

I want to apply for DACA, but I may have a criminal record.

What do I do?

Many people who have been arrested or convicted of a crime may still receive DACA. However, certain types of crimes will disqualify them. If you have ever been arrested or involved in any criminal activity, it is best to get legal advice on whether you are still eligible, and seek help putting together your application!

How do I know if I have a criminal record?

If you have had any contact with law enforcement officers, you can request your criminal history to help you or your attorney figure out if you are eligible for DACA. This includes being stopped at the border when you entered the country, being in previous deportation proceedings, or being arrested or detained by local police. Even if it was all dismissed, there is a record and it is important to request it so that you know exactly what happened.

How do I request my criminal record?

You can get your criminal record mailed to you by sending a request, with your fingerprints, to certain government agencies. Depending on what kind of record you may have, you should send your request to the Federal Bureau of Investigation (FBI), or to the California Department of Justice (CA DOJ).

See this chart to help you determine where you should request your records from:

WHAT KIND OF INCIDENT	WHAT KIND OF CHECK DO I DO?	WHAT IS THE PROCESS?
Federal/Immigration/Border	FBI Fingerprints	Ink Card - See Page 2-4
Arrest by police IN California	CA DOJ Live Scan	Digital Scan - See Page 5-6
Arrest by police OUTSIDE California	FBI Fingerprints	Ink Card - See Page 2-4
I don't know	Ask for help from an attorney or at a workshop	

Where can I have my fingerprints taken?

For CA DOJ, you can have your fingerprints taken digitally at any of the CA List of Live Scan locations. See the attached list. For FBI records checks, you should use the FBI's ink card, and you can have your fingerprints taken on that card at some of the Live Scan locations, or at some other individual agencies as well. You can also go to the police or sheriff's department if you know that it is safe to do so in your community.

FBI Criminal and Immigration Record Check

If you have ever been arrested or detained by federal law enforcement, including immigration officers at the border or in the United States, OR you have been arrested in a state other than California, request your U.S. Criminal History Summary from the Federal Bureau of Investigation (FBI).

Steps:

1. Fill out the FBI Criminal History Summary Request form (see page 3 for the form)
 - a. If the request is for a couple, family, etc., all persons must sign the form.
 - b. Include your complete mailing address.
 - c. Please provide your telephone number and/or e-mail address, if available.
 - d. It is not necessary to answer all of the questions: only those with a star (*)
 - e. Social Security number is optional: do not put one unless it is a valid SSN number
 - f. For "Reason for Request" you can choose: "personal review"

2. Have your fingerprints taken on the FBI form (see page 4 for the form)
 - a. Check the list of places to have your fingerprints taken
 - b. Call the fingerprinting service in your area and ask:
 - i. Do they provide ink card fingerprinting for FBI record checks?
 - ii. What is the fee for taking prints?
 - iii. What kind of ID is required?
 - c. Your name and date of birth must be provided on the fingerprint card.

3. Get a money order or cashier's check for \$18 made payable to the Treasury of the United States. Don't forget to sign it.
 - a. Cash, personal checks, or business checks are not accepted.
 - b. If the request is for a couple, family, etc., include \$18 for each person.

4. Send your request packet to the FBI:
 - a. fingerprint card
 - b. completed and signed request form
 - c. fee payment

FBI CJIS Division – Record Request
1000 Custer Hollow Road
Clarksburg, WV 26306

5. It may take five or six weeks to receive your criminal history summary back from the FBI. If it takes longer, you can call the FBI's Customer Service Group at (304) 625-5590.

FBI Record Request Form

I-783 (Rev. 7-1-2013)

OMB-1110-0052

PRIVACY ACT STATEMENT

The FBI's acquisition, retention, and sharing of information submitted on this form is generally authorized under 28 USC 534 and 28 CFR 16.30-16.34. The purpose for requesting this information from you is to provide the FBI with a minimum of identifying data to permit an accurate and timely search of criminal history identification records. Providing this information (including your Social Security Account Number) is voluntary; however, failure to provide the information may affect the completion of your request. The information reported on this form may be disclosed pursuant to your consent, and may also be disclosed by the FBI without your consent pursuant to the Privacy Act of 1974 and all applicable routine uses. Under the Paperwork Reduction Act, you are not required to complete this form unless it contains a valid OMB control number. The form takes approximately 3 minutes to complete.

Applicant Information * Denotes Required Fields

*Last Name _____ *First Name _____
Middle Name 1 _____ Middle Name 2 _____

*Date of Birth: _____ *Place of Birth: _____ U.S. Citizen or Legal Permanent Resident:
Yes No

*Country of Citizenship: _____ Country of Residence: _____ Prisoner Number (if applicable): _____

*Last Four Digits of Social Security Number: _____

*Height: _____ *Weight: _____

*Hair (please check appropriate box):

Bald Black Blonde/Strawberry Blue Brown Gray Green Orange Pink
 Purple Red/Auburn Sandy Unknown White

*Eyes (please check appropriate box):

Black Blue Brown Gray Green Hazel Maroon Multicolored Pink Unknown

Applicant Home Address

*Address _____
*City _____ *State _____
*Postal (Zip) Code _____ *Country _____
Phone Number _____ E-Mail _____

