

Rules of
Department of Public Safety
Division 30—Director’s Office
Chapter 4—Missouri Criminal Records
Repository and Privacy/Security Information

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**Title 11—DEPARTMENT OF
PUBLIC SAFETY**

Division 30—Director's Office

**Chapter 4—Missouri Criminal Records
Repository and Privacy/Security
Information**

11 CSR 30-4.010 Definitions

PURPOSE: This rule defines terms used in the rules for maintaining the Records Repository.

PUBLISHER'S NOTE: The secretary of state has determined that the publication of the entire text of the material which is incorporated by reference as a portion of this rule would be unduly cumbersome or expensive. Therefore, the material which is so incorporated is on file with the agency who filed this rule, and with the Office of the Secretary of State. Any interested person may view this material at either agency's headquarters or the same will be made available at the Office of the Secretary of State at a cost not to exceed actual cost of copy reproduction. The entire text of the rule is printed here. This note refers only to the incorporated by reference material.

(1) Missouri Criminal Records Repository (MCRR)—The Missouri State Highway Patrol Criminal Records Division, located at 1510 East Elm, Jefferson City, Missouri will also be known as the Missouri Criminal Records Repository. MCRR is responsible for compiling and disseminating complete and accurate criminal history record information.

(2) Reportable offenses—All offenses listed in the Missouri Charge Code Manual that are identified as being reportable to the MCRR.

(3) Criminal history record information (CHRI)—Information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, information or other formal criminal charges and any disposition arising from criminal charges, sentencing, correctional supervision and release.

(4) Final dispositions—The formal conclusion of a criminal proceeding at whatever stage it occurs in the criminal justice system.

(5) State offense cycle number (OCN)—A preprinted number on the state fingerprint card which is used to identify each arrest which may include multiple offenses for which a person is fingerprinted. This number will be associated with an offense from the

date of arrest to the date the offender exits from the criminal justice system.

(6) Without undue delay—As soon as possible but not later than thirty (30) days after the criminal history event.

(7) Administration of criminal justice—Performance of any of the following activities: detection; apprehension; detention; pre-trial release; post-trial release; prosecution; adjudication; or correctional supervision or rehabilitation of accused persons or criminal offenders. The administration of criminal justice shall include criminal identification activities and the collection, storage and dissemination of criminal history record information, including fingerprint searches, photographs and other indicia of identification.

(8) Police agency—Each city, county and state agency having employees with peace officer powers, regardless of size.

(9) Peace officer—Members of the state highway patrol, all state, county and municipal law enforcement officers possessing the duty and power of arrest for violation of the general criminal laws of the state.

(10) Statewide judicial information system (SWJIS)—The automated information system established by the Supreme Court to collect and compile court caseload data. The system is maintained by the Office of State Courts Administrator, Jefferson City, Missouri.

AUTHORITY: sections 43.500 and 590.100, RSMo 1986. Original rule filed Aug. 4, 1987, effective Oct. 25, 1987. Amended: Filed July 15, 1991, effective Nov. 30, 1991.*

**Original authority: 43.500, RSMo 1986 and 590.100, RSMo 1978, amended 1988.*

**11 CSR 30-4.020 Agencies and Persons
Required to Furnish CHRI**

PURPOSE: This rule establishes who is required to furnish criminal history record information to Missouri Criminal Records Repository.

(1) All police agencies, prosecuting and circuit attorneys, court clerks and the Department of Corrections shall furnish criminal history record information to Missouri Criminal Records Repository without undue delay.

AUTHORITY: section 43.503, RSMo 1986. Original rule filed Aug. 4, 1987, effective Oct. 25, 1987.*

Original authority: 43.503, RSMo 1986.

**11 CSR 30-4.030 Police Agency Procedures
for Furnishing Descriptions of Persons and
Their Charges to MCRR and Prosecuting
or Circuit Attorneys**

PURPOSE: This rule establishes a system for each police agency to follow when furnishing a description of a person and his/her charges to Missouri Criminal Records Repository and to prosecuting or circuit attorneys.

(1) A police agency shall be responsible for completing a fingerprint card/form set supplied by Missouri Criminal Records Repository (MCRR) on reportable offenses as instructed in the following sections. The form set consists of a card having blocks to be filled in on both sides, and two (2) carbon copies having blocks to be filled in only on their front side. Normally the parts of the form set will not be separated until the front side has been filled in, including a complete set of fingerprints. In any event the officer or clerk making the entries on the front of the card shall verify that the same information is readable on the carbon copies. Listed as follows are procedures for police agencies to follow when taking a person into custody:

(A) Two (2) or more agencies/same offense—If peace officers from two (2) or more police agencies arrest a person for the same offense(s), the agency that will forward the information to the prosecutor or make application for warrant shall be responsible for completing the fingerprint card/form set and forward the appropriate forms to the prosecuting or circuit attorney;

(B) Single agency/prosecution—When an arresting officer releases a person s/he has arrested to a receiving officer who routinely reports to the same prosecuting or circuit attorney, the arresting officer should complete the fingerprint card/form set and forward the forms to the prosecuting or circuit attorney;

