Initial Access & NCJ Compliance Training

Presented by:
The Arizona Department of Public Safety
Access Integrity Unit Noncriminal Justice Compliance Team
Purpose #1

This class will familiarize you with the required procedures to successfully submit applicant fingerprint cards to the Arizona Department of Public Safety.

You will also learn how to read criminal justice information and criminal history record information so that you can make informed decisions regarding the suitability of applicants.
Objectives

• Describe the differences between the fingerprint clearance card and the fingerprint criminal history check.

• Explain how to submit a properly completed fingerprint submission packet.

• Identify the parts of a DPS results return.

• Identify the key elements of a standard state and FBI criminal history record.
Introduction
Central State Repository

- The Arizona Department of Public Safety is designated as the CJIS System Agency (CSA) per Arizona Revised Statute (ARS) 41-1750

- The Central State Repository of Arizona is operated by the Criminal History Records Unit.
  - Collect arrest records and fingerprints submitted by arresting agencies
  - Maintain and update records
  - Disseminate criminal history record information
Fingerprint Processes
Criminal History Check versus Clearance Card

**Criminal History Check (Audited)**

The agency submits fingerprints along with an inventory sheet.

DPS retrieves the CJI / CHRI.

Results are sent to the agency, not the applicant.

The agency makes the suitability determination.
Fingerprint Processes

Criminal History Check versus Clearance Card

Clearance Card (Not audited)

The applicant submits their fingerprints with an application to DPS.

DPS retrieves the CJI / CHRI and reviews it according to state statute.

DPS makes the suitability determination.

The clearance card is sent to the applicant, not to the agency.

If denied, DPS notifies the applicant and the agency named in the law.
Example Fingerprint Clearance Card Application
| DES-CCR&R Registered Home - ***ARS § 41-1967.01 *$67 |
| DES-DAAS-Division of Aging & Adult Svcs. - ***ARS § 46-141 |
| DES-DDD/HCBS-Home & Community Based Svcs. - ***ARS § 36-594.01 |
| DES-DDD - Developmental Home Licensure - ***ARS § 36-594.02 **$65 |
| DES-Employee - ***ARS § 41-1968 *$67 |
| DES-IT Position - ***ARS § 41-1969 *$67 |
| DES-JOBS Program - ***ARS § 46-141 |
| DES-WIOA-Workforce Innovation & Opportunity Act - ***ARS § 46-141 |
| DES-Domestic Violence/Homeless Shelter - ***ARS §§ 36-3008 & 46-141 |
| DHS-Child Care Group Home; Certification, Employees or Volunteers - ***ARS § 36-897.01 & ARS § 36-897.03 |
| DHS-Child Care Employees & Volunteers - ***ARS § 36-883.02 |
| DHS-Child Care Facility Licensure - ***ARS § 36-882 *$67 |
| DHS-Children’s Behavioral Health Programs Employees and Volunteers - ARS § 36-425.03 |
| DHS-Residential or Nursing Care Institutions; Home Health Agencies - Employees and Volunteers - ARS § 36-411 |
| DHS-Nursing Care Administrators & Assisted Living Facility Managers - ARS § 36-446.04 |
| DHS-Arizona State Hospital - ***ARS § 36-207 |
| BPT - Physical Therapist & Assistants Licensure - ARS § 32-2022 *$67 |

| ABDE-Dentist Licensure – ARS § 32-1232 *$67 |
| ABDE-Dental Hygienist Licensure – ARS § 32-1284 *$67 |
| ABDE-Denturist Certification – ARS § 32-1297.01 *$67 |
| AZ Board of Fingerprinting-Members & Staff ***ARS § 41-619.52 & ***ARS § 41.619.53 *$67 |
| AZ Charter School Board-Member/Applicant - ARS § 15-183(C)(4) |
| AZ Dept. Real Estate-Licensure - ARS § 32-2108.01 *$67 |
| Department of Juvenile Corrections-Licensee or Contract Provider - ARS § 41-2814(B) |
| Health Science Student & Clinical Assistant ARS § 15-1881 **$65 |
| Juvenile Probation-Supreme Court, County Attorney or other Contract Provider Employee or Volunteer - ARS § 8-322 |
| BTR-Controlling Person Certification - ARS § 32-122.05 |
| BTR-Alarm Agent Certification - ARS § 32-122.06 |
| AZ Game and Fish - ***ARS § 17-215 |
| AZ Schools for the Deaf & Blind-Superintendent ARS § 15-1330 *$67 |

***These statutes require a Level One card. However, if you qualify, a Level One card will be issued for any box marked on the application. DPS 802-08857 Revised 06-2017
Example
Fingerprint Clearance Card
IVP Application
# IVP Fingerprinting Instructions for Fingerprint Technician

As the fingerprint technician taking Identity Verified Prints, pursuant to ARS §15-106, you are required to:

- Verify the identity of the applicant through recognized means of photographic identification and a comparison of the demographic information on the photographic identification against the demographic information on the application form and the fingerprint card.
- Indicate Type of Photo Identification Provided (if “Other” box checked, please specify what type)
  - Driver’s License / Government Issued ID
  - Passport
  - Other: __________________________

**NOTE:** The demographic information can be printed on the fingerprint card if using a live scan with the ability to print the information or it can be filled out by the applicant.

- After the fingerprints are taken you are to place the completed fingerprint card, completed application form (and/or any other form required by the DPS) and the fee** provided by the applicant in the postage paid blue envelope and mail to DPS.

DO NOT RETURN ANY ITEMS TO THE APPLICANT AFTER FINGERPRINTING
THE CHAIN OF CUSTODY OF THE FINGERPRINT CARD MUST BE MAINTAINED

<table>
<thead>
<tr>
<th>Tech’s Agency, School or Company Name (print clearly)</th>
<th>Name of Technician taking fingerprints (print clearly)</th>
<th>Date printed</th>
</tr>
</thead>
<tbody>
<tr>
<td>(Name of “Official taking fingerprints” on card must be the same)</td>
<td>(&quot;Date printed&quot; on fingerprint card must be the same date)</td>
<td></td>
</tr>
</tbody>
</table>

DPS 802-07263 Revised 06-2017
Clearance Card Myth #1

• Common belief: The clearance card is a “higher level check” than an Arizona or FBI criminal history check.

• FALSE
  • The same databases are checked.
Clearance Card Myth #2

• Common belief: If a person has a clearance card, it means they have no criminal history.

• FALSE
  • If a person has a clearance card, they have met the criteria established in state law. They could have a criminal history, but no precluding offenses.
  • They could have a precluding offense, however they received a “good cause” exception through Board of Fingerprinting.

• ACCT checks ARS 41-1758.03 & 41-1758.07 for precluding offenses. Some offenses are appealable and some are not.
Clearance Card Myth #3

• Common belief: If a person has a clearance card, the employing agency will always be notified if the person is arrested in the future.

• FALSE
  • If the state oversight agency is named in the clearance card law, a notification will be sent to the state agency if the card is suspended or revoked – “file stop.”
  • School districts and charter schools receive an email on invalid IVP cards from DPS.
Criminal History Checks
Criminal History Checks

- No “file stop” reports.

- Is a point-in-time check. Results are only as complete as the time the check was performed.

- Results are sent to the agency, not to the applicant.

- No identification card is issued.
Criminal History Checks

...provide information on the background of individuals for employment / volunteer suitability, license determinations, security clearances, adoptions, etc.

These are called “noncriminal justice purposes.”
What’s your purpose for receiving criminal history?

• Do you have more than one purpose?

• Noncriminal justice checks of state / federal databases must be specifically authorized by law.

