

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 most recent adverse item of information (such as date of charge or probation violation; NOT disposition date if disposition is non-adverse).
- **Adjudication Withheld, Deferred Adjudication, and other such dispositions** are non-convictions, and so are not reportable after 7 years from the date of the most recent adverse item of information. In the event that the probation/sentence period extends beyond 7 years from the date of the most recent adverse item of information, the record is no longer reportable upon the termination of the probation/sentence period.
- **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

Colorado ----- *If salary is expected to be \geq \$75,000, this 7-year restriction on convictions does not apply.*

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

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

Massachusetts

Montana

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

New Mexico

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

Texas ----- *If salary is expected to be \geq \$75,000, this 7-year restriction on convictions does not apply.*

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

Other State-Specific Restrictions:

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 probation/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 probation/sentence period.

California: 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 probation/sentence period. Additionally, If the employment opportunity is in California, juvenile records are not reportable.

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

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

- The sentencing date is the default for convicted consumers whose sentence does not include confinement.
 - If the consumer received probation ONLY, and was never incarcerated, the sentencing date is the default.
 - If the sentencing date is not available, the disposition date is to be used in its place.
- If the consumer received probation and was incarcerated, the incarceration end date is the default.
 - The incarceration may be included in the original sentence AND/OR may be a result of a probation violation.
- 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, the violation date is the default (unless there is associated confinement -- if the consumer is confined as a result of the violation, the confinement release date is the default).
- "Incarcerated" = any type of confinement or jail time.

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