(C) Agency turned subject over to different jurisdiction—A police agency arresting a person, with or without a warrant, and releasing the person to a police agency in a different prosecutory jurisdiction for prosecution shall be responsible for completing the fingerprint card/form set and indicating in the final disposition block #19 as turned over to (TOT) or posted bond, name and address of police

agency, date and warrant number if available. The forms should be destroyed;

(D) Agency receiving subject from different jurisdiction—A police agency taking custody of a person arrested by an officer who routinely reports to a different prosecuting or circuit attorney shall also be responsible for completing a fingerprint card/form set and forwarding the disposition forms to the prosecuting or circuit attorney;

(E) Municipality/multiple counties—When peace officers arrest a person in reference to one (1) of their cases, regardless of the county of prosecution, they are responsible for completing the fingerprint card/form set and forwarding the forms to the prosecuting or circuit attorney. The agency who takes custody of the offender will not refingerprint the person. Example: Kansas City Police Department arrests a person in Jackson County in reference to a Kansas City case in Clay County. Kansas City Police Department would be responsible for completing the fingerprint card/form set and then submitting the disposition form set to the prosecuting attorney of Clay County. When Clay County authorities take the offender into custody, no additional fingerprints should be taken;

(F) Probation violation subject printed on original charge—When a peace officer arrests an individual for a probation violation and the person has been fingerprinted on the original charge, no additional fingerprints will be required. The court has agreed to include the offense cycle number (OCN) on the warrant. If it is unknown whether the person has been fingerprinted or if additional charges are listed in conjunction with the probation violation, the fingerprint card/form set is required and forms should be forwarded to the prosecuting or circuit attorney; and

(G) Arrest without warrant—If a peace officer makes an arrest in his/her jurisdiction without a warrant, s/he will fingerprint the individual and submit the forms to the prosecuting or circuit attorney for his/her action. If a warrant is issued for the person, the OCN number will be listed on the warrant. If the person is released pending issuance of the warrant, s/he need not be fingerprinted when the arrest warrant is served unless additional charges are included.

(2) A police agency shall be ordered by the court to fingerprint and be responsible for completing a fingerprint card/form set on persons for which the court has pronounced sentence, if it determines that the person has not been previously fingerprinted for the same case. The police agency shall forward the fingerprint card to MCRR.

(3) The form set should be forwarded to the appropriate personnel by the arresting officer under the following conditions:

(A) A peace officer reports a reportable offense to a prosecuting or circuit attorney; and

(B) When peace officers arrest a person in reference to one (1) of their cases, regardless of the county of prosecution, the arresting officer should complete the fingerprint card/form set and submit the form set to the prosecuting or circuit attorney.

(4) The form set shall be destroyed under the following conditions:

(A) Arrested subject released, information not referred to prosecuting or circuit attorney; or

(B) If the person arrested is turned over to a peace officer or posted bond for prosecution in a different jurisdiction, with the exception of subsection (3)(B).

(5) Both sides of the fingerprint card are illustrated in Figures #1 which represents the front side and #2 which represents the back side.

(A) The card should be completed by using a typewriter. The completed fingerprint card less the disposition forms shall be forwarded to MCRR without undue delay.

(B) Instructions for completing the card are as follows:

1. State assigned identification number (SID), enter number if available in your file;
2. Complete name of subject arrested;
3. Give OCN. Preprinted eight (8)-digit number;
4. Use your agency's OCN if assigned;
5. List any known aliases the subject uses;

6. State arresting agency identifier (ORI), MO _____, name and address of arresting agency;

7. Leave blank (for state usage only);

8. Provide signature of person fingerprinted. Should be signed in ink;

9. Enter date of birth of subject arrested. If subject is a juvenile, court certification that subject is to be tried as an adult must be attached;

10. Give date subject was fingerprinted and the signature of official taking the fingerprints. Signature should be in ink;

11. State sex, race*, height, weight, hair and eye color of subject arrested

* W White (includes Mexicans and Latinos)

B Black

I (American Indian or Alaskan Native)

A (Asian or Pacific Islander)

U Unknown;

12. Give place of birth of subject arrested, state, territorial possessions, province or country of birth;

13. Date subject arrested or received;

14. Use your local agency case number;

15. Enter brief description of all charges and National Crime Information Center (NCIC) offense code, also the offense penal range (see Missouri Charge Code Manual). If the arrest is for parole or probation violations, include original charge information. Enter any additional charges in space #32;

16. Give FBI number of subject arrested if available in your file;

17. Leave blank (for state usage, fingerprint classification);

18. Same as #1. Enter SID number if available in your file;

19. Enter one (1) of the following final dispositions if appropriate. Include warrant number if available:

A. TOT, name of police agency, date of disposition (use only when it is a different prosecutory jurisdiction);

B. Posted bond, name of agency who wanted the individual, date (use only when it is a different prosecutory jurisdiction); or

C. Released, information not referred to prosecuting attorney or circuit attorney;

20. State Social Security number of the person arrested;

21. Fingerprint blocks, a complete set of ten (10) prints shall be obtained;

22. Use to indicate if palm prints and/or photograph are available;

23. Provide arresting agency name and ORI. If your agency is the contributor of the fingerprint card and your ORI is entered in block #6, leave blank;

