



CRYSTAL POLICE DEPARTMENT

Department Policy Manual

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PURPOSE

To afford greater protection of the privacy of individuals, the federal government and state of Minnesota have passed laws governing the collection, storage, and dissemination of criminal record and criminal history information. This policy is intended to supply pertinent information regarding criminal history information to police department employees.

The limitations on collection, storage, and dissemination apply only to that information collected by the Crystal Police Department consisting of identifiable descriptions, and any disposition arising therefrom sentencing, correctional supervision and release.

POLICY

The regulations do not apply to criminal history information in the following:

- Posters, announcements, or lists for apprehending fugitives or wanted person.
- Original records of entry such as the jail record which are compiled chronologically. Such information can be made public if the records are accessed on a chronological basis.
- Intelligence or investigative information (e.g., suspected criminal activity, associates, hangouts, financial information, ownership of property or vehicles).

Criminal history record information shall only be disseminated to:

- Other criminal justice agencies
- All other disseminations must have the approval of the Chief of Police
- The Crystal Police Department must, however, verify the recipient's eligibility to obtain criminal history apprehension. The Bureau of Criminal Apprehension (BCA) will verify that the agency has signed a standard user's agreement.
- No information will be disseminated to a non-criminal justice agency.

RESTRICTIONS

No employee of the Crystal Police Department will disseminate juvenile records to other agencies except criminal justice agencies.

No employee of the Crystal Police Department will confirm the existence or non-existence of a criminal history record.

Any employee disseminating the information must query the Central Repository (BCA) prior to dissemination of the information to determine the accuracy of the information.

RIGHTS OF SUBJECTS OF DATA

The rights of individuals on whom the data is stored or to be stored shall be as follows:

- An individual is asked to supply private or confidential data concerning themselves shall be informed of:
 - Both the purpose and intended use of the requested data.
 - Whether he/she may refuse or is legally required to supply the requested data.
 - Any known consequence arising from his/her supplying or refusing to supply private or confidential data.
- Upon request of the Crystal Police Department, an individual shall be informed whether he/she is the subject of the stored data on individuals and how it is classified. Upon his/her further request, an individual who is the subject of stored public or private data on individuals shall be shown the data without any charge to him, and, if he/she desires, informed of the content and meaning of that data. The individual, however may not be shown confidential data (the information collected on a case which is active). After an individual has been shown the data and informed of its meaning, the data need not be disclosed to him for six months thereafter unless a dispute or action pursuant to this section is pending or additional data on the individual has been collected. The Crystal Police Department shall provide copies of the data upon request by the individual subject of the data, providing that the cost of providing copies is borne by the requesting individual.
- Before disseminating information to the subject of the data, they must be positively identified by use of fingerprints or a valid Minnesota driver's license or identification.

PENALTIES FOR MISUSE OF CRIMINAL HISTORY INFORMATION

The Crystal Police Department, or any individual employed by it, violating any regulation concerning dissemination shall be subject to a fine in accordance with current laws. Any individual violating the regulations concerning the rights of subjects are guilty of a crime and are subject to suspension without pay or dismissal.