

STATE OF OHIO



DEPARTMENT OF REHABILITATION
AND CORRECTION

SUBJECT: Record Expungement / Sealing of Records	PAGE <u> 1 </u> OF <u> 3 </u> NUMBER: 07-ORD-15
RULE/CODE REFERENCE: ORC 2953.32, ORC 2953.35	SUPERSEDES: 07-ORD-15 dated 04/11/12
RELATED ACA STANDARDS:	EFFECTIVE DATE: May 24, 2016
	APPROVED: 

I. AUTHORITY

This policy is issued in compliance with Ohio Revised Code 5120.01 which delegates to the Director of the Department of Rehabilitation and Correction the authority to manage and direct the total operations of the Department and to establish such rules and regulations as the Director prescribes.

II. PURPOSE

The purpose of this policy is to establish an accurate and efficient system for sealing and/or expunging both paper and electronic records.

III. APPLICABILITY

This policy applies to all institution, Division of Parole and Community Services (DPCS), and Operation Support Center (OSC) employees of the Ohio Department of Rehabilitation and Correction (DRC).

IV. DEFINITIONS

Official Records – All records in the possession of the DRC that relate to the criminal case including, but not limited to: criminal docket, subpoenas, court entries and documents; all computer data, microfilm, fingerprints, photographs; all institution records including medical, mental health, programming, record office file, and all satellite files documenting the incarceration of an inmate; all files maintained by the DPCS; all electronic records including information stored on DOTS Portal, OnBase, Reentry Portal, Offender Supervision Portal (OSP), eClinicalWorks (ECM), Interstate Compact Offender Tracking System, Supervision (ICOTS) and the Community Corrections Information System (CCIS), including the web-based version (CCIS Web).

V. POLICY

It is the policy of the Ohio Department of Rehabilitation and Correction (DRC) to seal and/or expunge records pursuant to R.C. 2953.32.

VI. PROCEDURES

- A. All journal entries received by the institutions, OSC, or DPCS staff directly from the court ordering an expungement or sealing of record shall be immediately forwarded via interoffice mail to the Chief of the Bureau of Records Management (BORM).
- B. The Chief of BORM/designee, shall complete the following:
1. Review the court documents to confirm the expungement and/or sealing of the record was granted by verifying the court, name, case number, judge's signature (if no signature contact court for new entry), and the actual wording that grants the expungement or sealing of the records;
 2. Perform a search to locate information stored in DOTS Portal, OSP, Reentry Portal and CCIS;
 3. Research the following screens in DOTS Portal, OSP and Reentry Portal:
 - a. NAM2 using the Last Name, First Name and verifying the DOB, SSN. OFALL Case Number. If located print the detailed OSMRY screen and hold for expungement;
 - b. NAMS1 using the Last Name, First Name search both open and closed cases. Verify the DOB. If located research in SUPM2 Existing Offender Information. Verify the name, Case number, County, and whether or not the case has been closed. Document the CCIS number, print the CINI screen and hold for expungement;
 - c. Offender Supervision Information using the Last Name, First Name search both open and closed cases. Verify the name, CCIS number, SSN and check to make sure the case is closed. If case is still open contact the supervisor to sync and close so that the expungement can proceed;
 - d. If a CCIS number only or no record is found, send the court documents and the CINI screen to Bureau of Community Sanctions (BCS).
 4. Generate a report monthly and send to DPCS & BCS listing all expungement/sealing of records that had an offender number and/or CCIS number;
 5. Send an email to all affected institutions, OSC staff, DPCS staff and BCI listing the offenders who have had their records expunged and/or sealed and requesting all files and documents be forwarded to the BORM within ten (10) business days;
 6. Verify expungement request was made for all records and/or documents received. Forward all files to the document management section; and
 7. After ten (10) business days, the following shall occur:

- a. Chief of BOSC/designee shall delete the record in DOTS Portal and notify the Bureau of Information and Technology Services;
 - b. Document management section shall seal the OnBase records.
- C. DPCS and BCS shall perform a detailed search of CCIS and the CCIS Web to locate any electronic records in this system. Upon locating information in CCIS Web, BCS shall print the summary information and forward to BORM for sealing.
- D. Within ten (10) business days of receipt of notification of expungement or sealing of records, the Chief of Bureau of Information and Technology Services/designee shall delete the electronic records in CCIS and the CCIS Web.
- E. If an inquiry is received for a record that has been expunged or sealed, the response shall be “We have no record of that individual.” Divulging confidential information from an expunged or sealed record is a misdemeanor of the 4th degree per Ohio Revised Code Section 2953.35.