24. Give county of arrest and arresting officer's badge number;

25. Enter the Missouri statute(s) violated and corresponding Missouri offense code for all charges listed in block #15 (see Missouri Charge Code Manual);

26. Name subject's employer if available;

27. Give occupation of subject arrested;

28. Provide residence of subject arrested;

29. Include all scars, marks, tattoos and amputations of person arrested;

30. Enter basis for caution;

31. Give date of offense if different than date of arrest;

32. Additional charges information should be included in this space. If charges are indicated, attach a list of these charges to the form set that is to be forwarded to the prosecuting or circuit attorney; and



33. Enter the name and complete address of agencies desiring a copy of the subject's criminal history record.

AUTHORITY: sections 43.503 and 43.506, RSMo 1986. Original rule filed Aug. 4, 1987, effective Oct. 25, 1987. Amended: Filed July 15, 1991, effective Nov. 30, 1991.*

**Original authority: 43.503, RSMo 1986, amended 1990 and 43.506, RSMo 1986, amended 1989, 1991.*

11 CSR 30-4.040 Prosecuting and Circuit Attorney Procedures for Furnishing CHRI to MCRR and the Courts

PURPOSE: This rule establishes a system for each prosecuting and circuit attorney to follow when furnishing criminal history record information to Missouri Criminal Records Repository.

(1) Each prosecuting and/or circuit attorney, upon filing a reportable offense reported by a peace officer, shall furnish the information to Missouri Criminal Records Repository (MCRR) either by submitting the blue carbon copy of the disposition form set or by electronic medium. The white copy of the form set shall be furnished to the court of jurisdiction for purposes of making the offense cycle number (OCN) available to them. When charges are not filed, the complete form set shall be destroyed. If the OCN is known at the time the information or complaint is filed by the prosecuting or circuit attorney, the OCN shall be provided to the court. If the defendant is scheduled to appear in separate court divisions, the OCN shall be provided to each division. If the OCN is not known at the time of filing, the prosecuting or circuit attorney shall provide the number to the court as soon as known. When the court issues the warrant, the OCN should be listed on the warrant. The blue carbon copy is illustrated in Figure #3. The white court copy is illustrated in Figure #4. If reporting manually, the following method should be followed:

(A) Entries shall be made in blocks 1-5.

(B) Complete as instructed using typewriter or hard tip pen—

1. The prosecuting or circuit attorney must indicate the charges filed for the OCN. All other charges reported by the arresting agency will be considered not filed by MCRR;

2. Enter prosecutor's case number if charge(s) filed;

3. Enter the originating agency identifier (ORI) number of the prosecuting or circuit attorney's office;

4. Enter date the action taken; and

5. Provide the signature of the prosecuting or circuit attorney taking the action.

(2) If electronic reporting is approved by the Criminal Records Committee, similar information must be provided in the appropriate format.

(3) Any change(s) in the prosecuting or circuit attorney's action shall be reported to MCRR.

(A) The supplemental action form illustrated in Figure 5 will be used for reporting any changes if the blue copy of the prosecutor's action form previously has been submitted to MCRR.

(B) The form should be completed as follows:

1. Enter defendant's name;

2. Enter at least two (2) numeric identifiers (subject's date of birth, OCN or SID);

3. Enter charge(s), date of arrest and count number(s) for which the supplemental information pertains;

4. Enter changes in prosecutor's or circuit attorney's action;

5. Enter any comments pertaining to the case;

6. Enter reporting agency name, address and ORI;

7. Give date of report; and

8. Provide the signature of person completing the form.

(4) In the event a court pronounces sentence, including an order of supervision or an order of probation granted for any offense which is required by statute to be collected by MCRR, the prosecuting attorney or the circuit attorney of a city not within a county shall ask the court to order a police agency to fingerprint immediately all sentenced persons appearing before the court who previously have not been fingerprinted for the same case. The police agency shall submit these fingerprints to MCRR without undue delay.

AUTHORITY: sections 43.503 and 43.506, RSMo 1986. Original rule filed Aug. 4, 1987, effective Oct. 25, 1987. Amended: Filed July 15, 1991, effective Dec. 9, 1991.*

**Original authority: 43.503, RSMo 1986, amended 1990 and 43.506, RSMo 1986, amended 1989, 1991.*

11 CSR 30-4.050 Court Clerk Procedures for Furnishing CHRI to MCRR and to Department of Corrections

PURPOSE: This rule establishes a system for each court clerk to follow when furnishing criminal history record information to

Missouri Criminal Records Repository and to the Department of Corrections.

(1) The court clerk shall furnish Missouri Criminal Records Repository (MCRR) with the final disposition of each case relating to a reportable offense filed by a prosecuting or circuit attorney to include when that offense is reduced. When a case has a charge(s) still pending after the disposition forms have been forwarded to MCRR, MCRR will forward disposition forms to the court of jurisdiction for the reporting of dispositions on the remaining pending charge(s). The court clerk shall report in one (1) of the following ways:

(A) By submitting the necessary case disposition and supplemental court action data to the Statewide Judicial Information System (SWJIS); or

(B) By submitting the necessary case disposition data by electronic medium which has been approved by the Criminal Records Committee.

