POLICY TITLE: Release of Arrest History

APPROVED BY: Wayne Jerman, Chief

REQUIRED REVIEWERS: Patrol Captain, Records Department Supervisor

POLICY/PURPOSE:
This policy will provide guidance for Cedar Rapids Police Department (CRPD) employees on the releasing of criminal history information. The purpose of this policy is to establish a set of formal guidelines to allow the CRPD to conform to federal regulations, state laws, and City Attorney's rulings concerning the dissemination of criminal history data information.

DEFINITIONS:
Criminal History Data Information
Criminal History Data means any or all of the following information maintained by the CRPD in a manual or automated data storage system and individually identified:

Arrest Data
Arrest data means information pertaining to an arrest for a public offense and includes the charge, date, time, and place. Information is confirmed on the Iowa Courts Online website.

Conviction Data
Conviction data means information that a person was convicted of or entered a plea of guilty to a public offense and includes the date and location of commission and place and court of conviction. Information is confirmed on the Iowa Courts Online website.

Disposition Data
Disposition data means information pertaining to a recorded court proceeding subsequent and incidental to a public offense arrest and includes dismissal of the charge, suspension or deferral of sentence. Information is confirmed on the Iowa Courts Online website.

Adjudication Data
Adjudication data means information of a judicial decision or sentence, act of a court in making an order, judgment or decree.

Criminal History Data
Criminal History Data Information as referred to in this Order will mean the following:
- DCI rap sheet
- FBI rap sheet
POLICY TITLE: Release of Arrest History

STANDARD/REF #:

APPROVED BY: Wayne Jerman, Chief

REVIEWED DATE: 7/7/2016

REQUIRED REVIEWERS: Patrol Captain, Records Department Supervisor

REVISED DATE: 7/7/2016

ACCESS TO CRIMINAL HISTORY RECORDS

The following people will have access to criminal history data information. All other employees are expressly forbidden to have access to any criminal history data information:

- CRPD Officers
- Civilian employees assigned to the Record Room
  - This includes all employees specifically hired as Record Room personnel.
  - Civilian personnel assigned by the proper authority to work in the Record Room either on a permanent or temporary basis, who are NCIC certified.
- Other civilian employees who are NCIC certified
- CRPD Reserve Officers, who are NCIC certified
- Joint Communications Personnel, who are NCIC certified

REQUESTING AND DISSEMINATION OF CRIMINAL HISTORY:

Criminal history obtained through the Iowa System/NCIC will not be released to anyone except duly constituted and recognized criminal justice agencies. These include the municipal, state, and federal courts, all law enforcement agencies, parole and probation officers, or any other governmental agency that performs as its principle function the apprehension, adjudication, incarceration, or rehabilitation of criminal offenders. The name(s) of the agencies the information is disseminated to will be recorded when requesting the Criminal History.

Non-criminal justice agencies, businesses, non-profit organizations, etc., requesting statewide criminal history information must obtain it through the Iowa Division of Criminal Investigation in Des Moines. This would include employers as well as the general public.

Criminal history information obtained from these sources may not be shown to that individual who is the principal named on the record.

Criminal history data information requested and received on an individual on the Iowa System/NCIC terminal must be recorded. Therefore, an electronic "Criminal History Log" is hereby established. The electronic "Criminal History Log" will be used and will be internally kept. Access to this electronic logging system will be through the Computer Systems Specialist.

Any request for criminal history from the CRPD will only be received from other law enforcement related agencies. These requests should be directed to the Crime Analysis Unit.

Criminal History requests must include the following information:

- Name of the individual
- Date of birth
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- Sex of the individual (if known)
- Race of individual (if known)
- FBI number (if known)
- Purpose of the request
- When a Criminal History is requested on an individual of a criminal investigation, the type of investigation shall be included in the request.
- The name and title of the person requesting the Criminal History. (This not the computer operator’s name.)
- If the Criminal History is to be shared with another law enforcement agency, the name of the agency and the name of the individual will be included in the initial request, and this information must be manually logged as a secondary re-dissemination.

No officer or employee of this department will allow vehicle registration or driver’s license information or any other information obtained through the Iowa System/NCIC to be released or shown to anyone except duly recognized criminal justice personnel. However, a commanding officer, with valid cause, may allow this information to be given out (i.e. mall security, campus security, etc.). Any person requesting a vehicle registration or driver’s license information shall be allowed to have this information if the commanding officer is satisfied that there is a valid need for them to have said information.