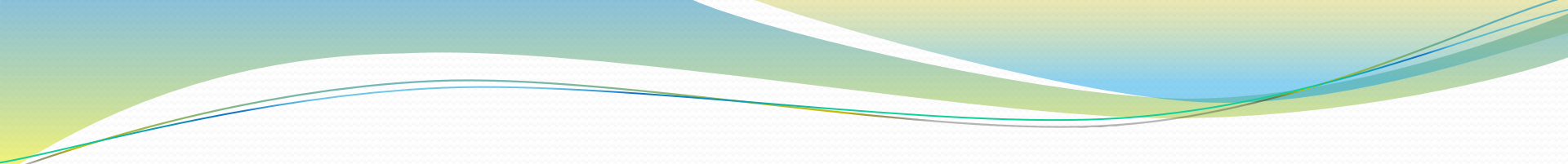


Consequences of a Criminal Charge: Criminal Records

- Criminal records vary among states. Generally, a criminal record is a record of a person's criminal history. In Florida, arrest and conviction histories are kept. The term "arrest" means the apprehension or taking into custody of an alleged offender so that he may be brought into the proper court to answer for a crime. If you were told to appear in court (given a Notice to Appear), you were not arrested. If you were brought into custody, you were arrested and that arrest remains on your arrest record.
- A sentence is different than an arrest. A person will be sentenced once he or she enters a plea of "No Contest" or "Guilty" or is found "Guilty" at trial. In some instances, a sentence that results in the withholding of adjudication is considered to be a conviction. A conviction for a felony or a misdemeanor will remain on your record.
- Certain crimes; if the charge was either dismissed or adjudication was withheld, and the charge was not a crime for which sealing or expunging is prohibited by law; may be either sealed or expunged from an individual's criminal history. Florida Department of Law Enforcement provides a service through their website through which these certain criminal records can be expunged (removed from the records) or sealed (placed under highly restricted access). The information for this process may be found on the FDLE website:
<http://www.fdle.state.fl.us/content/getdoc/c83dd888-ef7a-448e-9a96-ba69fc4181f7/Seal-and-Expunge-Home.aspx>

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- Criminal Records may be used for many purposes, mostly for background checks including but not limited to: identification, employment, security clearance, adoption eligibility, immigration/international travel/visa application review, professional licensing, mortgage lending assessments, and for enhanced sentencing in criminal prosecutions.
 - Criminal records are most generally used to gauge an individual's trustworthiness, and having a criminal record may prevent certain opportunities. Some employers may prefer to select candidates without a criminal conviction record. Additionally, bank or credit lenders are able to gauge whether they may want to loan money to someone by evaluating their criminal conviction record.
 - A criminal record may keep you from entrance into the Armed Forces or into select undergraduate and graduate schools. Some professions cannot allow those with criminal convictions to be employed. If you successfully complete the Bay County Misdemeanor Diversion Program, you will not have a conviction. However, if you were arrested, that arrest will remain on your arrest record.