESTROYED IF A SEPARATE COLLECTIBLE OFFENSE OR ARREST IS IDENTIFIED.**

<b>THIS REQUEST IS BEING MADE BECAUSE:</b>	<input type="checkbox"/> CHARGES DISMISSED
<input type="checkbox"/> ABOVE CONVICTION HAS BEEN REVERSED, SET ASIDE OR VACATED	<input type="checkbox"/> NO CHARGES ISSUED AFTER 1 YEAR
<input type="checkbox"/> THE ABOVE EVENT WAS COLLECTED IN ERROR	<input type="checkbox"/> PER THE REQUEST OF DLES ADMINISTRATOR

### DO NOT WRITE BELOW THIS LINE

<b>For DLES Use Only</b>			Date:		<input type="checkbox"/> Expungement Approved			<input type="checkbox"/> Expungement Denied		
SIGNATURE OF DLES ADMINISTRATOR OR DESIGNEE										
<b>For Databank Use Only</b>			RECD		TO DIV ON			BACK ON		
			WDD#		SID#			DOC #		DB#
Function	Initials	Date		Function	Initials	Date		Function	Initials	Date
Datasheet Destroyed				Deleted From LDIS				DB Sample Destroyed		
Prints Destroyed				Deleted From SDIS				Letter(s) Sent		
Flag Removed				Deleted From NDIS				File Complete		
SIGNATURE OF DATABANK OFFICIAL CERTIFYING THAT EXPUNGEMENT IS COMPLETE									DATE	