• Type of check / scope of results depends on the authorization.
Noncriminal Justice Purposes

Main Goal
• Safety / protecting vulnerable populations and the general public

Responsibilities
• Exercising due diligence
• Protecting applicant rights
• Safeguarding access for all users
Fingerprint Submissions
Fingerprint card guidelines

- Page 11 in the NCJ Agency Guide provides fingerprinting tips.
- Pages 12-14 discuss how to complete the card.
- Use black or blue ink only.
- You can use whiteout – tape only, not the liquid. Only on fields above the fingerprints.
<table>
<thead>
<tr>
<th>Applicant</th>
<th>Leave Blank</th>
<th>Leave Blank</th>
<th>Leave Blank</th>
</tr>
</thead>
<tbody>
<tr>
<td>John Smith</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 MAIN STREET</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ANY TOWN, AZ 85000</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>3/5/2015</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>I Am A Fingerprinter</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>WORK INCORPORATED</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>1 ELM AVE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ANY TOWN, AZ 85000</td>
<td></td>
<td></td>
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</tr>
<tr>
<td>EMPLOYEE</td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>ARS 41-1750</td>
<td></td>
<td></td>
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</tbody>
</table>

| John Smith        |             |             |             |
| SMITH, KEVIN      |             |             |             |
| SMYTH, BILL       |             |             |             |
| DATE OF BIRTH     |             |             |             |
| 10/18/1982        |             |             |             |
| WORK INCORPORATED |             |             |             |
| 1 ELM AVE         |             |             |             |
| ANY TOWN, AZ 85000|             |             |             |
| EMPLOYEE          |             |             |             |
| ARS 41-1750       |             |             |             |

| Your No.          |             |             |             |
| XX000000E         |             |             |             |

| FBI               |             |             |             |
| XX000000E         |             |             |             |

| Class             |             |             |             |
|                  |             |             |             |

| REF               |             |             |             |
|                  |             |             |             |

|DOB                |             |             |             |
|                  |             |             |             |

| Place of Birth    |             |             |             |
|                  |             |             |             |

| Social Security No. |             |             |             |
| 123-45-6789         |             |             |             |

| Miscellaneous No.  |             |             |             |
|                   |             |             |             |

| Department         |             |             |             |
|                   |             |             |             |

| Reason             |             |             |             |
|                   |             |             |             |

| Race              |             |             |             |
| U                 |             |             |             |

| Age               |             |             |             |
| 602               |             |             |             |

| Broke             |             |             |             |
| 350               |             |             |             |

| blk               |             |             |             |
| AZ                |             |             |             |

| Right Fingers     |             |             |             |
|                   |             |             |             |

| Left Fingers      |             |             |             |
|                   |             |             |             |

Left Four Fingers taken simultaneously
<table>
<thead>
<tr>
<th>Applicant’s Name</th>
<th>Date of Birth</th>
</tr>
</thead>
<tbody>
<tr>
<td>Smith, John</td>
<td>10/18/1982</td>
</tr>
<tr>
<td>Vaughan, Tom</td>
<td>09/23/1937</td>
</tr>
<tr>
<td>White, Madge</td>
<td>01/01/1962</td>
</tr>
</tbody>
</table>

**Checklist**

- Check the box that corresponds to the type of applicant(s) being submitted with this sheet. Submit separate sheets for each type of applicant (for example, volunteers and regular applicants cannot be submitted on the same sheet).

- Write applicants name and date of birth legibly with the last name first. Do not submit more than 30 names per sheet; if more than one applicant, complete the list in alphabetical order using the last name.

- Enclose payment in the exact amount required. No more than three forms of payment can be accepted per sheet; forms of payment accepted are Money Orders, Cashier’s Checks and business checks. We do not accept personal checks or cash. You may provide one form of payment for up to 25 inventory sheets as long as the amount is the same.
Payments

• Fees
  o Regular Applicants (state & FBI) - $22 per fingerprint card
  o Volunteers (state & FBI) - $20 per fingerprint card
  o Arizona only - $5 per fingerprint card

• Payment format
  o Agency check, cashier’s check, or money order only.
    • NO cash, NO personal checks, NO credit / debit cards
  o Payable to “Department of Public Safety”
  o Maximum of three payment instruments per inventory sheet
Submission Packet

• A complete fingerprint submission packet:
  o Inventory sheet
  o Fingerprint cards from applicants listed on the inventory sheet
  o Correct payment in exact amount for all included fingerprint cards

• Send completed packets to the Applicant Team. Their address is on the inventory sheet.
Fingerprint rejection notices

- The NCJ Agency Guide has an example of a reject.

- For rejected fingerprints the Applicant Team will send a notice describing the error and the solution. Contact the Applicant Team with any questions.

- The FBI does NOT perform a name search on rejects automatically. You must submit another set of fingerprints.
REASON FOR REJECT

2.060: L0008 - The quality of the characteristics is too low to be used. Candidate(s) were found. Please submit a new set of fingerprints for comparison to the candidate(s).
2.073: AZDPS2000
Resubmission Packet

- Include the following items:
  - Reject notice
  - New Inventory sheet
  - Fingerprint card(s) from applicant(s) listed on the inventory sheet
  - Write “resubmission” on the envelope
Second Fingerprint Reject

- If rejected twice for the same applicant complete the CJIS Name Search Request Form.
- Search performed by name, date of birth and Social Security number.
- NCJ Agency Guide Appendix D

**CJIS NAME SEARCH REQUEST FORM**

Please complete the attached form to request a name check. A name check will not be conducted unless an individual's fingerprints have been rejected twice for technical issues.

Ord of State/Federal/Regulatory Agency: AZDPS2000

Your agency's Point of Contact (POC) for the response: CHRISTOPHER RAMSEY

Phone number of POC: (602) 242-2722

Fax number of POC: (602) 242-2972

Address of requesting agency: APPLICANT TEAM
PO BOX 18430
MD 2259
PHOENIX, AZ 85006-8430

Please fax my response to this request.

Subject of Name Check

Transaction Control Number (PCN) of subject's fingerprint submission: 2A18

<table>
<thead>
<tr>
<th>Name:</th>
<th>Alias:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Date of Birth:</td>
<td>Place of Birth:</td>
</tr>
<tr>
<td>Sex:</td>
<td>Race:</td>
</tr>
<tr>
<td>Social Security Number:</td>
<td></td>
</tr>
<tr>
<td>OCA:</td>
<td>XX</td>
</tr>
</tbody>
</table>

*Please note that bolded fields are required for name check searches.*

Requesting agency: 

Date faxed to DPS: 

DATE TO FBI: 

(DPS use only)
Second Fingerprint Reject

- You must include both PCNs
  - First reject within the past year
  - Second reject within the last 90 days
- Fax the form to the Applicant Team
  - Processing time is 2 to 3 weeks

CJIS NAME SEARCH REQUEST FORM

Please complete the attached form to request a name check. A name check will not be conducted unless an individual’s fingerprints have been rejected twice for technical issues.

Or of State/Federal Regulatory Agency: AZDPS2000

Your agency’s Point of Contact (POC) for the response: CHRISTOPHER RAMSEY

Phone number of POC: (602) 253-2772

Fax number of POC: (602) 253-2972

Address of requesting agency: APPLICANT TEAM
PO BOX 18430
MD 2250
PHOENIX, AZ 85005-8430

Please fax my response to this request.

Subject of Name Check

Transaction Control Number (PCN) of subject's fingerprint submission: 2A18

Name: ___________________________ Alias: ___________________________

Date of Birth: ___________________________ Place of Birth: ___________________________

Sex: ______ Race: ______ Height: ______ Weight: ______ Eyes: ______ Hair: ______

Social Security Number: ___________________________

OCA: XX ___________________________

*Please note that bolded fields are required for name check searches.

Requesting agency ___________________________ (DPS use only)

Date faxed to DPS ______________________ DATE TO FBI: __________
Supply Order Form

- NCJ Agency Guide Appendix I

- Used to order
  - Fingerprint cards
  - Inventory sheets

ORDERING APPLICANT TEAM SUPPLIES

PLEASE COMPLETE THIS FORM AND FAX OR MAIL TO:

Arizona Department of Public Safety
Applicant Team
Mail Drop 3190
P.O. Box 18430
Phoenix, AZ 85016-8430

PHONE: (602) 223-2223
FAX: (602) 223-2972

ITEM | AMOUNT REQUESTED
--- | ---
Applicant Fingerprint Cards 2000/box | 
Inventory Sheet (802-06513) 250/pack (For non-criminal justice purposes) | 

Agency Name: 

Agency ORI: 

Address: 

Telephone #: 

Order Date: 

PLEASE ALLOW 1-2 WEEKS FOR PROCESSING OF ORDER
Criminal History Record Information
Criminal History Record Information

- Arizona is a closed record state.
  - DPS requires a subject’s fingerprints and legal authority to access CHRI.
- CHRI is not a public record.
  - You can not confirm the presence of, or deny the lack of presence of CHRI to unauthorized personnel.
- It is a class 6 felony under A.R.S. 41-1756 to provide CHRI to unauthorized personnel.
Creation of a Criminal History Record

- Starts with fingerprints
Contents of DPS Return

• Arizona returns
  ○ DPS results “cover sheet”
  ○ State warrants
  ○ State sex offender registration
  ○ State criminal history record

• FBI returns
  ○ FBI results “cover sheet”
  ○ FBI criminal history record
Arizona Results
NCJ Agency Guide page 22
<table>
<thead>
<tr>
<th>Applicant Name</th>
<th>DOB</th>
<th>Searched</th>
<th>DPS Results</th>
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<tbody>
<tr>
<td>Smith, John</td>
<td>10/18/1982</td>
<td>08/22/2014</td>
<td>AZ000000311 S/999997 W/TESTONLY1</td>
</tr>
<tr>
<td>Vaughan, Tom</td>
<td>09/23/1937</td>
<td>08/22/2014</td>
<td>*</td>
</tr>
<tr>
<td>White, Madge</td>
<td>01/01/1962</td>
<td>08/22/2014</td>
<td>*</td>
</tr>
</tbody>
</table>

