



Chatham-Kent Police Service

REQUEST FOR THE DESTRUCTION OF FINGERPRINT RECORDS AND PHOTOGRAPHS

The reverse side of this form details who is eligible to have fingerprint records and photographs considered for destruction by the Chatham-Kent Police Service. The destruction of these records is subject to the provisions of policies and procedures of the Chatham-Kent Police Service. This request is only for the noted items and is not related to the destruction of occurrence reports retained by the Chatham-Kent Police Service in compliance with the Chatham-Kent Police Service procedure for the Retention of Documents. All requests for the destruction of fingerprints and photographs must be in writing on this form and sent to the following address:

Chatham-Kent Police Service
Attn: Records Manager
24 Third Street Chatham, Ontario
N7M 2M5

PERSONAL INFORMATION						
Surname			First Name			
Middle Name		Other Names Used				
Contact Telephone Number(s)		Gender	Date of Birth	Year	Month	Day
Current Mailing Address	Number/Unit	Street	City	Prov.	Postal Code	
CHARGES						
CHARGE	DISPOSITION			DISPOSITION DATE		
CONSENT TO DESTROY FINGERPRINTS AND DISPOSITIONS						
<p>I hereby request that the Chatham-Kent Police Service consider destroying my fingerprint records and photographs for the charges listed above. I acknowledge that I will be notified in writing, to the address noted above, when a decision has been made and when the process has been completed. I understand that this destruction does not include occurrence information retained by the Chatham-Kent Police Service in compliance with the Chatham-Kent Police Service procedure for the Retention of Documents.</p>						
Signed this date _____		Signature of Applicant _____				
DD/MMM/YYYY						

ELIGIBILITY TO REQUEST FOR THE DESTRUCTION OF FINGERPRINT RECORDS AND PHOTOGRAPHS

A non-refundable fee of \$39.55 (\$35 plus HST) applies to any request for the destruction of fingerprint records and photographs.

A person may apply to the Chatham-Kent Police Service to have their local fingerprint records and photographs destroyed if any of the following periods of time have elapsed since final disposition:

- (A) In the case of a finding of not guilty (other than by reason of a verdict of not criminally responsible on account of mental disorder), the person may apply to have such entries removed from their local record on the expiration of two months after the disposition date, or where an appeal is taken, on the expiration of two months after all proceedings in respect of an appeal have been completed.
- (B) In the case of a charge that is stayed, the person may apply to have such entry removed from their local record after one year, provided the stayed charge has not been proceeded with.
- (C) In a case where a charge is withdrawn by the Crown Attorney or dismissed by the Court, the person may apply to have such entry removed from their local record after 60 days following the disposition date.
- (D) In the case of a charge being withdrawn with a resulting Peace Bond, the person may apply to have such entry removed from their local record after the expiration of the Peace Bond (normally one year).
- (E) In cases where a charge is diverted by the Crown Attorney to the alternative measures program including the Direct Accountability Program (DAP), the person may apply to have such entry removed from their local record after two years following the date of diversion.

In considering whether or not to grant the request for destruction of records, any of the following factors may be taken into consideration:

- (F) the requestor is a first-time offender with no subsequent offences AND no criminal record;
- (G) the requestor has not been the subject of other criminal investigations;
- (H) the type of offence or other information on file for the applicant does not raise safety concerns. Offence types that would be of concern include but are not limited to murder, attempted murder, manslaughter, aggravated assault, robbery, sexual offences, suspicious person, break and enter, indecent act;

Requests to destroy criminal records shall be in writing and shall be addressed as indicated on the reverse side of this form. When a request for criminal record destruction is approved, the requestor will be notified in writing after the destruction of the records.

REQUEST FOR RECONSIDERATION

When a request for criminal record destruction is refused, the requestor will be notified of the refusal and the reason for the refusal. The requestor shall have the right to appeal the refusal. The request for appeal shall be in writing.

An additional non-refundable fee of \$39.55 (\$35 plus HST) will apply to any Request for Reconsideration.

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No oral representations or hearings will take place. The appeal will be reviewed by the Deputy Chief of Police, the Inspector in Charge of the Administrative Support Branch and the Professional Standards Staff Sergeant and a final decision will be made by that committee. The Deputy Chief will notify the requestor the results of the appeal.

Criminal records of persons granted pardons within the provisions of the Criminal Records Act, shall be sealed, kept separate from other criminal records, and shall be destroyed after 5 years plus the current year. Such records shall not be disclosed to any persons, nor shall the existence of such records or the facts of the convictions be disclosed to any persons, unless permitted by law.