(2) When a change of venue is granted, the court clerk where the case was originally filed shall forward the state offense cycle number (OCN) received from the prosecuting or circuit attorney together with all other original papers to the court to which the case was transferred. The court clerk where the case was originally filed shall report the change of venue to SWJIS identifying the court to which the case was transferred.

(3) When the court pronounces sentence, including an order of supervision or an order of probation granted for any offense which is required by statute to be collected by MCRR and it is determined that the person(s) appearing before the court previously has not been fingerprinted for the same case, upon request of the prosecuting or circuit attorney, the court shall order a law enforcement agency to fingerprint immediately all sentenced person(s). The police agency shall submit these fingerprints to MCRR without undue delay and provide the OCN to the court of jurisdiction.

(4) When the court receives a complaint or information which contains an OCN from the prosecuting or circuit attorney, the OCN shall be listed on the warrant when it is issued.

(5) If a warrant is issued by the court for a probation violation on a reportable offense, the court clerk shall list the OCN from the original charges on the warrant.

(6) The court clerk shall report the original charge, including the OCN, if the probation is revoked.

(7) The court clerk shall also furnish the Department of Corrections information on all defendants convicted and sentenced to their department for custody supervision. The report shall include, but is not limited to, the name of the convicted person, state OCN, if known, charge, Missouri statute number, if known, court case number, date of sentence and length of sentence on all counts.

AUTHORITY: sections 43.503 and 43.506, RSMo 1986. Original rule filed Aug. 4, 1987, effective Oct. 25, 1987. Amended: Filed July 15, 1991, effective Dec. 9, 1991.*

**Original authority: 43.503, RSMo 1986, amended 1990 and 43.506, 1986, amended 1989, 1991.*

11 CSR 30-4.060 Department of Corrections Procedures for Furnishing CHRI to MCRR

PURPOSE: This rule establishes a system for the Department of Corrections to follow when furnishing criminal history record information to Missouri Criminal Records Repository.

(1) The Department of Corrections shall furnish Missouri Criminal Records Repository (MCRR) with a complete description, including fingerprints, state offense cycle number, charge, state statute, Missouri state charge code, court case number, sentencing date, sentencing county and length of confinement. The criminal history record information (CHRI) for each charge for which a person is serving shall be forwarded to MCRR on a specially designed fingerprint card which will be supplied by MCRR.

(2) Each time there is a change in an individual's custody status or, if there is additional charge and sentence information added to a person's commitment record, the Department of Corrections shall furnish MCRR with a copy of the additional charge and sentence information. This will be accomplished by using institution forms or by electronic medium.

AUTHORITY: sections 43.503 and 43.506, RSMo 1986. Original rule filed Aug. 4, 1987, effective Oct. 25, 1987.*

**Original authority: 43.503, RSMo 1986 and 43.506, RSMo 1986.*

11 CSR 30-4.070 Dissemination of CHRI From MCRR/User Fee When Required/CHRI for Statistical Purposes

PURPOSE: This rule establishes a system for the dissemination of criminal history record information for criminal justice purposes, employment purposes, statistical purposes, licensing and for concealable weapons permit, for the review and challenge and when the information is released to criminal justice, noncriminal justice, citizens or the individual of the record and for the paying of fees when required.

(1) Criminal justice agencies shall receive complete criminal history record information (CHRI) for criminal justice purposes and criminal justice employment purposes.

(2) Criminal justice agencies shall receive the following CHRI for the issuance of a concealable firearms permit:

(A) All conviction data;

(B) All charges for which an individual is currently under the jurisdiction of the criminal justice system;

(C) All charges which have resulted in an imposition of sentence being suspended (SIS) until the time as the case is finally terminated; and

(D) Information regarding an arrest, if it is within thirty (30) days of the arrest and no action has been taken by the prosecuting or circuit attorney.

(3) Noncriminal justice agencies or citizens shall receive the following CHRI for employment, licensing purposes or reasons stated in the request:

(A) All conviction data;

(B) All charges for which an individual is currently under the jurisdiction of the criminal justice system;

(C) All charges which have resulted in an imposition of SIS until the time as the case is finally terminated; and

(D) Information regarding an arrest, if it is within thirty (30) days of the arrest and no action has been taken by the prosecuting or circuit attorney.

(4) Federal noncriminal justice agencies shall receive complete CHRI for those investigative purposes as authorized by law or presidential executive order.

(5) The subject of an identification record may obtain a copy of his/her CHRI for review or challenge purposes by submitting a written request via United States mails directly to the Missouri State Highway Patrol, Criminal

Records Division, P.O. Box 568, Jefferson City, Missouri 65102 or may present his/her written request in person during regular business hours to the Missouri State Highway Patrol, Criminal Records Division, Annex Building, 1510 East Elm Street, Jefferson City, Missouri.

