

CITY OF BARSTOW

CALIFORNIA

POLICIES and PROCEDURES MANUAL:

POLICE

Subject: DISSEMINATION OF CRIMINAL OFFENDER RECORD INFORMATION (CORI)

INTRODUCTION

The Department of Justice has interpreted Penal Code Section 11105, which deals with the dissemination of criminal history, to mean that the requestor of criminal history information must have "...in addition to the right to know, either a need to know, or a compelling need to know before he may be furnished with criminal offender information." This procedure will establish Departmental guidelines which conform to Department of Justice regulations.

DEFINITION OF TERMINOLOGY

1. Criminal Offender Record Information (CORI):

CORI is any record or data compiled by criminal justice agencies for the purpose of identifying criminal offenders.

It includes the following: all arrests, convictions, formal detentions, pre-trial proceedings, the nature and disposition of criminal charges, sentencing, incarceration, rehabilitation, and release. Not included within the definition of CORI are compilations of analytical and investigative reports, personnel information, and the "Citation and Arrest Register". These shall not be released except pursuant to a Court Order or at the express direction of the Chief of Police or his designee.

2. Right to Know

The "right to know" means the right to obtain criminal offender record information (CORI) pursuant to court order, statute, or decisional law. By the nature of his duties, a peace officer inherently has the "right to know".

3. Need to Know

The "need to know" means the necessity to obtain criminal offender record information in order to execute official responsibilities. "Need to know" may be further defined within the following guidelines:

- a. In the investigation of an individual after that individual has already been arrested or detained;

Reference:

Effective Date

March 01, 1988

Revision No.

Section

1001

Page 1 of 3

CITY OF BARSTOW

CALIFORNIA

POLICIES and PROCEDURES MANUAL:

POLICE

Subject:

DISSEMINATION OF CRIMINAL OFFENDER RECORD INFORMATION (CORI) - con't

b. In the development of investigative leads concerning an individual who has not been arrested when there are specific and articulable facts, which taken together with rational inferences from those facts, warrant the conclusion that the individual has committed or is about to commit a criminal act and the information requested may be relevant to that act.

4. Agencies Authorized to Receive CORI

A criminal justice agency is any public agency directly and principally engaged in apprehending, prosecuting, adjudicating, confining, or rehabilitating individuals. It includes agencies responsible for the collection, storage, dissemination, or usage of criminal offender record information. A complete listing of agencies authorized by Department of Justice to receive CORI is maintained in the "Records Security" Manual in the Office of the Chief Records Clerk. Specific questions regarding the release of CORI may be referred to the Chief of Police, Chief Records Clerk, or Division Commander.

REQUESTS FOR CORI INFORMATION BY FIELD OFFICERS

Officers shall not request queries of the Criminal History System (CHS - Automated Rap Sheets) in the course of routine traffic stops, field interrogations, or investigations because these circumstances do not sufficiently meet the "need to know" criteria. All requests for CORI shall be submitted in accordance with General Order as specified herein.

DISSEMINATION OF CORI INFORMATION ON THE RADIO

Under most circumstances, it will not be necessary for a field unit to receive CORI-type information while in the field as this information may not be used to establish probable cause. If an officer must have CORI information while in the field, it will be furnished by telephone (preferred) or transmitted via radio using as many codes as possible.

RELEASE OF CII AND FBI RAP SHEETS FROM BARSTOW POLICE DEPARTMENT FILES

Since both Federal and State regulations require local agencies to query the central repository prior to each dissemination of CORI, it will be the policy of this Department to furnish rap sheet information to authorized recipients on an EMERGENCY basis only.

Reference:

Effective Date

Revision No.

Section

March 01, 1988

Page 2 of 3

1001

CITY OF BARSTOW

CALIFORNIA

POLICIES and PROCEDURES MANUAL:

POLICE

Subject: DISSEMINATION OF CRIMINAL OFFENDER RECORD INFORMATION (CORI) - con't

The authorized individual may review Departmental files, and the Chief of Records Clerk or a designated representative thereof will provide him with the individual's CII and FBI numbers so that he can request a copy of the rap sheet through his own agency.

MAINTAINING DISSEMINATION AUDIT TRAILS

When CORI-type information (CII/FBI rap sheets) is received in the form of mail, teletype or computer printout, it shall be forwarded only to the Chief Records Clerk either in person or by Departmental mail.

LOCAL SUMMARY HISTORY

Although CORI regulations govern the information contained in the state-wide Criminal History System, requests for local record checks will be responded to with care to prohibit unauthorized persons from receiving such information (e.g. a citizen with a scanner). Maximum use of radio codes will be utilized in providing this information to field units.

REFERENCE SOURCES

Section 11075 through 11081 of the California Penal Code; Chapter 1, Title 11, California Administrative Code; and Title 28, Chapter 1, Part 20 of the Judicial Administration.

Reference:

Effective Date

Revision No.

Section

March 01, 1988

Page 3 of 3

1001