



# Expungements, Dispositions, & More

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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. Choose from the following:

- The defendant was never fingerprinted and there is no record of the arrest at TBI.
- Charges are being added to the original arrest on the fingerprint card.
- The charges associated with the arrest have been dismissed and new charges have been filed which supersede the charges from the original arrest (superseding indictment).

#### ARRESTING AGENCY:

Make the additions/corrections/updates to your records and then submit an addition/correction/update request on your letterhead to the TBI Data Quality Unit. The request can be faxed (615-744-4653) or emailed (TBI.DataQuality@tbi.tn.gov).

#### REQUESTER INFORMATION

Court:

Contact name, phone, & email:

Date:

#### ARREST INFORMATION

Name:

State Control Number:  Social Security Number:

Sex/Race:  DOB:  DOA:

Please add the following charges to the above arrest fingerprint card.

CHARGE	FEL/MISD

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.

# 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

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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?

<b>APPLICATION FOR CERTIFICATION OF ELIGIBILITY FOR DIVERSION</b>				
COUNTY	COURT <input type="checkbox"/> Circuit <input type="checkbox"/> Criminal <input type="checkbox"/> Sessions	DIVISION	JUDGE	
DEFENDANT'S NAME			COURT DATE	
DATE OF BIRTH	SEX	RACE (B/I/A/W)	SOCIAL SECURITY NUMBER	TYPE OF DIVERSION <input type="checkbox"/> Pretrial <input type="checkbox"/> Judicial
OFFENSES TO BE DIVERTED:				
1. _____		Date of Arrest: _____		<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
2. _____		Date of Arrest: _____		<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
3. _____		Date of Arrest: _____		<input type="checkbox"/> Felony <input type="checkbox"/> Misdemeanor
NAME AND EMAIL ADDRESS OF DISTRICT ATTORNEY OR ASSISTANT DISTRICT ATTORNEY TO WHOM RESPONSE SHOULD BE SENT				
NAME, PHONE NUMBER, AND EMAIL OF DEFENSE ATTORNEY OR PRO SE DEFENDANT				
<b>CERTIFICATION OF ELIGIBILITY FOR DIVERSION</b>				
I hereby certify that, pursuant to Tenn. Code Ann. §38-6-118(b), a query of the TBI Expunged Criminal Offender and Pretrial Diversion Database has been conducted pursuant to the above authorized request, and based upon the results of that query:				
1. <input type="checkbox"/> The defendant has not had a prior disqualifying felony or misdemeanor conviction, <input type="checkbox"/> The defendant has a prior disqualifying felony or misdemeanor conviction, <input type="checkbox"/> The defendant has a prior arrest for which no disposition has been entered,				
2. <input type="checkbox"/> The defendant has not previously been granted diversion. <input type="checkbox"/> The defendant has been granted diversion before.				
3. <input type="checkbox"/> The defendant has a prior expunction due to a diversion. <input type="checkbox"/> The defendant has a prior expunction due to 40-32-101(g).				
Criminal Records Unit, TBI _____ Date _____				
PLEASE NOTE THAT THIS DOES NOT CONSTITUTE A CERTIFICATION THAT THE DEFENDANT IS ELIGIBLE OR INELIGIBLE FOR DIVERSION UNDER TCA 40-35-013 OR TCA 40-15-105. THIS IS ONLY A CERTIFICATION THAT A RECORDS CHECK OF THE TBI EXPUNGED CRIMINAL OFFENDER AND PRETRIAL DIVERSION DATABASE HAS REVEALED QUALIFYING OR DISQUALIFYING INFORMATION UNDER THE CRITERIA SET OUT IN THE DIVERSION STATUTES REFERENCED ABOVE.				
<b>JUDGMENT OF PRETRIAL DIVERSION OR JUDICIAL DIVERSION</b>				
Comes now the District Attorney General for the State and Defendant with counsel of record for entry of judgment.				
On the _____ day of _____, 20____				
OFFENSE INDICTED			OFFENSE CLASS	
OFFENSE DIVERTED			OFFENSE CLASS	
The defendant is sentenced to <input type="checkbox"/> pretrial diversion <input type="checkbox"/> judicial diversion for the following period: _____ years, _____ months, _____ days. Effective: _____				
_____ JUDGE (Printed)		_____ JUDGE (Signature)		_____ ENTRY OF JUDGMENT DATE
_____ DISTRICT ATTORNEY			_____ ATTORNEY FOR DEFENDANT	

# 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.





# Access to Online Court Records

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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

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## **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\*.

