

Expungements, Dispositions, & More

TENNESSEE BUREAU OF INVESTIGATION



Request for TBI to Update Arrest Information



INSTRUCTIONS			
COURT:			
To add charges to a defendant's record	complete this form and submit to the arresting agency. Choo	256	

from the following:	
The defendant was never fingerprin	ited and there is no record of the arrest at TBI.
Charges are being added to the orig	rinal arrest on the fingerprint card.
	est have been dismissed and new charges have been filed the original arrest (superseding indictment).
	your records and then submit an addition/correction/updat Quality Unit. The request can be faxed (615-744-4653) or
REQ	UESTER INFORMATION
Court:	
Contact name,	
phone, & email:	
Date:	
ΔΕ	REST INFORMATION
Name:	INCOMMATION
Name.	
State Control Number:	Social Security Number:
Sex/Race: DOB:	DOA:
Please add the following charges to the abo CHARGE	ve arrest fingerprint card. FEL/MISD
CHARGE	FEL/IVIISL
The arresting agency should submit	a request to add, correct, or update information to the

TBI Data Quality Unit (TBI.DataQuality@tn.gov or fax to 615-744-4653). For questions regarding this form or if additional help is needed, please contact the Data Quality Unit.

BI-0327 (Rev 08/2023) **RDA 1686**

Form to Update **Arrest Information**

When should the form be used?

Why is this form important?

Why do you need to send the form to the arresting agency instead of TBI?

If the defendant isn't fingerprinted for new or additional charges, use this form to notify the arresting agency that the original arrest needs to be updated. They should then notify TBI so that the charges show correctly on the defendant's criminal history.



Superseding Indictments

What we get at TBI: arrest and dispositions.

Why does that matter?

How should you handle sending information on a superseding indictment to TBI?

Was the individual re-fingerprinted on the superseding indictment?