* = No record or no record meeting dissemination criteria
A.C.I.C. WANTED PERSON

BDG/0000 ORI/AZACSPX00 OCA/TESTONLY1 DOW/01-14-2013 NOA/AZ DPS, ACCESS INTEGRITY UNI
NAM/SMITH, JOHN DOB/10-18-1983 SEX/ M RAC/ W POB/ CA
HGT/ 502 WGT/ 115 EYE/ BLU HAI/ BLN SKN/ FAR SMT/

CRT/ MARICOPA COUNTY SUPERIOR CRT CTI/ BND/ NONE OFF/ AMPHETAMINE-POSSESS (F) EXL/ STATE WIDE
OOC/ WNO/ TESTONLY1
ADR/ 2102 W ENCANTO BLVD, PHOENIX AZ DOP/
MIS/ CAUTION, MAY BE ARMED AND DANGEROUS
LSW WHI DRESS, WHI SHOES
THIS IS A TEST RECORD ONLY/ NO VALID HIT/ DO NOT ARREST

DTE/ 01-14-2013 TOE/ 12:59 DLU/ 01-14-2013 TOU/12:59 OPI/ 0000

CONFIRM WARRANT – EXTRADITION WITH ORI
DATE 08-22-2014   ARIZONA DEPARTMENT OF PUBLIC SAFETY   PAGE 1
TIME 07.51   SEX OFFENDER REGISTRATION INQUIRY RESPONSE

INQUIRY RESPONSE BASED ON SOPN
SOPN/ 999997 NAM/ SMITH, JOHN
SID/       FBI/ 1111 INITIAL REG-DTE/ 08-05-2003
CURRENT REG-ORI/ AZACSPX00 AZ DEPT PUB SFTY,ACCESS INTEG
COMMUNITY NOTIFICATION REQUIRED/ NO PROFILE REC SOPN/
DOB/ 10/18/1982
SEX/ M RAC/ U POB/ AZ HGT/ 602 WGT/ 310 HAI/ BLK EYE/ BRO
SMT/ ART L ARM SC FACE TAT R ARM
SOC/ 123-45-6789
AKA/ SMITH, KEVIN SMYTH, BILL
RES ADDR AS OF 03-04-2012 PROP OWNER
ADDR/ 12345 N NOPLACE STREET APT/ CITY/ PHOENIX
CNTY/ MARICOPA ST/ AZ ZIP/ 85012 PHN/ 928-000-0000
MAIL ADDR/
OLS/ AZ OLN/ N9876543212 OLY/ 2001
VLIS/ AZ VLIC/ TEST34 VLIT/ VLIY/
VYR/ 1992 VMA/ OLDS VST/ VMO/ CAP VCO/ GRY

CONVICTION OFFENSE  P TYP  ARR/CNV DATE ARRESTING AGENCY/CONVICTION COURT

SEXUAL ASSAULT ADULT  F 05-06-2003 DPS
                           08-04-2003 DPS COURT

EMP/ HOUSE OF HORRORS 999 EAST WITCH ROAD, SCAREZY, AZ
PNT/ WICKED WITCH OF THE EAST 3321 N GOBLIN ST, SALEM, MA
PROBATION OFFICER/ RUFF MCGRUFF PHONE/
CMT/ TEST RECORD NO VALID HIT

***DATA TO BE USED ONLY FOR CRIMINAL JUSTICE OR OTHER LAWFUL PURPOSES***
ACCH INQUIRY ON     SID/AZ00000311
DATE  08-22-2014      ARIZONA DEPARTMENT OF PUBLIC SAFETY    PAGE  0001
TIME  07.53           AUTOMATED CRIMINAL HISTORY
SID/ AZ00000311
THIS RECORD IS BEING RELEASED PURSUANT TO ARIZONA REVISED STATUTES, SECTION 41-1750. THIS INFORMATION MAY NOT BE FURTHER DISSEMINATED BY ANY MEDIUM, ORAL OR WRITTEN, TO ANY PERSON OR ENTITY UNLESS OTHERWISE AUTHORIZED BY LAW. ANY PERSON WHO KNOWINGLY OR RECKLESSLY PERMITS UNAUTHORIZED ACCESS OR RELEASES OR PROCURES THE RELEASE OF CRIMINAL HISTORY RECORD INFORMATION, OTHER THAN AS PROVIDED IN THIS SECTION, OR WHO USES SUCH INFORMATION FOR A PURPOSE OTHER THAN AS PROVIDED BY THIS SECTION IS GUILTY OF A CLASS 6 FELONY.

NAM/ SMITH, JOHN                 FBI/              SOC/ 123-45-6789
SEX/ M     RAC/ U     DOB/ 10/18/1982   POB/ XX III STA/    DATE/
HGT/ 602   WGT/ 300   EYE/ BRO   HAI/ BLK   SKN/         PURGE ON/ 10-18-2081
HFP/ 16-M- 9- U-OOI-14   FPC/ 16-11-12-CI-14    DATE ENTERED 04-18-2001
M- 2- U-OOI-    XX-XX-XX-XX         DATE UPDATED 01-14-2011
SMT/ ART L ARM    SC FACE      TAT R ARM    PRCD EAR
RAP/ ** FELONY CONVICTIONS.
AZ DOC NO./ 000000    CUSTODY STA/ 12-03-2003    EARNED CREDITS+TIME RELEASE
                          CUSTODY LOC/ ASPC-T SO AZ CORR REL CENTER
WARNING * * CUSTODY INFORMATION IS EXTRACTED FROM THE ARIZONA DEPT. OF CORRECTIONS AUTOMATED INMATE MANAGEMENT SYSTEM (AIMS) AND IS NOT BASED ON POSITIVE FINGERPRINT IDENTIFICATION.
COM/ TEST RECORD
ADDITIONAL IDENTIFIERS
DOB/ 10/18/1983     11/18/1982
SOC/ 444-44-4444     555-55-5555
AKA/ SMITH, KEVIN    SMYTH, BILL    SMITH, JOHNNIE    SMITH, J    SMITH, JOHNNY
SMYTH, WILLIAM
DATA TO BE USED ONLY FOR CRIMINAL JUSTICE OR OTHER LAWFUL PURPOSES.
ARREST/ 12-23-2000  AGENCY/ AZ0020000  COCHISE CO SO,BISBEE
NAME/ SMITH, JOHN  CASE/ R59883
PCN/ 001 1006  KIDNAP-ADULT  FEL
DISPO/ 10-02-2001  AGENCY/ AZ002015J  COCHISE CO SUP CRT,BISBEE
1006  KIDNAP-ADULT  FEL
DISPO/ GUILTY
PRISON/ 1 YR
OTH/ CONCURRENT
002 1006  KIDNAP-ADULT  FEL
DISPO/ 09-30-2001  AGENCY/ AZ002013J  COCHISE CO SUP CRT,BISBEE
1006  KIDNAP-ADULT  FEL
DISPO/ COURT DISMISSAL
003 1399  ASSAULT-INJ  MIS
DISPO/ 09-30-2001  AGENCY/ AZ002013J  COCHISE CO JUST CRT #1, BISBEE
1313  ASSAULT  MIS
DISPO/ GUILTY
FINE/ 000250
OTH/ RESTITUTION 1000
004 1315  AGGRAV ASSLT-WPN  FEL
DISPO/ 10-02-2001  AGENCY/ AZ002015J  COCHISE CO SUP CRT,BISBEE
1315  AGGRAV ASSLT-WPN  FEL
DISPO/ GUILTY
PRISON/ 1 YR
OTH/ CONCURRENT
**ARREST/ 05-06-2003 AGENCY/ AZCH7X000 AZ DEPT PUB SFTY, PHOENIX**

**NAME/ SMITH, JOHN**

**CASE/ 523019**

**PCN/ 9999999990**

**DISPO/ 08-04-2003 AGENCY/ AZ007035J MARICOPA CO SUP CRT, PHOENIX**

**4608**

**SEXUAL ASSAULT**

**FEL**

**DISPO/ GUILTY**

**CASE/ CASE NRC550**

**PROBATION/ MARICOPA CO - 3 YEARS**

**OTH/SUPERVISED, REG OFF**

---

**Excerpt from the Sex Offender Registration record:**

**CONVICTION OFFENSE**

**CONVICTION COURT**

**SEXUAL ASSAULT ADULT**

**F 05-06-2003 DPS**

**08-04-2003 DPS COURT**
Currently entered as:

*****
ARREST/ 08-05-2005 AGENCY/ AZ0070000 MARICOPA CO SO, PHOENIX
NAME/ SMITH, JOHN CASE/ 1234567890 PCN/ 9999999992
001 13-1805 SHOPLIFTING FEL
DISPO/ 06-04-2006 AGENCY/ AZ007035J MARICOPA CO SUP CRT, PHOENIX
13-1805 SHOPLIFTING FEL
DISPO/ CONVICTION VACATED CASE/ CR1234
OTH/ PER ARS 13-907