ELIGIBILITY OF EXPUNCTION			
<b>DEFENDANT INFORMATION</b>			
Defendant's Name			
Date of Birth	Sex M / F / U	Race A / I / B / W / U	Social Security Number
<b>COURT INFORMATION</b>			
County	Court <input type="checkbox"/> Circuit <input type="checkbox"/> Criminal <input type="checkbox"/> Sessions	Division	Judge
Name and email address of court clerk to whom response should be sent			
Additional names and email addresses			
<b>CHARGES FOR EXPUNCTION</b>			
Original Charge 1	Date of Arrest	<input type="checkbox"/> Conviction <input type="checkbox"/> Diversion	
Final Charge 1	Case Number	<input type="checkbox"/> Eligible <input type="checkbox"/> Not Eligible	
Original Charge 2	Date of Arrest	<input type="checkbox"/> Conviction <input type="checkbox"/> Diversion	
Final Charge 2	Case Number	<input type="checkbox"/> Eligible <input type="checkbox"/> Not Eligible	
Original Charge 3	Date of Arrest	<input type="checkbox"/> Conviction <input type="checkbox"/> Diversion	
Final Charge 3	Case Number	<input type="checkbox"/> Eligible <input type="checkbox"/> Not Eligible	
Original Charge 4	Date of Arrest	<input type="checkbox"/> Conviction <input type="checkbox"/> Diversion	
Final Charge 4	Case Number	<input type="checkbox"/> Eligible <input type="checkbox"/> Not Eligible	
Comments			
Disclaimer goes here			
Criminal Records Unit		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](mailto: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.*



**ORDER FOR THE EXPUNGEMENT OF CRIMINAL OFFENDER RECORD**

State of Tennessee vs \_\_\_\_\_ Circuit Docket Number \_\_\_\_\_  
Date Original Case was filed in Clerk's Office \_\_\_\_\_ General Sessions Docket Number \_\_\_\_\_  
In the \_\_\_\_\_ Court of \_\_\_\_\_ County, Tennessee at \_\_\_\_\_  
On the Motion or Petition of \_\_\_\_\_

<b>Defendant/Arrest Information:</b>		<b>State Control Number:</b>
Defendant (name used at time of arrest)	Race	Sex
Arresting Agency	OCA#	Date of Arrest
Charge 1 (original arrest charge)	SSN#	
Charge 2 (original arrest charge)		
Charge 3 (original arrest charge)		

<b>Disposition Information:</b>	
Final Charge	Disposition
1	
2	
3	
Diversion Date (if applicable)	

The defendant named above is entitled to have all PUBLIC RECORDS relating to the offenses listed above expunged according to the T.C.A. provision marked below:

