

MEMORANDUM FOR <<Staff Judge Advocate>>

<<date>>

<<Insert O-4 or higher commander here>>

FROM: <<member name>>

SUBJECT: Request for Expungement of Records for Current Service Member

I request the Air Force review information it has submitted into criminal indexing systems on me. The AFOSI Investigation number was _____ [or] The Security Forces Investigation Number was _____.

Specifically regarding my Interstate Identification Index (III) record, I request [initial as appropriate]:

_____ Expungement of III criminal history data and fingerprints, in accordance with DoDI 5505.11, Fingerprint Reporting Requirements, because:

_____ the offense for which I was indexed is not a qualifying offense in accordance with the version of DoDI 5505.11 that was current at the time I was indexed; or

_____ there was no probable cause that I committed the offense(s) for which I was indexed at the time I was indexed.

Note: Probable cause is defined as a determination that there are reasonable grounds to believe that an offense has been committed and that the person identified as the offender committed it. Probable cause is not based upon conviction at trial.

_____ Amendment of III criminal history data, in accordance with DoDI 5505.11, because:

_____ the disposition is incorrect; or

Note: Dispositions include conviction, non-judicial punishment, administrative discharge, administrative action, acquittal, and no action.

_____ the charges listed are incorrect.

_____ I am requesting expungement of my Combined DNA System (CODIS) record, in accordance with the current version of DoDI 5505.14, Deoxyribonucleic Acid (DNA) Collection Requirements for Criminal Investigations, Law Enforcement, Corrections, and Commanders, because:

_____ I was convicted at a general or special court-martial of an offense that is not subject to indexing; or

_____ I was not convicted at a general or special courts-martial of any offense.

I understand as a result of this request, the Air Force may review all Air Force criminal indexing records associated to me. This review may result in the creation or deletion of a record and/or addition, adjustment, or deletion of charges and dispositions for those records.

Please contact me at <<phone>> or <<email>> if you require additional information.

[sign here]
<<Member name>>
<<Member home address or post office box>>

1st Indorsement, <<Staff Judge Advocate>>

<<date>>

MEMORANDUM FOR <<commander>>

1. I have reviewed this request and make the following recommendations regarding expungement of DNA from CODIS, as indicated by my initials:

_____ The member's request for expungement of his/her DNA from CODIS should be forwarded to USACIL for processing because he/she was not convicted of a qualifying offense under DoDI 5505.14 at a general or special court-martial.

_____ The member's request for expungement of his/her DNA from CODIS should NOT be forwarded to USACIL for processing because he/she was convicted of a qualifying offense under DoDI 5505.14 at a general or special court-martial.

_____ The member is no longer a current service member. I have informed the individual that a request by a former member for expungement of DNA from CODIS expungement must be sent to the service's Court of Appeals in accordance with DoDI 5505.14. The Air Force Court of Appeals' contact information is: Clerk of the Court, U.S. Air Force Court of Criminal Appeals, 1500 West Perimeter Road, Suite 1900, Joint Base Andrews-Naval Air Facility Washington, MD 20762-6604, AF.JAH.Filing.Workflow@us.af.mil.

2. Please contact me at <<phone>> or <<email>> if you require additional information.

[sign here]

<<Staff Judge Advocate Name>> Staff
Judge Advocate

2d Indorsement, <<requester's commander in rank of O-4 or higher>>

<<date>>

MEMORANDUM FOR <<requester>>
<<AFOSI/XIC>>
IN TURN

1. I have reviewed this request and make the following findings regarding expungement of DNA from CODIS, as indicated by my initials:

____ Your request for expungement of your DNA from CODIS should be forwarded to USACIL for processing because you were not convicted of a qualifying offense under DoDI 5505.14 at a general or special court-martial.

____ Your request for expungement of your DNA from CODIS should NOT be forwarded to USACIL for processing because you were convicted of a qualifying offense under DoDI 5505.14 at a general or special court-martial.

____ You are no longer a current service member. I have informed you that a request by a former member for expungement of DNA from CODIS expungement must be sent to the service's Court of Appeals in accordance with DoDI 5505.14. The Air Force Court of Appeals' contact information is: Clerk of the Court, U.S. Air Force Court of Criminal Appeals, 1500 West Perimeter Road, Suite 1900, Joint Base Andrews-Naval Air Facility Washington, MD 20762-6604, AF.JAH.Filing.Workflow@us.af.mil.

2. I have consulted with my Staff Judge Advocate in making these findings.
3. Please contact me at <<phone>> or <<email>> if you require additional information.

[sign here]
<<Commander's Name>>
Commander