JAIL/ 10 DAS
OTH/ 09122007 JUDGMENT SET ASIDE; CIVIL RIGHTS RESTORED
<table>
<thead>
<tr>
<th>ARREST/ 07-03-2009</th>
<th>AGENCY/ AZ0072300 PHOENIX PD</th>
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<tr>
<td>NAME/ SMITH, JOHN</td>
<td>CASE/ SSS10</td>
</tr>
<tr>
<td><strong>001 XPHX23-3</strong></td>
<td><strong>DISTURBING THE PEACE</strong></td>
</tr>
<tr>
<td><strong>MIS</strong></td>
<td></td>
</tr>
<tr>
<td>OFFENSE DATE/ 07-03-2009</td>
<td></td>
</tr>
<tr>
<td>DISPO FWD TO/ AZ007081A PHOENIX CITY PROSECUTOR</td>
<td></td>
</tr>
<tr>
<td>DISPO/ NOT RECORDED</td>
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<th>ARREST/ 07-04-2009</th>
<th>AGENCY/ AZ0072300 PHOENIX PD</th>
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<tr>
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<td>CASE/ ABC123</td>
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<tr>
<td><strong>001 28-1381</strong></td>
<td><strong>DUI-LIQUOR/DRUGS/VAPORS.COMBO</strong></td>
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<td>DISPO/ NOT RECORDED</td>
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NAME/ SMITH, JOHNNIE  CASE/ A1  PCN/ 9999999913
001  13-1202A3  THREAT-INTIMIDATE-GANG  FEL
    OFFENSE DATE/ 09-01-2009
    DISPO/ 09-01-2010  AGENCY/ AZ007013A  MARICOPA CO ATTY, INTAKE/ LEJIS, PHOE
    13-1202A3  THREAT-INTIMIDATE-GANG  FEL
    DISPO/ NO COMPLAINT FILED  CASE/ 02010908  *FRM ADRS
002  13-1213  AIM LASER PNT AT PEACE OFCR  MIS
    OFFENSE DATE/ 09-01-2009
    DISPO/ 09-04-2009  AGENCY/ AZ007035J  MARICOPA CO SUP CRT, PHOENIX
    13-1213  AIM LASER PNT AT PEACE OFCR  MIS
    DISPO/ COURT DISMISSAL  CASE/ CR2009-6
003  13-1502  CRIMINAL TRESPASS 3RD DEG  MIS
    OFFENSE DATE/ 09-01-2009
    DISPO/ 09-04-2009  AGENCY/ AZ007035J  MARICOPA CO SUP CRT, PHOENIX
    13-1502  CRIMINAL TRESPASS 3RD DEG  MIS
    DISPO/ COURT DISMISSAL  CASE/ CR2009-6
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    13-1502  CRIMINAL TRESPASS 3RD DEG  MIS
    DISPO/ COURT DISMISSAL  CASE/ CR2009-6
005  13-1506A1  BURGLARY 3RD DEG-UNLAW ENTRY  FEL
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    DISPO/ 09-04-2009  AGENCY/ AZ007035J  MARICOPA CO SUP CRT, PHOENIX
    13-1506A1  BURGLARY 3RD DEG-UNLAW ENTRY  FEL
    DISPO/ COURT DISMISSAL  CASE/ CR2009-6
006  13-1201  ENDANGERMENT  FEL
OFFENSE DATE/ 09-01-2009
DISPO FWD TO/ AZ007035J  MARICOPA CO SUP CRT,PHOENIX
DISPO/ NOT RECORDED

007  13-1201  ENDANGERMENT  FEL
OFFENSE DATE/ 09-01-2009
DISPO/ 09-04-2009  AGENCY/ AZ007035J  MARICOPA CO SUP CRT,PHOENIX
DISPO/ COURT DISMISSAL  CASE/ CR2009-6

008  13-1201  ENDANGERMENT  FEL
OFFENSE DATE/ 09-01-2009
DISPO/ 09-04-2009  AGENCY/ AZ007035J  MARICOPA CO SUP CRT,PHOENIX
DISPO/ COURT DISMISSAL  CASE/ CR2009-6

009  13-1201  ENDANGERMENT  FEL
OFFENSE DATE/ 09-01-2009
DISPO/ 09-04-2009  AGENCY/ AZ007035J  MARICOPA CO SUP CRT,PHOENIX
DISPO/ COURT DISMISSAL  CASE/ CR2009-6

010  13-1805  SHOPLIFTING  MIS
OFFENSE DATE/ 09-01-2009
DISPO/ 09-04-2009  AGENCY/ AZ007035J  MARICOPA CO SUP CRT,PHOENIX
DISPO/ COURT DISMISSAL  CASE/ CR2009-6
011 13-1805 SHOPLIFTING MIS
OFFENSE DATE/ 09-01-2009
DISPO/ 09-04-2009 AGENCY/ AZ007035J MARICOPA CO SUP CRT, PHOENIX
13-1805 SHOPLIFTING MIS
DISPO/ COURT DISMISSAL CASE/ CR2009-6

012 13-1805 SHOPLIFTING MIS
OFFENSE DATE/ 09-01-2009
DISPO/ 09-04-2009 AGENCY/ AZ007035J MARICOPA CO SUP CRT, PHOENIX
13-1805 SHOPLIFTING MIS
DISPO/ COURT DISMISSAL CASE/ CR2009-6

013 13-1805 SHOPLIFTING MIS
OFFENSE DATE/ 09-01-2009
DISPO/ 09-04-2009 AGENCY/ AZ007035J MARICOPA CO SUP CRT, PHOENIX
13-1805 SHOPLIFTING MIS
DISPO/ COURT DISMISSAL CASE/ CR2009-6

014 13-1805 SHOPLIFTING MIS
OFFENSE DATE/ 09-01-2009
DISPO/ 09-04-2009 AGENCY/ AZ007035J MARICOPA CO SUP CRT, PHOENIX
13-1805 SHOPLIFTING MIS
DISPO/ COURT DISMISSAL CASE/ CR2009-6

015 13-1805 SHOPLIFTING FEL
OFFENSE DATE/ 09-01-2009
DISPO/ 09-04-2009 AGENCY/ AZ007035J MARICOPA CO SUP CRT, PHOENIX
13-1805 SHOPLIFTING FEL
DISPO/ GUILTY CASE/ CR2009-6
JAIL/ 30 DAS
016 13-2002 FORGERY FEL
OFFENSE DATE/ 09-01-2009
DISPO FWD TO/ AZ007035J MARICOPA CO SUP CRT, PHOENIX
DISPO/ NOT RECORDED

017 13-2002 FORGERY FEL
OFFENSE DATE/ 09-01-2009
DISPO FWD TO/ AZ007035J MARICOPA CO SUP CRT, PHOENIX
DISPO/ NOT RECORDED

018 13-2002 FORGERY FEL
OFFENSE DATE/ 09-01-2009
DISPO FWD TO/ AZ007035J MARICOPA CO SUP CRT, PHOENIX
DISPO/ NOT RECORDED

019 46-603 WELFARE-FALSE USE ID CARD MIS
OFFENSE DATE/ 09-01-2009
DISPO FWD TO/ AZ007035J MARICOPA CO SUP CRT, PHOENIX
DISPO/ NOT RECORDED

020 46-213 WELFARE-FAIL RPT STATUS CHANGE MIS
OFFENSE DATE/ 09-01-2009
DISPO FWD TO/ AZ007035J MARICOPA CO SUP CRT, PHOENIX
DISPO/ NOT RECORDED

DATA TO BE USED ONLY FOR CRIMINAL JUSTICE OR OTHER LAWFUL PURPOSES.
What if I’m able to locate someone’s criminal history on the Internet or from some other source? Isn’t that the same thing?
While you might be able to find criminal history record information from an unofficial source, consider these issues:

• How do you know that the information your source has located on an individual is actually the same person?

• Is your source using the subject’s fingerprints to determine a match? The official criminal history record information from DPS is fingerprint-based.
While you might be able to find criminal history record information from an unofficial source, consider these issues:

• What if your source falsely identifies the wrong subject claiming that they have a criminal history, or specific charges, when they do not?

• Is that source going to accept the liability for this misinformation and denial of employment along with any repercussions, or is your agency opening itself to potential liability?
While you might be able to find criminal history record information from an unofficial source, consider these issues:

• What about charges that have been vacated or set aside? Are these charges being correctly reported as guilty convictions? Are you even receiving information on vacated or set aside charges?

• Charges listed as vacated or set aside no longer appear in public records searches, but they will always appear in criminal history record information that DPS provides.
While you might be able to find criminal history record information from an unofficial source, consider these issues:

• What about courts that purge their records after 5 years? Will your source still have access to this information?