<b>Provisions relating to Adults:</b> <input type="checkbox"/> Charge has been dismissed (T.C.A. § 40-32-101) <input type="checkbox"/> No true bill returned by Grand Jury (T.C.A. § 40-32-101) <input type="checkbox"/> Arrested and released (T.C.A. § 40-32-101) <input type="checkbox"/> Verdict of not guilty (T.C.A. § 40-32-101) <input type="checkbox"/> Nolle Prosequi entered in case (T.C.A. § 40-32-101) <input type="checkbox"/> Abated by death (T.C.A. § 40-32-101) <input type="checkbox"/> Judicial Diversion (T.C.A. § 40-35-313) <input type="checkbox"/> Pretrial Diversion (T.C.A. § 40-15-105) <input type="checkbox"/> Conviction expungement (T.C.A. § 40-32-101 (g) or (k)) <input type="checkbox"/> Pardon expungement (T.C.A. § 40-32-101 (h)) <input type="checkbox"/> Human Trafficking expungement (T.C.A. § 40-32-105) <input type="checkbox"/> No final disposition associated with arrest (T.C.A. § 40-32-101(m))	<b>Provisions relating to Juveniles:</b> <input type="checkbox"/> Petition alleging delinquency not filed (T.C.A. § 37-1-155) <input type="checkbox"/> Proceedings dismissed after petition is filed or the case transferred to Juvenile Court as provided in T.C.A. § 37-1-109 (T.C.A. § 37-1-155) <input type="checkbox"/> Adjudicated not to be a delinquent child (T.C.A. § 37-1-155) <input type="checkbox"/> Child has reached eighteen (18) years of age and there is no record that he committed a criminal offense after reaching sixteen (16) years of age, unless such fingerprints were obtained on alleged charge which if committed by an adult would be a felony (T.C.A. § 37-1-155) <input type="checkbox"/> Passage of six (6) months from date of liquor law violations defined by T.C.A. § 57-2-112(a)(3)(c) or T.C.A. § 57-2-101(e)(3) <input type="checkbox"/> Juvenile Pretrial Diversion (T.C.A. § 37-1-1-10)
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It is ordered that all PUBLIC RECORDS relating to such offense above referenced be expunged and immediately destroyed upon payment of all costs to clerk and that no evidence of such records pertaining to such offense be retained by any municipal, county, or state agency, except non-public confidential information retained in accordance with T.C.A. § 40-32-101(b)(1) & (g)(13); T.C.A. § 10-7-504; and T.C.A. § 38-6-118.

**APPROVED FOR ENTRY**

_____	_____
Defendant/Attorney for Defendant	Date
_____	_____
District Attorney General	Judge's Signature

# 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.



IN THE \_\_\_\_\_ COURT FOR \_\_\_\_\_ COUNTY



**REMOVAL OF CRIMINAL OFFENDER RECORD  
PURSUANT TO T.C.A. §40-32-101(j)**

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 will only remove the requested charges from the Tennessee Bureau of Investigation database, the National Crime Information Database, and/or 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 from any court file or other county database. Court clerks shall not be liable for any errors or omissions relating to the removal and destruction of records under this petition.**

\_\_\_\_\_  
*Defendant/Attorney for Defendant*      *Date*

\_\_\_\_\_  
*District Attorney General*      *Judge's Signature*

# 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

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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.

# Contact Info

TBI email addresses have changed. Please use this updated contact information when reaching out to our team.

Name	Title	Phone	Email
Cyndi Chambers	CHE3 - Diversions	615-744-4273	Cyndi.Chambers@tbi.tn.gov
Haylee Pellegrino	CHE3 - Expungements	615-744-4254	Haylee.Pellegrino@tbi.tn.gov
Hayven Williams	CHE3 - Dispositions	615-744-4568	Hayven.Williams@tbi.tn.gov
Julie Barr	CHE3 - Expungements	615-744-4385	Julie.Barr@tbi.tn.gov
Dispositions		615-744-4617	TBI.Dispos@tbi.tn.gov
Diversions		615-744-4617	TBI.Diversions@tbi.tn.gov
Expungements		615-744-4617	TBI.Expungement@tbi.tn.gov
Heather Hurley	CJIS Supervisor	615-744-4025	Heather.Hurley@tbi.tn.gov
Holly Folsom	CJIS Supervisor	615-744-4280	Holly.Folsom@tbi.tn.gov
Rachel Russell	Deputy Counsel of Policy/CJIS Attorney	615-744-4393	Rachel.Russell@tbi.tn.gov
Kenneth Blue	CJIS Systems Officer	615-744-4078	Kenneth.Blue@tbi.tn.gov

# Helpful TBI Links

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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)

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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

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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>

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# Questions

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