



FOREST LAKES FIRE DISTRICT

0022 Noncriminal Justice Fingerprinting Policy & Handling of Such



Purpose

The purpose of this procedure is to inform all District employees on how the District will comply with the access, use, handling, dissemination, and destruction of criminal justice information (CJI) and criminal history record information (CHRI).

Definitions

This policy applies to all personnel, and gives specific instruction to employees who are designated as Authorized Personnel with the Arizona Department of Public Safety.

Policy

The Arizona Revised Statute ARS§41-1750 provides state authorizations for dissemination of criminal justice information and criminal history record information to authorized noncriminal justice agencies. This policy outlines the District's compliance responsibilities and liability for appropriate information handling, and requirements associated with the use of the state and federal criminal history fingerprint-based background check process.

As part of its background check on new and prospective employees, FLFD conducts fingerprint-based criminal history record checks with the Arizona Department of Public Safety (AZDPS.) Records returned could include state and federal criminal history information, depending on which type of record is requested.

Criminal history information is only to be used for the specific purpose for which it was requested.

Secondary dissemination of criminal history record information (sharing with another agency/person for example) is strictly prohibited.

The FLFD Administrative Assistant will be designated as the Agency Security Contact with AZDPS and the FLFD Fire Chief will be listed as an additional Authorized Personnel. Authorized personnel who may possibly come in contact with criminal history information will be given access to view and handle criminal history information. The Agency Security Contact will be responsible for



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maintaining the Authorized Personnel List with AZDPS, as well as conducting the required training for new and continuing Authorized Personnel. Upon termination of a member on the Authorized Personnel List, the Agency Security Contact will update its list with AZDPS within 72 hours of termination.

The top portion of the fingerprint card is to be filled out by the applicant, and the FLFD employee taking the fingerprints must verify the identity of the person being fingerprinted. Verify the identity by means of a locally issued federal/state picture id that clearly shows applicants Name, DOB, Signature, etc. A photo copy of the identification used to verify the applicants identity is to be placed in the CJI/CHRI file. Fingerprints shall be taken in-house, and the fingerprint card should not be returned to the applicant after the prints have been obtained, to protect the integrity of the process. If a FLFD employee is unavailable and fingerprints are taken by an outside law-enforcement agent/agency, measures shall be taken to ensure that tampering of the fingerprint card has not occurred prior to submission to FLFD, including the use of a chain-of-custody form if applicable.

The Agency Security Contact will complete the processing of the fingerprint card, including preparing the submission form and requesting the appropriate payment. FLFD will not require applicants to pay for fingerprint processing.

All criminal history record information received by the District office is to be stored in a locked filing cabinet. Only Authorized Personnel may have access to this information. Criminal history record information will not be stored electronically.

Authorized Personnel may discuss the contents of the criminal history record with the applicant or employee in a private and secure place. Care should be taken to prevent casual unauthorized release of criminal history information. The applicant or employee may not be given a copy of the record; the record is for district use only. The applicant or employee should be informed that if he/she wishes to challenge the content of the record, a Review and Challenge packet for Arizona criminal history can be obtained from DPS Criminal History Records. Information on challenging an FBI record can be obtained by contacting the FBI directly.

Criminal history record information will be maintained in a file by the Agency Security Contact, separate from personnel files. Retention of these records will follow the district's regular retention schedule.

When the criminal history record has reached the end of the retention period, it must be completely destroyed by shredding. Originals and any copies must be



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destroyed by personnel who are authorized to handle or access criminal history record information.

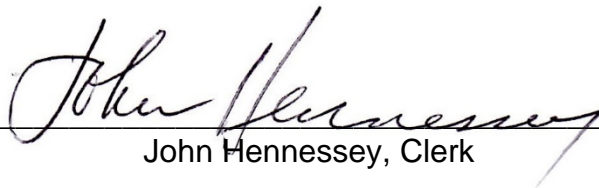
The Forest Lakes Fire District has the responsibility to ensure that all personnel are aware of the consequences that may result from unauthorized use of CJI/CHRI. In the event of deliberate, reckless or unintentional misuse of criminal history record information, the employee will be subject to disciplinary action as outlined in FLFD Policy 0005 – DISCIPLINARY MEASURES & DISMISSALS, **ARS§41-1756*** and/or other federal and/or state penalties may also apply depending on the circumstances of the release and the specific statute which is violated.

Unauthorized release could potentially expose the District and/or authorized personnel to civil liability.

***ARS§41-1756** states it is a class 6 felony in Arizona for a person to:

- ✓ Give criminal history record information to someone who is not authorized to receive it.
- ✓ Allow unauthorized access to criminal history information.
- ✓ Use criminal history record information for any other purpose other than those provided for in ARS§41-1750.

Approved by the Forest Lakes Fire District Board on: **10-19-19** .



John Hennessey, Clerk