	PLICATION FOR CERTIFIC		
COUNTY	COURT	DIVISION	JUDGE
DEFENDANT'S NAME	☐ Circuit ☐ Criminal ☐	Sessions	COURT DATE
DEFENDANT S NAME			COOKI DATE
ATE OF BIRTH	SEX RACE (B/J/A/W)	SOCIAL SECURITY NUMBER	TYPE OF DIVERSION
			☐ Pretrial ☐ Judicial
OFFENSES TO BE DIVERTE		Date of Arrest	☐ Felony ☐ Misdemeanor
		1701 1909	□ Felony □ Misdemeanor
3.		Date of Arrest	□ □ Felony □ Misdemeanor
een conducted pursuant to t . The defendant h The defendant h		upon the results of that query: ny or misdemeanor conviction, demeanor conviction,	KSJON iminal Offender and Pretrial Diversion Database ha
The defendant h	has not previously been granted dive- nas been granted diversion before, has a prior expunction due to a diver has a prior expunction due to 40–32–	rsion.	
The defendant h	nas not previously been granted diversion before, nas a prior expunction due to a diversion before as a prior expunction due to 40-32-	sion. 101(g). Date	
The defendant h	has not previously been granted diversion before, has a prior expunction due to a diversion as a prior expunction due to 40-32-	rsion. sion, 101(g). Date Date Thie Defendant is eukliste on	OFFENDER AND PRETRIAL DIVERSION DATABASE
The defendant h	has not previously been granted diversion before, has a prior expunction due to a diversion as a prior expunction due to 40-32- ES NOT CONSTITUTE A CERTIFICATION THAT A RECORDS CHECK	rsion. sion, 101(g). Date Date AT THE DEFENDANT IS ELIGISLE OF K OF THE TBI EXPUNGED CRIMINAL THE CRITERIA SET OUT IN THE DIVI	ERSION STATUTES REFERENCED ABOVE.
The defendant h	nas not previously been granted diversion before, nas a prior expunction due to a diversion before as a prior expunction due to 40-32- ES NOT CONSTITUTE A CERTIFICATION THAT A RECORDS CHECORD DISQUALIFYING INFORMATION UNDER	sion. 101(g). Date AT THE DEFENDANT IS ELIGISLE OF R. OF THE THE EXPUNGED CRIMINAL THE CRITERIA SET OUT IN THE DIVI. DIVERSION OR JUDICIA	OFFENDER AND PRETRIAL DIVERSION DATABASE ERSION STATUTES REFERENCED ABOVE. L DIVERSION
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2.	nas not previously been granted diversion before, nas a prior expunction due to a diversion before, nas a prior expunction due to a diversion as a prior expunction due to 40-32- ES NOT CONSTITUTE A CERTIFICATION THA A CERTIFICATION THA A CERTIFICATION THAT A RECORDS CHECORD BIOGUALIFINES INFORMATION UNDER: JUDGMENT OF PRETRIAL now the District Attorney General for the On the day of	Date Date AT THE DEFENDANT IS ELIGIBLE OR K OF THE THE ENDINGED CRIMINAL THE CHITERLA SET OUT IN THE DIVICE. DIVERSION OR JUDICIA State and Defendant with counsel OFFEN OFFEN [] judicial diversion for	OFFENDER AND PRETRIAL DIVERSION DATABASE RISION STATUTES REFERENCED ABOVE. L DIVERSION OF record for entry of judgment. ISE CLASS ISE CLASS the following period:
2.	nas not previously been granted diversion before, has a prior expunction due to a diversion before, has a prior expunction due to a diversion as a prior expunction due to 40–32–45 NOT CONSTITUTE A CERTIFICATION THA CERTIFICATION THAT A RECORDS CHECOR DESIDENCIAL FIVEN INFORMATION UNDER THE CONTROL OF PRETTIAL NOW the District Attorney General for the	Date AT THE DEFENDANT IS ELICIBLE OF K OF THE TBI EXPUNCED CRIMINAL THE CRITERIA SET OUT IN THE DIVIDED OF THE CRITERIA SET OUT IN THE DIVIDED OF THE CRITERIA SET OUT IN THE DIVIDED OF THE DIVIDED OF THE CRITERIA SET OUT IN THE CRITER	OFFENDER AND PRETIAL DIVERSION DATABASE RISION STATUTES REFERENCED ABOVE. L DIVERSION of record for entry of judgment. ISE CLASS ISE CLASS

Granted Diversions

REMINDER: Certificate should be requested prior to placement on diversion.

Tenn. Code. Ann. 38-6-118 was amended effective March 14, 2023.

- Defendants may now receive certificate.
- CH from NCIC will not longer be included.

Please email granted diversion applications to TBI so that we can update our records. (TBI.Diversions@tbi.tn.gov)

Diversion certificates should not be used for expungement eligibility.