(A) Requests for CHRI must be accompanied by satisfactory proof of identity, which shall consist of name, date of birth and a set of rolled-inked fingerprint impressions placed upon fingerprint cards or forms commonly utilized for applicant or law enforcement agencies. The request must be accompanied by a fee of fourteen dollars (\$14) in the form of a certified check, warrant, voucher or money order payable to the "State of Missouri—Criminal Record System." Any request for waiver of the fee shall accompany the original request for the CHRI and shall include a claim and proof of indigency.

(B) No fees will be charged for challenge of a presupplied record by an individual when a person challenges his/her record. A set of fingerprints will be required if the identity of the person is in question.

(6) Missouri Criminal Records Repository (MCRR) shall charge a fee of not more than five dollars (\$5) for each name check and a fee of not more than fourteen dollars (\$14) for each fingerprint processed before CHRI can be disseminated to any federal or non-state of Missouri agency when that information is requested for a matter not related to the administration of criminal justice. The fee should be either a certified check, warrant, voucher or money order payable to the "State of Missouri—Criminal Record System." The request with the fee stapled to it should be mailed to the Missouri State Highway Patrol, Criminal Records Division, P.O. Box 568, Jefferson City, MO 65102.

(7) Each request to obtain CHRI for employment or licensing purposes must be accompanied by a fee of five dollars (\$5) in the form of a certified check, warrant, voucher or money order payable to the "State of Missouri—Criminal Record System." The request with check stapled to it should be mailed to the Missouri State Highway Patrol, Criminal Records Division, P.O. Box 568, Jefferson City, MO 65102. Any request for waiver of the fee shall accompany the original request for the CHRI and shall include a claim and proof of indigency.

(8) MCRR shall not disseminate or publish statistical information derived from CHRI which identifies individual criminal justice agencies other than to compile or disseminate

statistical information from CHRI which describe general offender characteristics and the general disposition of the criminal cases.

AUTHORITY: sections 43.506, 43.530, 610.100, 610.105 and 610.120, RSMo 1986. Original rule filed Aug. 4, 1987, effective Oct. 25, 1987. Amended: Filed July 15, 1991, effective Dec. 9, 1991.*

**Original authority: 43.506, RSMo 1986, amended 1989, 1991; 43.530, RSMo 1986; 610.100, RSMo 1973, amended 1981; 610.105, RSMo 1973, amended 1981; and 610.120, RSMo 1981, amended 1983, 1989.*

11 CSR 30-4.080 Reporting CHRI to MCRR Via Electronic Medium

PURPOSE: This rule establishes a procedure for prosecuting or circuit attorneys, custody agencies and court clerks to follow when those agencies and persons choose to report criminal history record information to Missouri Criminal Report Repository via electronic medium.

(1) Prosecuting or circuit attorneys, custody agencies and court clerks have the capability to develop a system of reporting criminal history record information (CHRI) via electronic medium to Missouri Criminal Report Repository. Those agencies planning to implement this system should contact the Criminal Records Division of the Missouri State Highway Patrol. Arrangements will be made for your department's personnel and personnel from the Missouri State Highway Patrol's Information Systems Division to develop the necessary interface to allow for the reporting of the required data elements.

(2) All systems developed for the reporting of CHRI electronically must be approved by the Criminal Records Advisory Committee.

AUTHORITY: section 43.506, RSMo 1986. Original rule filed Aug. 4, 1987, effective Oct. 25, 1987.*

**Original authority: 43.506, RSMo 1986.*

11 CSR 30-4.090 Privacy and Security Requirements

PURPOSE: This rule establishes a rule governing the procedures for dissemination of criminal history record information and to assure that the privacy and security of individuals have not been violated.

(1) Criminal History Record Information (CHRI).

(A) CHRI means information collected by criminal justice agencies on individuals consisting of identifiable descriptions and notations of arrests, detentions, indictments, information or other formal criminal charges, any disposition arising from criminal charges, sentencing, correctional supervision and release.

(B) The regulations do not apply to CHRI contained in—

1. Posters, announcements or lists for identifying or apprehending fugitives or wanted persons;

2. Original records of entry, such as police blotters maintained by criminal justice agencies, compiled chronologically and required by law or long standing custom to be made public, if records are organized on a chronological basis;

3. Court records of public judicial proceedings;

4. Published court or administrative opinions or public, judicial, administrative or legislative proceedings;

5. Records of traffic offenses maintained by state departments of transportation, motor vehicles or the equivalent of those records for regulating the issuance, suspension, revocation or renewal of drivers', pilots' or other operators' licenses; and

6. Announcements of executive clemency.

(2) Completeness and Accuracy.

(A) To meet accuracy and completeness requirements, the Missouri State Highway Patrol's Criminal Records Division has been designated by state law as the central repository of CHRI for the state.

(B) For the purpose of maintaining complete and accurate criminal history record information, all police officers of this state, the clerk of each court, the Department of Corrections, the sheriff of each county, the chief law enforcement official of a city not within a county and the prosecuting attorney of each county or the circuit attorney of a city not within a county shall submit certain criminal arrest, charge and disposition information to the central repository for filing without undue delay (within thirty (30) days) in the form and manner required by sections 43.500–43.530, RSMo.