• DPS does not purge court records after 5 years. DPS retains criminal history record information for the life of the subject.
While you might be able to find criminal history record information from an unofficial source, consider these issues:

- How can you be certain your source has every arrest and charge for a particular subject?
  - What if they missed something?
  - What if they missed certain misdemeanor or felony charges like sexual assault or sexual misconduct, or other violent crimes?
- What if you hired someone that had one of these convictions and you didn’t know, and this subject later carries out a criminal act in the performance of their duties and your organization is now being sued because they allowed this person to be an employee or volunteer there?
While you might be able to find criminal history record information from an unofficial source, consider these issues:

- What about charges with no disposition information recorded at all? Your source cannot request that DPS update the criminal history record information.

The official criminal history records available through DPS can provide the correct answers to these questions. Can your source?
<table>
<thead>
<tr>
<th>Applicant Name</th>
<th>PCN</th>
<th>From FBI Date</th>
<th>FBI Rslt</th>
<th>FBI Number</th>
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<td>2A09123458</td>
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<tr>
<td>WORNFINGERS, GLADYS</td>
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N = Negative, R = Hit, P = Rejected for Prints
1.01: 179
1.02: 0500
1.03: 11-200
1.04: ERRT
1.05: 20170804
1.06: 4
1.07: AZDPS2000
1.08: WVIAFISOZ
1.09: E2017000000000000000000
1.10: 2A09123457
1.11: 00.00
1.12: 00.00

2.001: 240
2.002: 00
2.006: XX000000E
2.060: L0008 - The quality of the characteristics is too low to be used. Candidate(s) were found. Please submit a new set of fingerprints for comparison to the candidate(s).
2.073: AZDPS2000
THE FBI IDENTIFIED YOUR TEN-PRINT SUBMISSION WHICH CONTAINED THE FOLLOWING DESCRIPTORS:

NAME  DAVIS,  BRAD

SEX   RACE  BIRTH DATE  HEIGHT  WEIGHT  EYES  HAIR
M     W     1954/01/19  603     235    BROWN  BLACK

STATE ID  BIRTH PLACE
NULL  TEXAS

OTHER BIRTH SOCIAL
DATES  SCARS-MARKS-TATTOOS  SECURITY  MISC NUMBERS
NONE    NONE      123-45-6789    NONE

ALIAS NAME(S)
NONE

END OF COVER SHEET
UNIVERSITY DEPARTMENT OF JUSTICE
FEDERAL BUREAU OF INVESTIGATION
CRIMINAL JUSTICE INFORMATION SERVICES DIVISION
CLARKSBURG, WV 26306

BECAUSE ADDITIONS OR DELETIONS MAY BE MADE AT ANY TIME, A NEW COPY
SHOULD BE REQUESTED WHEN NEEDED FOR SUBSEQUENT USE.

THIS RECORD IS SUBJECT TO THE
FOLLOWING USE AND DISSEMINATION RESTRICTIONS

UNDER PROVISIONS SET FORTH IN TITLE 28, CODE OF FEDERAL REGULATIONS
(CFR) SECTION 50.12, BOTH GOVERNMENTAL AND NONGOVERNMENTAL ENTITIES
AUTHORIZED TO SUBMIT FINGERPRINTS AND RECEIVE FBI IDENTIFICATION RECORDS
MUST NOTIFY THE INDIVIDUALS FINGERPRINTED THAT THE FINGERPRINTS WILL BE USED
TO CHECK THE CRIMINAL HISTORY RECORDS OF THE FBI. IDENTIFICATION RECORDS
OBTAINED FROM THE FBI MAY BE USED SOLELY FOR THE PURPOSE REQUESTED AND MAY
NOT BE DISSEMINATED OUTSIDE THE RECEIVING DEPARTMENT, RELATED AGENCY OR
OTHER AUTHORIZED ENTITY. IF THE INFORMATION ON THE RECORD IS USED TO
DISQUALIFY AN APPLICANT, THE OFFICIAL MAKING DETERMINATION OF SUITABILITY
FOR LICENSING OR EMPLOYMENT SHALL PROVIDE THE APPLICANT THE OPPORTUNITY
TO COMPLETE, OR CHALLENGE THE ACCURACY OF, THE INFORMATION CONTAINED IN
THE FBI IDENTIFICATION RECORD. THE DECIDING OFFICIAL SHOULD NOT DENY THE
LICENSE OR EMPLOYMENT BASED ON THE INFORMATION IN THE RECORD UNTIL THE
APPLICANT HAS BEEN AFFORDED A REASONABLE TIME TO CORRECT OR COMPLETE THE
INFORMATION, OR HAS DECLINED TO DO SO. AN INDIVIDUAL SHOULD BE PRESUMED NOT
GUILTY OF ANY CHARGE/ARREST FOR WHICH THERE IS NO FINAL DISPOSITION STATED ON
THE RECORD OR OTHERWISE DETERMINED. IF THE APPLICANT WISHED TO CORRECT
THE RECORD AS IT APPEARS IN THE FBI’S CJIS DIVISION RECORDS SYSTEM, THE
APPLICANT SHOULD BE ADVISED THAT THE PROCEDURES TO CHANGE, CORRECT OR
UPDATE THE RECORD ARE SET FORTH IN TITLE 28, CFR, SECTION 16.34.
- FBI IDENTIFICATION RECORD -

WHEN EXPLANATION OF A CHARGE OR DISPOSITION IS NEEDED, COMMUNICATE DIRECTLY WITH THE AGENCY THAT FURNISHED THE DATA TO THE FBI.

****NOTICE****
SUBJECT OF RECORD IS WANTED
SEE END OF RECORD FOR MORE INFORMATION

END OF PART 1 - PART 2 TO FOLLOW
Now it’s your turn to read criminal history.
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<th>HGT</th>
<th>WGT</th>
<th>EYES</th>
<th>HAIR</th>
<th>PLC</th>
<th>OF BIRTH</th>
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M  W  1954/01/19  603  235  BRO  BLK  TX

FINGERPRINT CLASS

NCIC:

HENRY UP:

HENRY LOW:

NO ALIAS INFORMATION IS ON FILE FOR THIS SID.

NO SCARS, MARKS, OR TATTOOS IS ON FILE FOR THIS SID.

SOCIAL SECURITY

00000000

ARREST  -01  20130101

AGENCY: HOBART POLICE DEPT  (IN0450900)

AGENCY CASE: 000000

ARREST CHARGES:

CHARGE 01:001 OF DWS - PRIOR  1 COUNTS

CHARGE 02:001 OF FAILURE TO APPEAR  1 COUNTS

CHARGE 03:001 OF HOLD FOR MERRILLVILLE  1 COUNTS

NO DISPOSITION INFORMATION IS ON FILE FOR THIS ARREST

NO CUSTODY INFORMATION IS ON FILE FOR THIS SID

THE DATA LISTED ON THE TRANSCRIPT MAY NOT BE AN EXACT REPETITION
OF THE DATA SUPPLIED BY THE ARRESTING AGENCY. TO RECEIVE THE EXACT
CHARGE INFORMATION, A CERTIFIED TRANSCRIPT MUST BE REQUESTED.

END OF KNOWN RECORD

END OF RECORD

***END OF RECORD***
1 - ARRESTED OR RECEIVED 1989/07/11
AGENCY-SHERIFF’S OFFICE RIVERSIDE (CA0330000)
AGENCY CASE-20987
CHARGE 1-POSS NARC C/S

COURT-COUNTY COURT RIVERSIDE
CHARGE-11350 HS-POSSESS NARCOTIC CONTROL SUBSTANCE
SENTENCE-
DIVERSION DISMISSED

2 - ARRESTED OR RECEIVED 1995/02/13
AGENCY-POLICE DEPARTMENT FRESNO (CA0100500)
AGENCY CASE-8502137001
CHARGE 1-DRIVING WITH LICENSE INVALID

3 - ARRESTED OR RECEIVED 2005/05/26
AGENCY-POLICE DEPARTMENT CEDAR PARK (TX2460900)
AGENCY CASE-56302
CHARGE-AGG ASSAULT SBI

COURT-26TH DISTRICT COURT GEORGETOWN (TX246015J)
CHARGE-AGG ASSAULT CAUSES SERIOUS BODILY INJURY
SENTENCE-
2006-04-23 DEFERRED PRB-5Y0010D FNE-2500

4 - ARRESTED OR RECEIVED 2011/09/03
AGENCY-SHERIFF’S OFFICE GEORGETOWN (TX2460000)
AGENCY CASE-11586
CHARGE-THEFT>$20<$500 BY CHECK

COURT-COUNTY COURT GEORGETOWN (TX246013J)
CHARGE-THEFT CLASS C MISDEMEANOR
SENTENCE-
2011-12-01 CONVICTED LESSE charge FNE-0200
Tracking Number: 1463714637
Earliest Event Date: 1997-03-01