	IN THE CRIMINAL/CIRCUIT COURT FOR	COUNTY, TENNESSI
	Case Number: Count #	
	Judicial District: Judicial Division:	
	State of Tennessee	
	vs. Defendant:Alias:	Date of Birth: Sex:
	Race: SSN:	
	CONTINUATION OF JUDGME	NT Original Amended Corrected
IN THE CRIMINAL/CIRCUIT COURT FO	COUNTY, TENNESSEE	Restitution: Victim Name
Case Number: Count #	Counsel for the State:	Address
Judicial District:Judicial Division	Counsel for the Defendant:	
	Co-Counsel for the Defendant: Retained Pub Def Appt Private Atty Appt	Total Amount \$ Per Month \$
State of Tennessee	Counsel Waived Pro Se	Unpaid Community Service:
vs. Defendant:	ias: Date of Birth: Sex:	HoursDaysWeeksMonths
Race:SSN:	Driver License #: Issuing State:	id ordered to provide a biological specimen for the purpose of DNA, and
State ID #: County Offender ID Relationship to Victim:	# (if applicable): TDOC #: Victim's Age:	logical specimen for the purpose of HIV testing. to community supervision for life following sentence expiration.
State Control #: Arrest	Date: Indictment Filing Date:	, the clerk shall forward this judgment to the Department of Health.
	riginal Amended Corrected	
Come the parties for entry of judgment. On the day of, 20,	, the defendant:	
☐ Pled Guilty	Indictment: Class (circle one) 1st A B C D E Pelony Micdemeanor	
Pled Note Contenders	Indicted Offense Name:	se Defendant understands and freely and voluntarily waives the
Incorporated by Reference	Indicted Offense TCA fi:	ао. эпосому
☐ Dismissed	Amended Offense TCA 8:	- Judge
	County of Offense Name:	
☐ Not Guilty by Reason of Insanity	Conviction Offense TCA 8:	County Grand Jury. N by jury and plead NOT GUILTY to violation(s) of TCA
	Sentence Imposed Date:	dendant
	case of sentencing, all factors in Tennessee Code Annotated Title 40, Chapter 35, IRED and ADJUDGED that the conviction described above is imposed hereby and	execution. The second of the effect of a waiver of those rights, prior to accepting the defendant's waiver.
all of which are incorporated by reference herein, it is ORDI that a sentence and costs are imposed as follows:		
Offender	1" Degree Murder Pri 1909 Pri 1909 Réform Act 1909 Reform Act 1909	en advised by the Court of the following: (1) the nature of the charge(s) mum possible penalty provided by law; (3) if applicable, a different or ablished in the present action after the entry of my plex; (4) if applicable,
(Check One) (Check	ok One) ☐ Reform Act 1989 ☐ Drug Free Zone	
☐ Mitigated ☐ Mitigated 20% ☐ § 40-35-501(i) 100% ☐	Asyr Rob 55% Asyr Child Nes/En 70% Repeat Violent Off	necessary, to the appointment of an attorney, (c) to plead not guilty or to sey at such a trial, (e) to confront and cross-examine witnesses against me; section, and (a) to have a jury set any fine greater than \$50.00.
Mitigated Mitigated 20% \$40-35-501(8) 100% Standard Mitigated 30% Multiple Repitet 100% Standard 30% Child Rapitet 100% Persistent Multiple 35% Agg Rapite 100% Career Persistent 45% Child Predator 100%	Aeg Rob 05%	American description and analysis and of sur-bird December 4 to the sur-
Mitigated Mitigated 20% 9 40-35-801(8) 100% Standard Mitigated 30% Multiple Repirt 100% Standard 30% Child Repirt 100% Pertistent Multiple 39% Agg Repirt 100% Pertistent 49% Child Predator 100% Pertistent 49% Child Predator 100% Career 60% 9 39-13-518 100%	Mult 9 59-17-13240 100%	I may be added questions about the offense(s) to which I have pleaded, ay little be used against me in a prosecution for perjury or aggravated the Court accept my plea of GUILTY.
Concurrent with:	Pretrial Jail Credit Period(s):	
	From to From to	Defendant ove, inquired into his her understanding of the consequences of entering a
Consecutive to:	From to From to	shis her rights, that the plea is voluntary and not the result of foce or defendant; willingness to plead guilty results from prior discussions a of GUILTY berendore entered by the defendant is acceptable and,
Consecutive to.	It is not the intent of the court for duplication of Jail Credit to be	s of GUILTY heretofore entered by the defendant is acceptable and,
Sentenced To: TDOC County Jail	applied to consecutive sentences Workhouse	
	aysHours	COUNTY TENNESSEE
	-417, 39-13-513, 39-13-514, or 39-17-432 in Prohibited Zone 401 DUI 4th Offense	
88 40-39	1324 Possession/Employment of Firearm -208, -211 Violation of Sex Offender Registry (39-17-434, -417, -418)	Case #
Meth 55 Period of incarceration to be served prior to release on p	(39-17-434, -417, -418) obation or Community Corrections: Months Days Hours ough, trusty status and rehabilitative programs: 15 (Malenment or Split Confinence Only)	
Alternative Sentence: Sup Prob Unsup Prob Comm		() Defendant waived extradition
	LS A CONDITION OF THE ALTERNATIVE SENTENCE? Yes No	
Judge's Name	Judge's Signature	
CR-3419 (Rev. 02-19)	Page 1 of 2 RDA 1167	in the County Jail (Class Misd.)
	Found GUILTY of violation of TCA	ave in the County Jail (Class Mind.)
	Found GUIT TV of violation of TCA	
	fined \$, axed with costs and taxes and sentenced to serve	ays in the County Juli (Class Misd.) of good behavior, payment of fines, costs and traces and restitution of
	() supervised probation for () supervised probation for () but drive in Tempessee for	shol drug evaluation and counseling () domestic abuse counseling
	To report to serve onatam/pm. Time served credit	() Secretce may be served on consecutive weekends
	Release eligibility date is	after () preliminary hearing () waiving preliminary hearing and
	() bail set at \$ () Defendant shall continue on current bond of \$	
	Other	
	Des Sparse Searching with	
	14	