(3) Dissemination.

(A) Criminal justice agencies shall receive complete CHRI for criminal justice purposes and criminal justice employment purposes.

(B) Criminal justice agencies shall receive the following CHRI for the issuance of a concealable firearms permit:

1. All conviction data;

2. All charges for which an individual is currently under the jurisdiction of the criminal justice system;

3. All charges resulting in an imposition of sentence being suspended (SIS) until the time as the case is final terminated; and

4. Information regarding an arrest, if it is within thirty (30) days of the arrest and no action has been taken by the prosecuting or circuit attorney.

(C) Noncriminal justice agencies or citizens shall receive the following CHRI for employment, licensing purposes or reasons stated in the request:

1. All conviction data;

2. All charges for which an individual is currently under the jurisdiction of the criminal justice system;

3. All charges resulting in an imposition of SIS until the time as the case is finally terminated; and

4. Information regarding an arrest, if it is within thirty (30) days of the arrest and no action has been taken by the prosecuting or circuit attorney.

(D) Federal noncriminal justice agencies shall receive complete CHRI for those investigative purposes as authorized by law or presidential executive order.

(4) Agency Audit.

(A) By federal regulation, every state is required to conduct biennial audits of randomly selected criminal justice agencies to assure that privacy and security regulations are being followed.

(B) To make this audit possible, agencies are required to retain appropriate records. Agencies will need to account for each dissemination in a log so that the audit can be performed. The log should contain the name of the subject on whom the record is disseminated, the name of the recipient of the information, the agency he represents, whether the agency is criminal justice or not, the purpose for which the information is to be used, address of the agency, date and time.

(C) Criminal justice agencies may choose a manual or automated dissemination logging system. Agencies which are not automated and rely on other systems, such as the central repository for automated dissemination logging, must log all secondary dissemination. Secondary dissemination is defined as "The dissemination of any CHRI response to another criminal justice agency or to an individual within another criminal justice agency or to anyone legally entitled to receive such information who is outside the original receiving agency." These logs shall be maintained for thirteen (13) months from the date of dissemination.

(D) The reporting of a criminal justice transaction to a state, local or federal repository is not a dissemination of information. Also agencies are not required to account for no record responses.

(5) Security of CHRI.

(A) Agencies providing security must be mindful of computer software and hardware, restriction of file access and safeguard policies regarding computer operation in the following areas: protection through proper storage, protection through computer programs, legitimate destruction of records, detection of unauthorized penetration of programs or files, and protection of security and protection from destruction.

(B) Agencies must screen prospective employees who will have access to CHRI and be responsible for transferring or removing personnel in cases of violation.

(C) The agency must institute manual procedures for physical and data security, institute manual procedures to prevent file destruction and limit direct access to criminal history record information.

(D) Each employee working with or having access to criminal history record information shall be made familiar with the substance and intent of these regulations.

(6) Access and Review.

(A) Any individual, upon satisfactory verification of his/her identity, shall be entitled to review without undue burden to either the criminal justice agency or the individual any CHRI maintained about him/herself and obtain a copy of the information when necessary for challenge or review.

(B) Employees who process access and review inquiries must be cautious when a person asks to see his/her CHRI. Positive identification is required. A driver's license with a photo may be sufficient; however if identification is questionable, fingerprints may be required.

(C) If a person has accessed and reviewed his/her CHRI and disagrees with the information, a challenge can follow. The challenge may be oral or written indicating that the record is inaccurate or incomplete and be accompanied by a corrected version.

(D) If it is determined that there is an error in the record, the agency must make the necessary correction. At the individual's request, the agency must give him/her the names of all noncriminal justice agencies to whom the data has been disseminated. Disseminations to criminal justice agencies will not be disclosed.

(E) The correcting agency shall notify all criminal justice recipients of the corrected information.

(F) The individual is not entitled to data contained in intelligence, investigatory or other related files and shall not be construed to include any other information than that defined as CHRI.

(G) When an error in a CHRI record has been detected and the correction has been made, the correcting agency shall forward corrected copies to the central repository including a copy for the Federal Bureau of Investigation.

(H) In the event an agreement cannot be reached between the individual and the agency being challenged, the individual may proceed with an administrative appeal to the director of the Department of Public Safety, Truman Building, 8th Floor, Jefferson City, MO 65101.

