

## ***INSTRUCTIONS FOR REQUEST TO RESTRICT (EXPUNGE) ARREST RECORD for arrest made BEFORE July 1, 2013 ONLY***

Georgia's old law used the term "expungement," which implied that criminal records information was deleted or destroyed. In reality, criminal records were not deleted or destroyed; the term "expungement" simply meant that the information was unavailable to be viewed for all purposes except law enforcement and criminal justice purposes. Georgia's new law, effective July 1, 2013, does not use the word "expungement." Instead, the process is now referred to as "record restriction." Only the name of the process has changed. Record restriction means that eligible records on your official criminal history report are restricted from public view and are only accessible to law enforcement for criminal justice purposes.

Applicants with arrest **BEFORE** July 1, 2013 should review Georgia Law OCGA §35-3-37 to determine if their case qualifies for restriction. OCGA §35-3-37 provides for the restriction of certain criminal history records when approved by the prosecuting attorney. It is **your** responsibility to determine if your case qualifies for restriction. We are NOT able to give advice about your case. You may seek the advice of an attorney if you need further clarification of the law.

Applicants may download a request to restrict arrest record form here: <http://gbi.georgia.gov/georgia-criminal-history-record-restrictions>.

1. The applicant will complete Section One of the Request to Restrict Arrest Record form and forward all three pages to the Coweta County Sheriff's Office with the following attached:
  - A copy of your Georgia criminal history (if needed, one may be obtained from our office for an additional \$10.00 fee)
  - A court disposition for each charge (contact the State, Superior or Magistrate court to obtain your disposition)
  - \$20 cash, money order or certified check made payable to Coweta County Sheriff's Office

We will only process restriction request forms for arrest made by the Coweta County Sheriff's Office. If you were arrested by Newnan Police Department, Grantville Police Department, Senoia Police Department, Georgia State Patrol, or your Probation Officer, then you must apply with that office. Your Georgia criminal history record will name the arresting agency next to each arrest.

The Coweta County Sheriff's Office will complete section two of the Request to Restrict Arrest Record form and forward all three pages to the prosecutor for review within 30 days of receipt.

The prosecutor will approve or deny the request, and return the Request to Restrict Arrest Record form to the Coweta County Sheriff's Office within 30 days of receipt.

The Coweta County Sheriff's Office will return the request form to the applicant who will then be responsible for forwarding the approved request form and the \$25 fee to GCIC.

2. Mail the approved Request to Restrict Arrest Record form and \$25.00 fee (money order or certified check payable to "Georgia Bureau of Investigation") to:

**Georgia Crime Information Center  
Record Restrictions  
P.O. Box 370808  
Decatur, Georgia 30037-0808**

Requests for restrictions may be hand-delivered to GCIC between the hours of 9:00 a.m. - 4:00 p.m., Monday thru Friday, except designated state holidays. **GCIC is located at 3121 Panthersville Road, Decatur, Georgia 30034.** To check the status of your request, contact GCIC CCH/Identification Services at 404-244-2639 or email: [criminalhistory@gbi.ga.gov](mailto:criminalhistory@gbi.ga.gov).

For arrests made **after** July 1, 2013, records that qualify for restriction are automatically restricted when the court clerk enters the disposition into the GCIC database. You do not need to apply. If you have questions about restrictions for arrests made **after** July 1, 2013, contact the appropriate court clerk.

Magistrate Court	770-254-2610
State Court (misdemeanors)	770-254-2699
Superior Court	770-254-2695

# REQUEST TO RESTRICT ARREST RECORD Prior to 07/01/2013

O.C.G.A. §35-3-37

One (1) Date of Arrest per Request

GBI Use Only

Money Order \_\_\_\_\_  
Certified Check \_\_\_\_\_  
GBI Reference # \_\_\_\_\_

## **SECTION ONE - APPLICANT INFORMATION**

***(Completed by Applicant)***

Name: \_\_\_\_\_

Date of Birth: \_\_\_\_\_ Race: \_\_\_\_\_ Sex: \_\_\_\_\_

Social Security Number: \_\_\_\_\_

Telephone Number: \_\_\_\_\_ Email: \_\_\_\_\_

Street Address: \_\_\_\_\_

City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_

Arresting Agency: \_\_\_\_\_

Date of Arrest: \_\_\_\_\_

Offense(s) Arrested For: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

***Sections One and Two of this form must be completed in their entirety before request may be submitted to the Prosecuting Attorney's Office.***

I request the arrest record information (Date of Arrest and associated charges) described above pertaining to me be restricted from the record(s) of the arresting agency pursuant to the provisions of O.C.G.A. 35-3-37.

Signature: \_\_\_\_\_ Date: \_\_\_\_\_

**SECTION TWO - ARREST INFORMATION**

***(Completed by Arresting Agency)***

Date Request Received: \_\_\_\_\_

Applicant's State Identification Number (SID): GA

Offender Tracking Number (OTN): \_\_\_\_\_

Arresting Agency Name: \_\_\_\_\_

Arresting Agency ORI Number: \_\_\_\_\_

Case / Citation / Docket Number: \_\_\_\_\_

Date of Arrest: \_\_\_\_\_

Arrest appears on Georgia and/or FBI criminal history record? Yes No

***If arrest does not appear on either state or federal record, the record restriction cannot be processed.***

Arrest Charge Tracking Number(s) and Charges: \_\_\_\_\_

Disposition of Arrest: \_\_\_\_\_

Disposition appears on Georgia criminal history record? Yes No

***If No, attach official documentation containing disposition information. If official documentation is not available, please provide explanation and request for exception in Prosecutor's Comments, e.g., No Further Action Anticipated. (Without a disposition on file, official documentation, or request for exception, this request cannot be processed.)***

Prosecuting Attorney/Court Case Referred To: \_\_\_\_\_

**Official Completing Form:**

Title: \_\_\_\_\_

Name: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Signature: \_\_\_\_\_

Email: \_\_\_\_\_

**SECTION THREE – PROSECUTING ATTORNEY**  
**(Completed by Prosecuting Attorney)**

Date Request Received: \_\_\_\_\_

Judicial Circuit / County: \_\_\_\_\_

Prosecuting Agency ORI Number: **GA** \_\_\_\_\_

District Attorney / Solicitor General: \_\_\_\_\_

Prosecutor Assigned to Case: \_\_\_\_\_

Case / Citation / Docket Number: \_\_\_\_\_

**Please select one of the following actions:**

\_\_\_\_\_ Approved - Record Restriction Meets Statutory Requirements

\_\_\_\_\_ No Information Available; Record Restriction Forwarded Without Objection

\_\_\_\_\_ Approved - No Further Action Anticipated

\_\_\_\_\_ No Information Available at Prosecutor's Office; Returned to Arresting Agency for Further Research. **DO NOT FORWARD RESTRICTION FORM TO GCIC.**

\_\_\_\_\_ Denied - Restriction Does Not Meet Statutory Requirements  
**DO NOT FORWARD RESTRICTION FORM TO GCIC.**

*If additional Charges from same Arrest Date, other than those identified on Page 2, are also approved for record restriction, list the Arrest Charge Tracking Number(s) and Charges in Prosecutor Comments.*

Prosecutor Comments: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Prosecutor Completing Form:**

Name: \_\_\_\_\_

Telephone Number: \_\_\_\_\_

Signature: \_\_\_\_\_

Email: \_\_\_\_\_