Mail Results to Address

C/O _____ ATTN _____
Address _____
City _____ State _____
Postal (Zip) Code _____ Country _____
Phone Number (if different from above) _____

Payment Enclosed: (please check appropriate box)

CERTIFIED CHECK MONEY ORDER CREDIT CARD FORM

Reason for Request:

Personal review Challenge information on your record Adoption of a child in the U.S.
 International adoption Live, work, or travel in a foreign country Other

* APPLICANT SIGNATURE _____ DATE _____

Mail the signed applicant information form, fingerprint card, and payment of \$18 U.S. dollars to the following address:

FBI CJIS Division – Summary Request
1000 Custer Hollow Road
Clarksburg, West Virginia 26306

*You may request a copy of your own Criminal History Summary to review it
or obtain a change, correction, or an update to the summary.*

Copy of FBI Fingerprint Ink Card

APPLICANT <small>* See Privacy Act Notice on Back</small>		LEAVE BLANK		TYPE OR PRINT ALL INFORMATION IN BLACK						FBI		LEAVE BLANK	
FD-258 (REV. 12-10-07)		SIGNATURE OF PERSON FINGERPRINTED		LAST NAME NAM		FIRST NAME		MIDDLE NAME					
RESIDENCE OF PERSON FINGERPRINTED		ALIASES AKA		O		R		I		DATE OF BIRTH		DOB	
CITIZENSHIP CTZ		SEX		RACE		HGT.		WGT.		EYES		HAIR	
DATE		SIGNATURE OF OFFICIAL TAKING FINGERPRINTS		YOUR NO. OCA		PLACE OF BIRTH		POB					
EMPLOYER AND ADDRESS		FBI NO. FBI		ARMED FORCES NO. MNU		SOCIAL SECURITY NO. SOC		MISCELLANEOUS NO. MNU		LEAVE BLANK		CLASS _____	
REASON FINGERPRINTED										REF. _____			
1. R. THUMB		2. R. INDEX		3. R. MIDDLE		4. R. RING		5. R. LITTLE					
6. L. THUMB		7. L. INDEX		8. L. MIDDLE		9. L. RING		10. L. LITTLE					
LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY				L. THUMB		R. THUMB		RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY					

California DOJ Criminal Records Check

If you have ever been arrested or detained by law enforcement in California, such as the local police or sheriff, these are the instructions for submitting your request to the California Department of Justice to get a copy of your criminal history (record). *For California residents only*

CA DOJ Records Requests requires:

- ✓ Digital fingerprint scan
- ✓ \$25 fee

Steps:

1. Find the Live Scan location convenient for you.
 - a. Check the list of CA Live Scan sites
 - b. Call ahead to ask what forms of identification are accepted.
 - c. You may also want to double check their fee for taking prints
2. Fill out the Live Scan Form (Form BCIA 8016) (see page 6)
 - a. Check "Record Review" as the "Type of Application"
 - b. Enter "Record Review" on the "Reason for Application" line.
 - c. Fill out all your personal information.
 - d. Leave blank any questions you don't know the answer to
3. Take the completed form to any Live Scan site for fingerprinting services.
 - a. If needed, ask the Live Scan operators for assistance filling out the form
 - b. Live Scan means that the fingerprints are sent digitally to the DOJ from the Live Scan site
 - c. The Live Scan operator can accept your payment of \$25 to the DOJ

Additional questions can be directed to the DOJ Record Review Unit at (916) 227-3835.

REQUEST FOR LIVE SCAN SERVICE

BCII 8016 RR (11/09)

Print

Clear Form

Applicant Submission

ORI: CA0349435 Type of Application: Record Review Foreign Adoption
Code assigned by DOJ (Check One Only)

(Job Title) Reason for Application: _____

Agency Address Set Contributing Agency:

California Department of Justice 07041
Agency authorized to receive criminal history information Mail Code (five-digit code assigned by DOJ)
P.O. Box 903417 Record Review Unit
Street No. Street or PO Box Contact Name
Sacramento CA 94203-4170 (916) 227-3849
City State Zip Code Contact Telephone No.

Name of Applicant: _____
(Please print) Last First MI

Alias: _____ Driver's License No: _____
Last First

Date of Birth: _____ Sex: Male Female Misc. No. BIL - _____
Agency Billing Number

Height: _____ Weight: _____ Applicant's Address: _____

Eye Color: _____ Hair Color: _____ Street No. Street or PO Box

Place of Birth: _____ City, State and Zip Code

Social Security Number: _____ Daytime Telephone Number

If resubmission, list Original ATI Number: _____ Level of Service: DOJ Only

Foreign Government Embassy: (MANDATORY FOR FOREIGN ADOPTION REQUESTS ONLY)

Embassy Name _____
Street No. Street or PO Box _____
City Country Zip Code () Embassy Telephone No. (optional)

Live Scan Transaction Completed By: _____ Name of Operator Date

Transmitting Agency ATI No. Amount Collected/Billed

ORIGINAL – Live Scan Operator; SECOND COPY – Applicant; THIRD COPY (if needed) – Requesting Agency