

What exactly is a Criminal Record?

What is a criminal record?

The term "criminal record" usually refers to a collection of arrests, charges, and convictions that relate to a single person. What a criminal record includes will change depending on what agency or company produced the record.

Who is in charge of criminal records?

The South Carolina Law Enforcement Division (SLED) keeps criminal records for South Carolina. The Federal Bureau of Investigation (FBI) keeps criminal records for the United States.

What is on a criminal record?

A criminal record generally includes all arrests, charges, convictions, and non-convictions that have ever happened to a person. Entries on SLED criminal records are based on matching fingerprints. Unless an entry is removed, it will stay on the record permanently.

Where do criminal records come from?

In South Carolina, all sheriff's departments, police forces, courts, and other agencies report information to SLED.

Who has more information?

Visit the following links to find out more about criminal records and related issues:

www.scfathersandfamilies.com

www.sccourts.org

www.sled.sc.gov

www.dppps.sc.gov

www.sclegal.org

www.scjustice.org

www.scbar.org

www.lawhelp.org/SC

Where are criminal records found?

The official sources are SLED and the FBI. A SLED report may be requested for \$25. Commercial companies also do background checks for employers, landlords, and others. Background check companies must obey the Fair Credit Reporting Act (FCRA). The FCRA says that a person may request a copy of their background check once a year. Lastly, information similar to what might be on a criminal record can be found on the South Carolina Public Index (www.sccourts.org/caseSearch). The Public Index is a free website that lists traffic tickets, arrests, charges, court appearances and other information by county.

What can be done about a criminal record?

Most non-convictions and certain minor offenses can be removed by *expungement*. Solicitor's Offices handle expungement. More serious crimes can be *pardoned*. The SC Department of Probation, Parole and Pardon Services handles pardons. Entries added to the wrong person's record can be *challenged* using fingerprint verification. SLED handles challenges to a criminal record.

This information is specific to South Carolina



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