Dispositions

Tenn. Code Ann. 18-4-103 amended effective on the governor's signature.

Requires electronic submission of dispositions.

Requires submission no later than 3 business days after final disposition of criminal proceedings to TBI.

No need to email or send paper dispositions to the **Disposition Unit** if dispositions are being sent electronically.

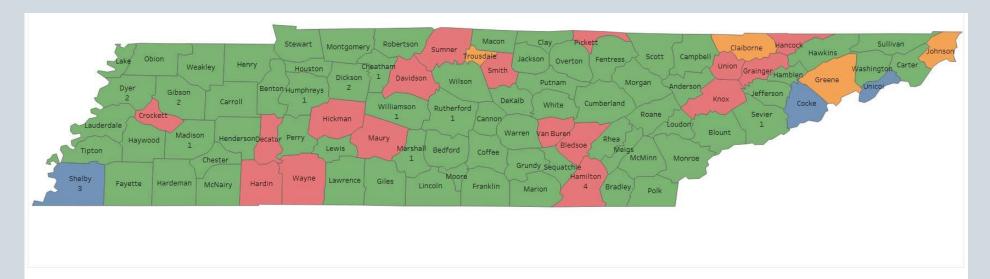
If you are not getting the State Control Number from your booking agency, please reach out to:

- Holly Folsom (Holly.Folsom@tbi.tn.gov),
- Heather Hurley (Heather.Hurley@tbi.tn.gov), or
- Kenneth Blue (Kenneth.Blue@tbi.tn.gov).

FlexCheck

FlexCheck is a free encrypted web-based application that allows your court to electronically submit expungements and dispositions securely to TBI.

FlexCheck is currently being used by a total of 100 Municipal, General Sessions, and Circuit Courts across Tennessee.



Green - submitting through FlexCheck

Orange - requested authorization to use FlexCheck, but not submitting

Blue - at least one court in the county is using FlexCheck

Red - no request submitted to use FlexCheck

Numbers listed in counties represent the number of municipal courts in that county using FlexCheck

Access to Online Court Records



If your court has online records, TBI would love to have access to them. It saves time for your clerks because they won't have to answer our emails or phone calls when we are trying to update disposition information or clarify a defendant's court records.

A frequent reason for our requests is for firearms transactions. In 2022 we processed 3,158 requests. January through August of 2023 we processed 3,267. If you have online records we can usually get all the information we need without reaching out to your clerks.

Amendments to Tenn. Code. Ann. 40-32-101

Public Chapter 43

Requires State Control Number on all Expungement Orders.

Public Chapter 315

Illegal registration or voting conviction now eligible for expungement.

15 years after completion of sentence.