AUTHORITY: sections 43.506, 43.515, 610.100, 610.105 and 610.120, RSMo 1986 and Code of Federal Regulations, Title 28, Chapter I, Part 20. Original rule filed Aug. 4, 1987, effective Oct. 25, 1987. Amended: Filed July 15, 1991, effective Dec. 9, 1991.*

**Original authority: 43.506, RSMo 1986, amended 1989, 1991; 43.515, RSMo 1986; 610.100, RSMo 1973, amended 1981; 610.105, RSMo 1973, amended 1981; and 610.120, RSMo 1981, amended 1983, 1989.*

Figure #1


 SUPPLEMENTAL ACTION PROSECUTING ATTORNEY/CIRCUIT ATTORNEY & COURT ACTION SHP-294		
DEFENDANT'S NAME	LAST	FIRST MIDDLE
DATE OF BIRTH	OFFENSE CYCLE NUMBER (OCN)	STATE IDENT NUMBER (SID)
CHARGE(S) COUNT NUMBER(S)		
CHANGE(S) IN PROSECUTOR'S ACTION		
ADDITIONAL COURT DISPOSITION		
SENTENCE REVERSED & REMANDED	COUNT NO.	DATE
PROBATION REVOKED (EXPLAIN ACTION)	COUNT NO.	DATE
EXPUNGEMENT	COUNT NO.	DATE
JUDGEMENT OF DISCHARGE	COUNT NO.	DATE
OTHER (EXPLAIN IN DETAIL)	COUNT NO.	DATE
COMMENTS:		
REPORTING AGENCY NAME/ORI		
DATE	SIGNATURE	

Figure #2

FINGERPRINT CARD		MISSOURI HIGHWAY PATROL, GENERAL HEADQUARTERS, P. O. BOX 568, JEFFERSON CITY, MO 65102 TELEPHONE NO. 314 751-3313		
PALM PRINTS TAKEN? <input type="checkbox"/> YES <input type="checkbox"/> NO 22 PHOTO AVAILABLE? <input type="checkbox"/> YES <input type="checkbox"/> NO →		IF AVAILABLE, PASTE PHOTO HERE NO STAPLES SINCE PHOTOGRAPH MAY BECOME DETACHED INDICATE NAME, DATE TAKEN, FBI NUMBER, CONTRIBUTOR AND ARREST NUMBER ON REVERSE SIDE, WHETHER ATTACHED TO FINGERPRINT CARD OR SUBMITTED LATER.		
ARRESTING AGENCY - NAME - ORI 23				
COUNTY OF ARREST 24	ARRESTING OFFICER'S BADGE NO.			
STATUTE-RSMO/LOCAL ORDINANCE 25 2. 3. 4.	MISSOURI CHARGE CODE			
ARREST DISPOSITION 26				
EMPLOYER - NAME AND ADDRESS 27				
OCCUPATION 28				SEND ADDITIONAL COPY TO 34
RESIDENCE OF PERSON FINGERPRINTED 29				
SCARS, MARKS, TATTOOS, AND AMPUTATIONS <u>SMT</u> 30				
BASIS FOR CAUTION <u>ICO</u> 31				
DATE OF OFFENSE <u>DOO</u> 32		LEAVE BLANK	DO NOT WRITE IN THIS SPACE	
ADDITIONAL INFORMATION 33			FILMED	
			NAME SEARCH	
			CLASS	
			FP SEARCH	
			CODED	
			TERMINAL OPR	
			ANSWERED	
			SHP-108C	

Figure #3

SID NO. MO.		LAST NAME <u>NAM</u> FIRST NAME MIDDLE NAME		OFFENSE CYCLE NO 88050602	
LOCAL OFFENSE CYCLE NUMBER		ALIASES		CONTRIBUTOR ORI	
SIGNATURE OF PERSON FINGERPRINTED				LEAVE BLANK	
THIS DATA MAY BE COMPUTERIZED IN LOCAL, STATE AND NATIONAL FILES		DATE ARRESTED OR RECEIVED <u>DOA</u>		DATE OF BIRTH <u>DOB</u>	
DATE	SIGNATURE OF OFFICIAL TAKING FINGERPRINTS		SEX <u>RACE</u> HGT <u>WGT</u> EYES <u>HAIR</u>		PLACE OF BIRTH <u>POB</u>
CHARGE & NCIC OFFENSE CODE OFFENSE TYPE (F) (M) (O)		YOUR NO. <u>OCA</u>		ACTION TAKEN BY PROSECUTING ATTORNEY OR CIRCUIT ATTORNEY	
1.		FBI NO. <u>FBI</u>			
2.		SID NO. <u>SID</u>			
3.		SOCIAL SECURITY NO. <u>SOC</u>			
4.		PROSECUTOR'S CASE NO. 2			
		PROSECUTOR'S ORI NO. 3		1 1	
		DATE 4		2.	
				3.	
				4.	
				SIGNATURE 5	

THE PROSECUTING ATTORNEY OR CIRCUIT ATTORNEY SHALL NOTIFY THE MISSOURI STATE HIGHWAY PATROL CRIMINAL RECORD DIVISION OF ACTION TAKEN