Arrest Date: 1997-03-01
Arresting Agency: CO0340100 DURANGO POLICE DEPARTMENT
Subject’s Name:
Comment(s): MNU#: OA-970000

Charge: 1
  Charge Literal: ASSAULT
  Statute: ASSAULT 3RD DEG (1399)
  Counts: 1
  Severity: MISDEMEANOR
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<td>GA0460100 VIENNA POLICE DEPARTMENT</td>
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<td><strong>SEVERITY</strong></td>
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**COURT DISPOSITION**

{CYCLE 001}

**COURT AGENCY**

GA046031J VIENNA RECORDER'S COURT

**SUBJECT’S NAME**

CHARGE

1

**CHARGE NUMBER**

00066384102001

**CHARGE TRACKING NUMBER**

0066384102

**CHARGE LITERAL**

DISORDERLY CONDUCT

**STATUTE**

DISORDERLY CONDUCT {16-11-39; GA}

**STATE OFFENSE CODE**

5311

**SEVERITY**

MISDEMEANOR

**DISPOSITION**

{CONVICTED 2001-04-18; BOND FORFEITURE}
LAST ARRESTED: 01/19/1997
ARREST AGENCY: HONOLULU PD
TOTAL ARRESTS: 2
TOTAL CHARGES: 2
ARREST: 1 OF 2

ARREST DATE/AGENCY: 01/19/1997 HONOLULU PD
OANTS TRACKING NUMBER: 30261H4
CRIME TYPE:

CHARGE: 1 OF 1

<table>
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<th>CHARGE</th>
<th>STATUTE</th>
<th>SV</th>
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<tbody>
<tr>
<td>ASSAULT 2</td>
<td>707-0711</td>
<td>FC</td>
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ARREST/FILING: ASSAULT 2
FINAL/LAST: ASSAULT 2
ARREST REPORT: 97-025036

(SV = SEVERITY FC=FELONY CLASS C)

FINAL/LAST: AGENCY: HONOLULU FAM CT
CASE NO: FC97-0001
DISP/DATE: GUILTY 05/06/1997
DAGRETURN:

SENTENCE: ON 05/06/1997, SUBJECT WAS SENTENCED TO 50 HOUR(S) COMMUNITY SERVICE, 5 YEAR(S) PROBATION, AND $372 RESTITUTION.
CRIMINAL HISTORY

Tracking Number 00000000100
Earliest Event Date 2004-12-03 Incident Date 2005-01-11

Arrest Date 2005-01-11
Arresting Agency KS0260000 ELLIS COUNTY SHERIFF’S OFFICE HAYS
Subject’s Name
Arrest Type Adult
Comments Fingerprinted on 2005-01-11.
Charge 1
Charge Literal Worthless check; Unknown value
Charge Description Non-Person Offense
Statute Giving a worthless check; Unknown value
(21-3707 KS)
Counts 1
Severity Unknown
Disposition Other(Referred to prosecutor.)

booking Case Number 05-025

Prosecutor Disposition (Cycle 001)
Prosecutor Case Number 04CR000
Prosecution Date 2004-12-03
Prosecutor Agency KS026013A ELLIS COUNTY ATTORNEY’S OFFICE HAYS
Subject’s Name
Charge 1
Charge Literal Worthless check; Misd
Charge Description Non-Person Offense
Statute giving worthless check; Misdemeanor (21-3707 KS)
Counts 1
Severity Misdemeanor Class A
Disposition Diversion(Diversion completed)
Prosecution Comment Diversion initiated on 2005-01-11. Diversion
Period 6 months. Diversion completed on
Prosecution Comment Dismissed with prejudice 07/11/05
CRIMINAL HISTORY

Tracking Number  001
Earliest Event Date  2002-12-15

Arrest Date  2002-12-15
Arrest Case Number  2702027020
Arresting Agency  FL0069000
   FLORIDA HIGHWAY PATROL - FT.
   LAUDERDALE
Arrest Type  ADULT
Charge  001
   Charge Number  2702027020
   Charge Tracking Number  060701060701
   Charge Literal  DUI-UNLAW BLD ALCH-
   Agency  FL0069000
   FLORIDA HIGHWAY PATROL - FT.
   LAUDERDALE
   Charge Description  DUI ALCOHOL OR DRUGS 1ST OFFENSE
   Statute  DUI ALCOHOL OR DRUGS (FL316.193(2A);FL

   NCIC Offense Code  5407
   Counts  001
   Severity  MISDEMEANOR
Enhancing Factor  2ND DEGREE

Prosecutor Disposition  (Cycle 001)
Prosecution Date  2002-12-15
Prosecutor Agency  FL006023J BROWARD COUNTY COURT
Charge  001
   Charge Number  001
   Charge Tracking Number  060701060701
   Charge Literal  DUI-UNLAW BLD ALCH-
   Charge Description  Suppl Arr Degree:1ST
   Charge Description  Suppl Arr Level:MISDEMEANOR
   Charge Description  DRIVING UNDER THE INFLUENCE
Charge Description COUNSEL TYPE:OTHER
Statute DUI ALCOHOL OR DRUGS (FL316.193(1);)
NCIC Offense Code 5407
Counts 001
Severity MISDEMEANOR
Enhancing Factor 1ST DEGREE
Disposition (Other 2003-01-15; FILED

----------------------------------------

Court Disposition (Cycle 001)
Court Disposition Date 2003-01-21
Court Case Number 00000000000001MT
Court Agency FL006023J
BROWARD COUNTY COURT
Charge 001
Charge Number 001
Charge Tracking Number 060701060701
Charge Literal DUI-UNLAW BLD ALCH-
Charge Description DRIVING UNDER THE INFLUENCE
Charge Description COUNSEL TYPE:OTHER
Charge Description TRIAL TYPE:NONE
Charge Description PLEA TYPE:NOLO CONTENDRE
Statute DUI ALCOHOL OR DRUGS (FL316.193(1))
)
NCIC Offense Code 5407
Counts 001
Severity: MISDEMEANOR
Enhancing Factor: 1ST DEGREE
Disposition: (Convicted 2003-01-21; GUILTY/CONVICTED)

Sentencing (Cycle 001)
Sentence Date: 2003-01-21
Sentencing Agency: FL006023J BROWARD COUNTY COURT
Court Case Number: 00000000000001MT
Charge: 001
  Charge Number: 001
  Charge Literal: DUI-UNLAW BLD ALCH-
Sentence
PROBATION-06M
Sentence
FINE- $263.00
Sentence
COURT COST- $26.00
Sentence
COURT PROVISION - COMMUNITY SERVICE
Sentence
COURT PROVISION - ATTEND DWI SCHOOL
Sentence
COURT PROVISION - ABIDE BY COURT RESTRICTIONS

Tracking Number: 002
Earliest Event Date: 2012-08-29 Incident Date: 2012-08-29
Arrest Date: 2012-08-29
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<th>Hit? Y/N</th>
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<tr>
<td>Adams, A</td>
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<tr>
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<td>N</td>
<td>Martinez, J</td>
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<td>N</td>
<td>Mulcahy, K</td>
<td>N</td>
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<tr>
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<td>N</td>
<td>Myers, L</td>
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<td>Castillo, E</td>
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<td>Peterson, M</td>
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<td>Catherine, F</td>
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<td>Tangi, N</td>
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<td>Coby, G</td>
<td>N</td>
<td>Valenzuela, O</td>
<td>N</td>
</tr>
<tr>
<td>Davis, H</td>
<td>Y</td>
<td>White, P</td>
<td>Y</td>
</tr>
</tbody>
</table>
Remember our objectives?

• Describe the differences between the fingerprint clearance card and the fingerprint criminal history check.

• Explain how to submit a properly completed fingerprint submission packet.

• Identify the parts of a DPS results return.

• Identify the key elements of a standard state and FBI criminal history record.
Noncriminal Justice Compliance
Purpose #2

To familiarize noncriminal justice agencies with the compliance requirements under the Arizona Noncriminal Justice Fingerprint Compliance Program.

Laws and regulations regarding privacy and security must be followed, so that access to fingerprint-based criminal history records may remain available for the purpose of protecting the public, in particular, vulnerable populations such as children.
Objectives

• Name the user agency’s authorization and specific purpose.

• Describe the responsibilities of the Agency Security Contact.

• Describe the training requirements for Authorized Personnel.

• Describe fingerprint submission identity verification and tampering prevention practices.

• Name the privacy disclosures required by agencies accessing FBI fingerprint criminal history records.
User Agreement

- Required before fingerprint submission
- Cites a specific authorization and a purpose
- Signed by DPS and your agency head (CEO)
- Outlines Terms and Conditions of information exchange
- Requires the appointment of an Agency Security Contact
What is an Agency Security Contact?

All contact between DPS and the user agency regarding compliance, audits, and training starts with the Agency Security Contact (ASC).

• Primary Liaison
  • If we receive inquiries from other personnel at your agency, they will be referred back to the ASC.