Public Chapter 330

Abatement by death is eligible for expungement under (a)(1)(A).

Personal representative may file.

Public Chapter 392

Created an expungement certificate for certain offenses.

Created an expungement for arrest record if no history of arrest in the court's records.

Effective April 21, 2023*.

		EL	IGIBILIT	TY OF EXPUN	CTION	ı		0
- effite-			DEFEND	ANT INFORMATI	ON			vegav
Defendant's Name								
Date of Birth		Sex M / F / U		Race A/I/B/W/U		Social Secu	rity Numbe	r
		,.,	COU	RT INFORMATION	1			
County	Court	Circuit		Criminal	2000	Sessions	Division	Judge
Name and email addr	ress of court	clerk to whom	respons	e should be sent				
Additional names and	d email addre	esses						
			CHARGE	ES FOR EXPUNCT	ON			
Original Charge 1			CHANGE	Date of Arrest	OIV			Conviction
Original Charge 1				Dute of Arrest				Diversion
Final Charge 1				Case Number				Eligible
								Not Eligible
Original Charge 2				Date of Arrest				Conviction
								Diversion
Final Charge 2				Case Number				Eligible
and the same of th				- We and trade of				Not Eligible
Original Charge 3				Date of Arrest				Conviction
								Diversion
Final Charge 3				Case Number				Eligible
								Not Eligible
Original Charge 4				Date of Arrest				Conviction
								Diversion
Final Charge 4				Case Number				Eligible
P								Not Eligible
Comments								
			Disc	laimer goes here				
Criminal Records Unit	t			-		Date		

Expunction Certificate

Conviction, Human Trafficking, and Diversion Expungements signed January 1, 2024 and after must be submitted with an expunction certificate reflecting that a **charge** is eligible for expungement.

As the deadline approaches, please reach out to TBI.Expungement@tbi.tn.gov if you have questions.

**The form shown here is a working mock-up and will not be the final form.



BI-0333 (Rev 09/2023)

ORDER FOR THE EXPUNGEMENT OF CRIMINAL OFFENDER RECORD

í	
-	TBI

RDA 11383

Circuit Do	ocket Number		
General Sessions De	ocket Number_		
State Cont	rol Number:		
	Pace	Cay	Date of Birti
	Nuce	Sex	Date of Date
	ОСА#	Date	e of Arrest
		SSN#	
		—	
Disposition			
Disposition			
Provisions relating to Juveniles:			vision marked be
Petition alleging delinquency i	not filed (T.C.A. § 3		formed to Juvenile
Court as provided in T.C.A. §	§ 37-1-109 (T.C.A. §	37-1-155)	
Child has reached eighteen (18	8) years of age and th	there is no re	record that he
such fingerprints were obtained	ed on alleged charge		
adult would be a felony (T.C.,	A. § 37-1-155)		
T.C.A. § 57-3-412(a)(3)(c) or	r T.C.A. § 57-5-301(e		efined by
Juvenile Pretrial Diversion (Г.С.А. § 37-11-10)	200	
renced be expunged and immediately	destroyed when how	ment of all	costs to clark and
nunicipal, county, or state agency, ex-	cept non-public conf		
	cept non-public conf		
nunicipal, county, or state agency, exc 1) & (g)(13); T.C.A. § 10-7-504; and T	cept non-public conf		
nunicipal, county, or state agency, exc 1) & (g)(13); T.C.A. § 10-7-504; and T	cept non-public conf		
	General Sessions Do County, Tennessee State Cont State Cont Disposition Provisions relating to Juveniles: Petition alleging delinquency: Proceedings dismissed after pr Court as provided in T.C.A. & Adjudicated not to be a deling Child has reached eighten (II) committed a criminal offerse such fingerprints were obtain adult would be a felony (T.C. Passage of six (6) months from T.C.A. & \$772-412(a)3(c) or	General Sessions Docket NumberCounty, Tennessee at	Ing to the offenses listed above expunged according to the T.C.A. provided in the offenses listed above expunged according to the T.C.A. provided in the offenses listed above expunged according to the T.C.A. provided in the offense after petition is filed or the case transft Court as provided in T.C.A. § 37-1-155. Child has reached eighteen (18) years of age and there is not committed a criminal offense after reaching sixtee (16) year such fingerprints were obtained on alleged charge which if ca dark would be a felony (T.C.A. § 37-1-155). Passage of six (6) months from date of liquor law violations de T.C.A. § 37-1-145(3).

