

Federal FCRA (Applies to all criminal records, **except** when further restricted by State FCRA)

- **Civil, arrest, and non-conviction records** are not reportable after 7 years from the date of the charge or filing date (such as date of charge; NOT disposition date if disposition is non-adverse). *If salary is expected to be ≥ \$75,000, the 7-year restriction on non-convictions does not apply.*
- **Adjudication Withheld, Deferred Adjudication, and other such dispositions** are non-convictions, and so are not reportable after 7 years from the date of the charge or filing. *If salary is expected to be ≥ \$75,000, the 7-year restriction on non-convictions does not apply.*
- **Convictions** are reportable indefinitely.
- **Open Warrants** are reportable indefinitely.

State FCRA (In effect when consumer lives in and/or applies to work in the below states, unless otherwise noted)

States in which convictions are not reportable after 7 years from the date of disposition, release, or parole:

California

Kansas -----*If salary is expected to be ≥ \$20,000, this 7-year restriction on convictions does not apply.*

Maryland-----*If salary is expected to be ≥ \$20,000, this 7-year restriction on convictions does not apply.*

Massachusetts

Montana

New Hampshire - *If salary is expected to be ≥ \$20,000, this 7-year restriction on convictions does not apply.*

New Mexico

New York -----*If salary is expected to be ≥ \$25,000, this 7-year restriction on convictions does not apply.*

Washington -- *If salary is expected to be ≥ \$20,000, this 7-year restriction on convictions does not apply.*

Other State-Specific Restrictions:

California: Non-Convictions are not reportable. Pending/open charges are reportable within 7 years from the date of the charge/filing. Additionally, If the employment opportunity is in California, juvenile records are not reportable. Non-felony (misdemeanor) convictions for marijuana possession can only be reported for 2 years from the disposition date.

Hawaii: Felony convictions over seven years and misdemeanor convictions over five years are not reportable.

Indiana: Non-Convictions are not reportable. Pending/open charges are reportable. Charges with a final disposition of Adjudication Withheld, Deferred Adjudication, or other such disposition are no longer reportable upon the termination of the sentence period.

Kentucky: Non-Convictions (including pending/open charges and charges with a disposition of Adjudication Withheld, Deferred Adjudication, etc.) are not reportable.

New Mexico: Non-Convictions are not reportable. Pending/open charges are reportable. Charges with a final disposition of Adjudication Withheld, Deferred Adjudication, or other such disposition are no longer reportable upon the termination of the sentence period.

New York: Non-Convictions are not reportable. Pending/open charges are reportable. Charges with a final disposition of Adjudication Withheld, Deferred Adjudication, or other such disposition are no longer reportable upon the termination of the sentence period.

Date from which 7-year clock for convictions starts counting:

- The disposition date is the default for convicted consumers whose sentence does not include confinement.
 - If the consumer received probation ONLY, and was never incarcerated, the disposition date is the default.
- If the consumer received probation and was incarcerated, the prison release date is the default.
 - The incarceration may be included in the original sentence only.
- If the consumer was incarcerated (regardless if there is parole), the prison release date is the default.
- If there is a parole or probation violation, it should not be used to determine reportability
- "Incarcerated" = any type of confinement or jail/prison time.