• Agency compliance coordinator
  • Maintains agency file information
  • Ensures policies are followed
  • Coordinates authorized personnel training
  • Main contact for audits
NCJ Agency Information Change Form

- Noncriminal Justice Agency Guide Appendix E
- DPS website
- Email, fax or mail
NCJ Agency Information Change Form

• ASC change: Notify AIU within 30 days. Your agency could be suspended for not informing DPS of this change.

• Designate secondary ASC. Secondary ASC serves as a backup and receives program emails.

• Change Applicant Team contact:
  ○ ASC – primary liaison (default)
NCJ Agency Information Change Form

- CEO changes: If needed, AIU will send a new user agreement.
- Agency information changes: agency name, address, or phone number.
Authorized Personnel List (APL)

- NCJ Agency Guide Appendix F
- Email, fax or mail
Authorized Personnel List

Submit and maintain a complete APL.
Authorized Personnel List

What

• A list of **ALL** agency personnel who are authorized to access, use, handle, disseminate, and/or destroy CJI / CHRI

Why?

• Control access to criminal history
• Agency personnel know who else is authorized
• Privacy & Security training and accountability
Authorized Personnel List

• Who should be on the APL?
  • What about people who open the mail or file?
  • What about the person who has to make a decision if there’s a problem?

• Determination is up to the agency
  • Minimum number necessary
  • Background check all personnel (no felony convictions)
Authorized Personnel List

Information is need to know and limited to personnel on the APL.

• Do not share this information with other coworkers not on the APL.
• Be careful when going to lunch with coworkers and discussing in public.
• Do not discuss this at home with friends and family.
• Do not post this information on social media.
Authorized Personnel List

Ways of discussing information with a coworker who is not on the APL:

• Refer to as a “background check” and not as a “criminal history check”.

You cannot confirm the presence of, or deny the lack of criminal history to unauthorized personnel!
Required Training for Authorized Personnel

Security Awareness Training (CJIS Online)
1. Within 6 months of hire / appointment
2. Repeat every two years

Training in agency-specific policies & procedures
1. Within 6 months of hire / appointment
2. Repeat every two years
3. Designed by the user agency to cover specific requirements

NCJ classes cannot be substituted for these training requirements.
1 Security Awareness Training
Security Awareness Training

1. www.CJISonline.com
2. NCJ Classroom Handouts page 3

CJIS ONLINE TRAINING SUPPLEMENT
FOR NONCRIMINAL JUSTICE AGENCIES

This training supplement is intended to assist agencies with questions that may arise when their users view the standard online Security Awareness Training at CJISonline.com. The CJIS online training was initially drafted to provide a standard level of basic security awareness training to the widest possible audience. Noncriminal justice agency personnel may experience some confusion when reviewing the information originally drafted for criminal justice agencies and criminal justice contractors. This supplement is intended to alleviate any confusion about the variations in requirements between criminal justice and noncriminal justice agencies.

CJIS USER LOGIN INSTRUCTIONS
To view the standard online standard CJIS Security Training required for all agency Authorized Personnel:

1. Type www.CJISonline.com into your web browser’s address bar. Hit enter.
2. You should be at the CJIS Online home page which says “Welcome to the CJIS Online Portal”.
3. Click on the “CJIS Security Training” button to go to the log-in screen.
4. Arizona Noncriminal Justice agency log in by choosing “Arizona” from the drop-down menu in the “Choose State” box and typing in “sunny” for the password in the “Password” box. Then click the “Login” button.

<table>
<thead>
<tr>
<th>Choose State</th>
<th>Arizona</th>
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</thead>
<tbody>
<tr>
<td>Password</td>
<td>sunny</td>
</tr>
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</table>
5. Click the “Begin Training” button to view the online training. As you view the training, read the corresponding section noted on the following pages of this training supplement for further explanation for noncriminal justice agencies. Noncriminal Justice Agency personnel must view the following sections:

Section 1 Welcome
Section 2 Criminal Justice Information
Section 3 Information Technology Security
Security Awareness Training

Why?

Per the FBI CJIS Security Policy:

All criminal justice and noncriminal justice personnel who view CJI / CHRI MUST have minimum standard training.
Security Awareness Training

• Intended to address the basic security awareness needs of the widest possible audience.

• CJIS Online Training satisfies this criteria for noncriminal justice agencies.
Security Awareness Training

Welcome to CJIS Online
The industry standard provider for all your CJIS compliance needs

Full Administrator Login
Login page for Full Administrators to manage their local agencies and users

Agency Administrator Login
Login page for Agency Administrators to manage their local users

Vendor Login
Login page for Vendor Users to complete training and Admins to manage their company users

IT & Agency Users Login
Login page for IT and Agency Users to complete their training and testing

Security Training Login

Support
Security Awareness Training

CJIS Security Training Login

This login is intended for direct access to the CJIS Security Training. You must use the generic user name and password assigned by your state for access.

Note: If you are a vendor or IT employee, you must login using the appropriate section on the main page.

Login:
- Arizona
- Password

Login
Security Awareness Training

- Generic login - no record of who signed in when

- Read sections 1, 2, 4, 5, 6 and 7
  - Electronic storage agencies must read sections 8, 9 and 10

- There is no test for noncriminal justice agencies

- No certificate is issued upon completion

- Inform the ASC once training is completed so it can be logged
When CHRI is requested it’s sent directly to the agency and the information must be secured.

CHRI can only be faxed when authorized and consistent with the purpose for which it was originally requested.
Secondary dissemination of CHRI from one agency to another agency must be specifically authorized by law. If authorized, then the sending agency must log the dissemination according to dissemination rules and verify that the receiving agency is authorized and secure.

Having an OCA does not constitute authorization under noncriminal justice rules. For example: School District A and Non-profit B both have OCAs, but CHRI on Jane Doe may not be disseminated from School District A to Non-profit B.
Dissemination within an agency from one office to another is allowed as long as the dissemination occurs for the same purpose for which the CHRI was originally requested.

For example, CHRI is requested to see if an individual is qualified for a particular license, and the license is denied. The person appeals the denial, and the appeals process in that agency requires the information to be sent to the agency's review board. The CHRI can be sent from the licensing office to the review board because it’s the same agency using the information for the same suitability determination.
1 Security Awareness Training

To complete CJIS Online training, Authorized Personnel must:

- Read the CJIS Online Training Supplement provided by DPS AIU
- View CJIS Online training
- Advise the ASC when finished
- ASC logs completion on the Training Documentation Form
Training Documentation Form

- NCJ Agency Guide Appendix G
- Can make custom form
- Reviewed at audit

### NONCRIMINAL JUSTICE AGENCY TRAINING DOCUMENTATION FORM

<table>
<thead>
<tr>
<th>Name</th>
<th>First Time (F) or Refresher Training (R)?</th>
<th>Date of Security Awareness Training (CJIS online)</th>
<th>Date of Agency Privacy &amp; Security Training</th>
<th>Acknowledgement Statement signed? (Y/N)</th>
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The persons named above have received the required training in accordance with applicable rules and regulations.

ASC Printed Name: ___________________________ ASC Signature: ___________________________ Date: ___________________________

PLEASE PRINT CLEARLY: Keep training logs on file. Training logs will be reviewed during audits. The Arizona Department of Public Safety (DPS) will also periodically request the agency submit training logs as part of quality assurance and compliance review. Please do not send training logs to DPS unless requested.
Training in Agency-Specific Policies & Procedures
Training in Agency-Specific Policies & Procedures

Why?

Security Awareness Training (CJIS Online) only provides a generic, base-level overview of CJI / CHRI security.

Agency-provided training needs to cover agency specific policies & procedures.
Training in Agency-Specific Policies & Procedures

Fingerprint submissions

Agencies need to develop processes for fingerprinting applicants to ensure that the fingerprint card cannot be tampered with.
Training in Agency-Specific Policies & Procedures

Applicant identity verification

Why?

Main Goal

* Safety / protecting vulnerable populations and the general public
Training in Agency-Specific Policies & Procedures

Applicant identity verification

Things to consider...

- Photo ID
- Secondary ID
- Verbal checks
- See the Identity Verification Program Guide on Page 35 in the NCJ Classroom Handouts
Training in Agency-Specific Policies & Procedures

Fingerprint tampering prevention

Why?

Main Goal

• Safety / protecting vulnerable populations and the general public
Training in Agency-Specific Policies & Procedures

Fingerprint tampering prevention

- NCJ Agency Guide Appendix A
  - Use this if sending applicants off-site for fingerprinting

- NCJ Classroom Handouts Page 41 Scenario 1
  - People will try to have someone get fingerprinted for them if they have a criminal background
FBI Applicant Privacy Rights Notifications

Why?

Responsibilities

- Exercising due diligence
- Protecting applicant rights
- Safeguarding access for all users
Training in Agency-Specific Policies & Procedures

FBI Applicant Privacy Rights Notifications

How?