Updated Expungement Form

The expungement form has been updated to include expungements for abated by death, Conviction (g & k), Pardon (h), Human Trafficking, and charges with no final disposition (m).

Many provisions have been reworded (including Judicial Diversion and Pretrial Diversion) for greater clarity.

A PDF fillable form is available. If you use FlexCheck you can find all current forms by clicking on FORMS AND HELP DOCUMENTS on the navigation bar on the left side of the FlexCheck window.

Electronic signatures are acceptable.

	State Control Number				
State of Tennessee vs					
General Sessions Docket No	Circuit Docket No				
Defendant/Arrest Information:					
Defendant (name used at time of arrest)	Race Sex	Date of Birth			
Arresting Agency	Date of Arrest				
Charge 1 (original arrest charge)	SSN#				
Charge 2 (original arrest charge)	OCA#				
Charge 3 (original arrest charge)	_				
Disposition Information:					
Final Charge	Final Disposition				
1					
2					
3					
*The Defendant understands that this request					
Tennessee Bureau of Investigation database, t any public electronic database maintained by	the court clerk, pursuant to T.C.	A. §40-32-101(j).			
This request will not expunge all records fron clerks shall not be liable for any errors or om					
records under this petition.					

BI-0334 (Rev 07/2023)

Updated Partial Removal Form

This form was created by the Sumner County Clerk's Office, but TBI has now taken ownership of it. If you are removing one or more charges from the public court records and there will be at least one conviction remaining, this is the form you should use for removing them.

This is not an expungement of records.

A judge's signature is required.

A PDF fillable form is available. If you use FlexCheck you can find all current forms by clicking on FORMS AND HELP DOCUMENTS on the navigation bar on the left side of the FlexCheck window.

Electronic signatures are acceptable.



Relief from Firearms Disabilities

Person may petition three (3) years after the date of release.

Must be done by court which entered the judicial commitment or adjudication order.

List of factors for court to consider.

Court must forward order to TBI within thirty (30) days.

TBI will update NICS.

Helpful TBI Links

Tennessee Bureau of Investigation https://www.tn.gov/tbi

TBI Dispositions/Diversions/Expungements https://www.tn.gov/tbi/divisions/cjis-division/diversions-expungements.html

TBI Instant Check System https://www.tn.gov/tbi/divisions/cjis-division/firearm-background-checks.html

Tennessee Applicant Processing Services (TAPS)/
Tennessee Open Records Information Services (TORIS)
https://www.tn.gov/tbi/divisions/cjis-division/background-checks.html

Helpful TBI Links (continued)

TBI Sex Offender Registry https://sor.tbi.tn.gov/home

TBI Drug Offender Registry https://www.tn.gov/tbi/divisions/drug-investigation-division/tennessee-drug-offender-registry.html

TBI Animal Abuse Registry https://www.tn.gov/tbi/tennessee-animal-abuse-registry.html

Other Helpful Links

FBI's CJIS Security Policy Resource Center https://le.fbi.gov/cjis-division/cjis-security-policy-resource-center

Administrative Office of the Courts https://tncourts.gov/

Tennessee District Attorneys General Conference https://www.tndagc.org/

Tennessee Department of Correction https://www.tn.gov/correction.html

Tennessee Felony Offender Information https://foil.app.tn.gov/foil/search.jsp

Questions