Figure #4

SID NO. MO. 1		LAST NAME NAM FIRST NAME MIDDLE NAME 2				OFFENSE CYCLE NO. 3 86059003																									
LOCAL OFFENSE CYCLE NUMBER 4		ALIASES 5		CONTRIBUTOR ORI 6		LEAVE BLANK 7																									
SIGNATURE OF PERSON FINGERPRINTED 8		DATE ARRESTED OR RECEIVED DOA 13		SEX RACE HGT. WGT. EYES HAIR 11		DATE OF BIRTH DOB 9																									
THIS DATA MAY BE COMPUTERIZED IN LOCAL, STATE AND NATIONAL FILES				PLACE OF BIRTH POB 12																											
DATE 10	SIGNATURE OF OFFICIAL TAKING FINGERPRINTS		YOUR NO. OCA 14		LEAVE BLANK																										
CHARGE & NCIC OFFENSE CODE OFFENSE TYPE (F) (M) (O) 15		FBI NO. FBI 16		CLASS. 17																											
2.		SID NO. SID 18		REF.																											
3.		SOCIAL SECURITY NO. SOC. 20		NCIC CLASS - FPC																											
FINAL DISPOSITION WARRANT NO. 19																															
<table border="1" style="width:100%; text-align:center;"> <tr> <td colspan="8">21</td> </tr> <tr> <td>1. R. THUMB</td> <td>2. R. INDEX</td> <td>3. R. MIDDLE</td> <td>4. R. RING</td> <td>5. R. LITTLE</td> <td>6. L. THUMB</td> <td>7. L. INDEX</td> <td>8. L. MIDDLE</td> </tr> <tr> <td>9. L. RING</td> <td>10. L. LITTLE</td> <td colspan="2">L. THUMB R. THUMB</td> <td colspan="4">RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY</td> </tr> </table>								21								1. R. THUMB	2. R. INDEX	3. R. MIDDLE	4. R. RING	5. R. LITTLE	6. L. THUMB	7. L. INDEX	8. L. MIDDLE	9. L. RING	10. L. LITTLE	L. THUMB R. THUMB		RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY			
21																															
1. R. THUMB	2. R. INDEX	3. R. MIDDLE	4. R. RING	5. R. LITTLE	6. L. THUMB	7. L. INDEX	8. L. MIDDLE																								
9. L. RING	10. L. LITTLE	L. THUMB R. THUMB		RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY																											
LEFT FOUR FINGERS TAKEN SIMULTANEOUSLY		L. THUMB R. THUMB		RIGHT FOUR FINGERS TAKEN SIMULTANEOUSLY																											




Figure #5

SID NO. MO.		LAST NAME <u>NAM</u>		FIRST NAME		MIDDLE NAME		OFFENSE CYCLE NO 88050601	
LOCAL OFFENSE CYCLE NUMBER		ALIASES		CONTRIBUTOR <u>ORI</u>		LEAVE BLANK			
SIGNATURE OF PERSON FINGERPRINTED						DATE OF BIRTH <u>DOB</u>			
THIS DATA MAY BE COMPUTERIZED IN LOCAL, STATE AND NATIONAL FILES		DATE ARRESTED OR RECEIVED <u>DOA</u>		SEX		RACE		HGT	
DATE		SIGNATURE OF OFFICIAL TAKING FINGERPRINTS		WGT		EYES		HAIR	
CHARGE & NCIC OFFENSE CODE		OFFENSE TYPE (F) (M) (O)		YOUR NO. <u>OCA</u>		ACTION TAKEN BY PROSECUTING ATTORNEY OR CIRCUIT ATTORNEY			
1.				FBI NO. <u>FBI</u>		1			
2.				SID NO. <u>SID</u>		2			
3.				SOCIAL SECURITY NO. <u>SOC</u>		3			
4.				PROSECUTOR'S CASE NO.		4			
				PROSECUTOR'S ORI NO.					
				DATE		SIGNATURE			

	COURT CASE NUMBER	FINAL CHARGE	OFFENSE TYPE (F) (M)	ADJUDICATION	DISP DATE
1	1	2		3	4
	LENGTH OF SENTENCE	CC CS WITH OCN/COURT CASE NUMBER	COUNT NUMBER SES	PROBATION TERM	SIS FINE STAYED
	5	6 7	8 9	10 11	12
2					
3					
4					
5					
COMMENTS					
13					
REPORTING AGENCY/ORI		DATE	SIGNATURE		
14		15	16		

UPON NOTICE OF FINAL DISPOSITION, FORWARD TO MISSOURI STATE HIGHWAY PATROL, CRIMINAL RECORDS DIVISION

Figure #6

 SUPPLEMENTAL ACTION PROSECUTING ATTORNEY/CIRCUIT ATTORNEY & COURT ACTION			SHP-294	
DEFENDANT'S NAME	1	LAST	FIRST	MIDDLE
DATE OF BIRTH	2	OFFENSE CYCLE NUMBER (OCN)	STATE IDENT NUMBER (SID)	
CHARGE(S) COUNT NUMBER(S)				
3				
CHANGE(S) IN PROSECUTOR'S ACTION				
4 ADDITIONAL COURT DISPOSITION				
SENTENCE REVERSED & REMANDED	COUNT NO.	DATE		
PROBATION REVOKED (EXPLAIN ACTION)	COUNT NO.	DATE		
EXPUNGEMENT	COUNT NO.	DATE		
JUDGEMENT OF DISCHARGE	COUNT NO.	DATE		
OTHER (EXPLAIN IN DETAIL)	COUNT NO.	DATE		
COMMENTS:				
5				
REPORTING AGENCY NAME/ORI 6				
DATE 7	SIGNATURE		8	