- NCJ Classroom Handouts page 9
Training in Agency-Specific Policies & Procedures

FBI Applicant Privacy Rights Notifications

Agencies must advise applicants of the following notifications PRIOR to being fingerprinted:

- Applicants must be notified in writing that their fingerprints will be used to check the criminal history records of the FBI.

- Applicants must be informed that they are allowed a reasonable time to complete and challenge the accuracy of the criminal history record.

- Agencies must notify applicants how to obtain a copy of the FBI record and that the guidelines for these procedures are contained in Title 28 CFR 16.34.
FBI Applicant Privacy Rights Notifications

- The written notification to the applicant must be provided in a format where the applicant can take a copy with them.

- ALL applicants must be advised of this, not just those who dispute an employment/license denial.
Training in Agency-Specific Policies & Procedures

NCJ Agency Guide page 44

Section 3 - Basic Privacy & Security Guidelines
NONCRIMINAL JUSTICE COMPLIANCE WORKSHEET

PART 1 - POLICIES AND PROCEDURES

Use the Arizona Noncriminal Justice Agency Guide and "NCJA Compliance Training" course materials as resources. Some categories below have verbatim examples which are adapted from policies/procedures used by other agencies. You are under no obligation to use the wording of the examples or to adapt the examples as part of your processes. The examples are not intended to be legal advice on how to write your agency's policies and procedures, each agency is encouraged to consult its legal adviser for wording and policies appropriate for its own type of organization.

USE

How does the agency ensure CHRI is only used for the purpose for which it was requested?

Points to consider:
- Do you state the purpose for which CHRI is requested? (If you don't state what it is used for, then how are people supposed to know what the use is limited to?)
- What does your agency's authorization say about your agency's use/purpose?
- Are there any additional laws/regulations which apply to your agency as far as criminal history results are concerned?

References to review: NCJA Guide Section 3, NCA Guide Section 5.2.3

Examples
- "Criminal history information is only be used for the specific purpose for which it was requested (employment)."
- "The school district completes fingerprint-based criminal history checks for paid and unpaid personnel under the authorization of Arizona Revised Statutes 18-531 and Board Governing Board policy."
- "CHRI shall only be used for the specific purpose for which it was requested, which is for employing paid sworn firefighters, reserve firefighters or volunteer firefighters (ARS 68-80)."

ACCESS

Who is authorized to access/view the CHRI?

Points to consider:
- Consider categories of people or people with certain job duties - not names of individuals.
- What are the criteria to be part of the Authorized Personnel?
- Do you have procedures for how Authorized Personnel receive the agency's privacy and security training?

References to review: NCJA Guide Section 3, NCA Guide Section 4.1.2, NCA Guide Section 5.2.1 (A2) & 5.2.3

Examples
- "Human Resources (HR) staff that may possibly come in contact with criminal history information will be given access to authorized criminal history information. Those individuals include the HR director, HR specialists, HR secretaries, and HR receptionists. Upon termination of authorized personnel, HR will update its list with DPS within 48 hours of termination."
- "District authorized personnel are Human Resources employees."
- "The Human Resources Department will manage the fingerprint checks for paid city employees, excluding the Police Department. The Community & Recreation Services Department will manage the checks for volunteers, part-time, and contract employees. The Authorized Personnel List shall contain the minimum number of employees necessary, but will include all personnel who may possibly come in contact with CHRI."

Policies & Procedures

If you want to write them yourself...

- NCJ Classroom Handouts page 20
Example Noncriminal Justice Agency Policies and Procedures

Revised June 20, 2018

Note: Please read these policies in their entirety. You cannot simply copy and paste your agency name on these policies for them to be complete or accurate. You must also customize these policies to reflect your agency-specific procedures. Everything listed here will be verified during the audit process.

As a guideline, text that is highlighted in yellow is where you enter your agency name.

Text that is highlighted in green is either instructions for you or a decision that you must make to reflect your policies. Remove/modify the applicable text from the final document as needed.

GENERAL ADMINISTRATION

I. Purpose
Agency Name may use the Criminal Justice Information (CJII) or Criminal History Record Information (CHRI) obtained from the Arizona Department of Public Safety (DPS) only for the specific purpose of evaluating (state the purpose from your user agreement, i.e. employee, volunteers, contractors, license, etc). CJ/CHRI may not be reused for any other purpose.

II. Authority
Agency Name has the authority to submit fingerprints to the Arizona Department of Public Safety for fee-based state and federal criminal history checks pursuant to your user agreement with the Arizona Department of Public Safety, the Arizona Department of Criminal Justice (ADOC), or the FBI, including local law enforcement, local probation, etc. The authority is listed in the Noncriminal Justice User Agreement between the Arizona Department of Public Safety and Agency Name.

III. Agency Security Contact (Primary Liaison)
Agency Name’s Agency Security Contact (ASC) is the point of contact with DPS through which all communication with DPS regarding audits, agency/personnel information changes and training and security are conducted. The ASC will maintain all authorized personnel training on the NJIA Training Documentation Form (or similar document). This information will be available at time of audit. The ASC can receive and disseminate communication updates from DPS. For the responsibilities of the ASC, refer to the Agency Security Contact Basic Responsibility worksheet in the training handbook.

IV. Authorized Personnel
Agency Name’s Human Resources (HR) staff may encounter CJII/CHRI. Authorized personnel will be given access to view and handle the CJII/CHRI after completing the required training (CJII Online Security & Awareness training and receiving our agency-specific policies and procedures) and the one-time signing of an acknowledgment statement. The Authorized Personnel consists of the following job titles in Department Name (do not include and designated Agency Security Contact (ASC)). Refer to the Authorized Personnel List for the most current authorized personnel. The authorized personnel are aware of the other personnel on this list. Upon termination of authorized personnel, the ASC will update the Authorized Personnel List with DPS as soon as possible.

Policies & Procedures

If you would like a template that covers everything already...

• Supplied with audit notification packet
• DPS website
Training in Agency-Specific Policies & Procedures

Conduct the Training

- Scheduled meeting
- Annual training day
- Individual review and sign off
- Lunch and learn

- E-learning
- Special training session
- PowerPoint presentation
Privacy & Security Guidelines

• What does your agency need to work on first?

• What stuck out most about these guidelines?

• Take a moment to make a note about something your agency may need to work on, review, or has changed recently.
Acknowledgement Statements

Written notification of the consequences for misuse of criminal history.

• Signed by all Authorized Personnel
• Maintained at agency
• Reviewed during audits
• Examples in NCJ Classroom Handouts
  pages 30-32
Compliance Audits

All noncriminal justice users are subject to routine fingerprint compliance audits.
Compliance Audits

• An audit is conducted to assess compliance with state and federal policies and regulations.
• An audit addresses general administration, fingerprint submissions, privacy & security, and training.
• Required triennially
• FBI mandated noncriminal justice audits began in 2017
• Criteria is based on FBI CJIS standards and the National Crime Prevention and Privacy Compact Council
Routine Audit

• The ASC is the primary contact for the audit.

• Written notification of a routine triennial audit will be sent to the ASC by e-mail.

• Audit will be telephonic or in person.
Routine Audit

• The ASC’s role:
  • Review audit packet
  • Ensure all information on file is current.
  • Complete questionnaire, fingerprint chart, and other paperwork.
  • Submit documentation by the due date.
  • Be present for the audit.
    • Additional staff as needed
Directed Audit

A directed audit is a compliance audit that takes place as a result of an allegation of misuse.

• Most are due to unauthorized release of CJI / CHRI
• ASC will be contacted by phone and an on-site administrative review by AIU auditors will be scheduled immediately.
• The focus of the audit will be on the alleged incident, agency policies and training.
Audit Results

• All audits result in a written audit report mailed to the ASC and the CEO.

• Any compliance issues are noted in the report, and a deadline is given for corrective actions to be submitted by the agency.

• The ASC is the point of contact for the corrective actions.
What does my agency need to do right now?

As soon as possible:
- Make sure agency information is up to date.
- Send in Authorized Personnel List
- Train Authorized Personnel on CJIS Online

Work on:
- Review agency processes
- Formulate policies / procedures
  a. Write down what you do have
  b. Add what you don’t have
- Train Authorized Personnel on internal processes
- Acknowledgement Statements
What’s on the test?

- Most of the same questions as the audit interview
- Has references to look up more information
Remember our objectives?

- Name the user agency’s authorization and specific purpose.
- Describe the responsibilities of the Agency Security Contact.
- Describe the training requirements for Authorized Personnel.
- Describe fingerprint submission identity verification and tampering prevention practices.
- Name the privacy disclosures required by agencies accessing FBI fingerprint criminal history records.
Q&A Session

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Access Integrity Unit - Noncriminal Justice Compliance Team
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(602) 223-2926 Fax
NCJA@azdps.gov

Applicant Clearance Card Team (602) 223-2279