

ILLINOIS PRISONER REVIEW BOARD

Guidelines for Certificate of Expungement for Military

NOTE # 1. No petition will be accepted for review within four years of the date of the denial of a prior petition on behalf of the same individual. The Chairman of the Board may permit an exception to this limitation for compelling reasons.

NOTE # 2. A certificate of expungement petition may be withheld from the soonest available docket if any essential relevant information from other sources has not been received by the Board, even if a complete petition has been filed according to the directions herein.

A) **The petition.** Certificate of Expungement for Military is requested by means of a typewritten petition. You must utilize the Certificate of Expungement for Military Application form, also located on the agency website, any additional documentation must be in typewritten form. The petition must contain the Certificate of Expungement for Military Acknowledgement Form along with all of the following or it will be rejected and returned:

- 1) State the name under which petitioner was convicted, any aliases, the social security number, and the state prisoner number, if applicable. Declare whether the petitioner previously asked for a certificate of expungement for Military, certificate of sealing or executive clemency for any conviction and, if so, the month and year in which either was considered.
- 2) Regarding the convictions for which the certificate of expungement for military is being sought: State the offenses, county of conviction, case number, sentences imposed, and date sentenced, time served and date of discharge. State whether convictions were the result of jury verdicts, bench trials or guilty pleas. Give the status of any pending court appeals.
- 3) A detailed statement of the facts of the offenses, including dates, places and all surrounding circumstances. This should include petitioner's version of the offenses.

- 4) Provide complete criminal history. This is to include every instance in which the petitioner was arrested for or charged with any offense in any jurisdiction, except for minor traffic violations, and the disposition of each criminal charge (whether it resulted in a conviction and sentence or some other determination). Provide a statement of the facts surrounding any conviction.
- 5) Provide a personal life history, a narrative biography. It must include date and place of birth, educational history, employment history, marital status and if served in the military, dates of service, location of service and any awards and/or medals earned while in the service.
- 6) **Required Documentation:** Attach material to support the claims in paragraph 5, such as, educational will require a copy of your high school diploma, GED, College diploma and/or transcripts. Also, if you attended any type of counseling, such as Anger Management, Marriage, Substance Abuse, etc., you will need to provide proof of completion. If you were in the military, attach a copy of your DD-214 or a similar form of proof of military service along proof thereof a tour of duty.
- 7) Give the reasons for seeking a certificate of expungment for military.
- 8) Awards/Recognitions: Attach any additional materials that support the claims made within the petition. This would include any awards received, certificates, volunteering recognitions, church, letters of recommendation and/or character letters.
- 9) Fingerprinting: See paragraph B-5, Filing of Petition, below for instructions on when to obtain fingerprints for criminal history.

- 10) The petition must include the following: "I declare under penalty of perjury that all of the assertions made in this petition are complete, truthful and accurate." This statement must be signed and sworn to before a notary public by the petitioner.

NOTE: Perjury is a class 3 felony which is punishable by imprisonment for up to 10 years.

THE PETITION MUST CONTAIN THE PETITIONER'S CURRENT MAILING ADDRESS WITHIN THE PETITION ITSELF, NOT MERELY ON THE MAILING ENVELOPE.

**B) Filing of petition.**

- 1) Address the petition to the Illinois Prisoner Review Board, and mail or deliver the original petition to: Illinois Prisoner Review Board, 319 East Madison, Suite A, Springfield, Illinois 62701.

Petitions are to be stapled or clipped together so that they are easily able to be separated. Do not bind them or submit them in plastic sleeve sheets.

- 2) The completed petition, as described in (A) above, must be received at the Board office at least 75 days prior to the first date of the hearing schedule in order to be considered on that docket. (See agency website for list of hearing dates and deadlines for petitions)
- 3) A copy of the petition must be delivered or mailed to the following:
  - a) The current State's Attorney of the county of conviction.
- 4) Proof that the party in paragraph (3) above was sent a copy of the petition must be demonstrated to the Board, either by affidavit with a notarized signature or by registered or certified mail receipt. This proof must accompany the completed petition.
- 5) Prior to the hearing you will receive a confirmation letter with your docket number along with a Criminal Justice Applicant Card (CJE) and you must go to one of the Law Enforcement Agencies in order to obtain a

livescan or ink and roll fingerprint. When going to the Law Enforcement Agency you must bring your letter of confirmation and tell them this is for the Prisoner Review Board. The Prisoner Review Board's Lead's Identification number is ORI #IL084045G and you must tell them that the purpose is for **Criminal Justice Enforcement (CJE)**. You will need to use a **Criminal Justice Applicant Card** that is provided; no other card will be acceptable. If the Law Enforcement Agency is not able to run the agency ORI number, then request to have your fingerprints inked and rolled onto the **Criminal Justice Applicant Card** provided. You will need to mail the **Criminal Justice Applicant Card** back to our agency once you have your fingerprints completed and all necessary information filled out on the card prior to the scheduled hearing date.

If you are currently residing out of state, you will need to have your fingerprints ink and rolled rather than using the livescan system. Please mail the fingerprint card back to our agency to have processed.

- C) **Requested public hearing by the Board.** After the Board reviews the petitions, if needed, the Board may request the petitioner to appear before them and/or supply supplemental information prior to the Board making a final decision. If a petitioner is requested to appear before the Board, the Petitioner, their supporters and any opponents will be requested to appear in person at a public hearing scheduled by the Board.
- a) The petitioner will be able to make their choice of location to attend a hearing on the Certificate of Expungement for Military Acknowledgement form, if the board was to request an appearance. The board meets quarterly, two (2) times in Chicago and two (2) times in Springfield each year.
  - b) The petitioner will be sent a letter with a date, time and location of the hearing.