

Members Present:

Chairman Hayes
Vice Chairman Stewart
Mr. Banner
Mr. Brady
Mr. Coulter
Mr. Fielding
Mr. Horn
Mr. Malone
Mr. Polish
Mr. Prengaman
Mr. Sena

Members Absent:

None

Guests Present:

Tom Davis	Carson City Justice of the Peace
Michael de la Torre	Crime Commission
Hal V. Dunn	Carson City Sheriff
Frederick C. Gale	
Ted Gandolfo	Battle Mountain Justice of the Peace
Norm Herring	State Public Defender
Larry Ketzenberger	Las Vegas Metro Police Department
David Small	Carson City District Attorney

Chairman Hayes called the meeting to order at 8:08 a.m.

ASSEMBLY BILL 416

Provides that sheriffs rather than justices of peace are ex officio county coroners.

Judge Davis stated that the Justices of the Peace were in favor of removing the coroner's duties from their offices, and he said it would not matter to them where the coroner's duties were moved to. He said that if the Justice of the Peace has assisted in investigation of a death that is determined to be by criminal action, he finds himself in the position of setting bail for a suspect and holding preliminary hearings also. He said that a person cannot be fair and impartial after observing the scene of a crime.

Judge Gandolfo stated his support of what Judge Davis said.

Judge Davis said he understood that amendments had been proposed on this bill regarding inquisition hearings. He asked the Committee's consideration at the same time of an increase in the wages that can be paid to the coroner. He said that the present \$10 daily wage is not enough. He said this amount should be increased or eliminated entirely to let someone work on a per diem basis.

(Committee Minutes)

Chairman Hayes asked Judge Davis what amount he would suggest as a salary. Judge Davis answered, "\$50."

Mr. Malone asked how many days a coroner is working. Judge Davis said that in Carson City the past year, there were 86 days that the coroner was working. Judge Gandolfo said that in Battle Mountain, there had been about 10 working days for the coroner.

Sheriff Dunn stated that in an earlier hearing he had mentioned that California has the office of Sheriff-Coroner in some counties. He said he had done some research, and he presented to the Committee letters (Exhibit A) he had received from various counties in California regarding this office.

Sheriff Dunn said that the Carson City Sheriff's Office has had two people die in the jail. He said that the Sheriff did not get involved in either of those investigations. He said the District Attorney had conducted this investigation. He said that no matter where the coroner's office would be placed, there would always be the possibility that there could be a conflict of interest.

Mr. Gale said he would recommend that this bill die. He said that he had advocated for several years the creation of a statewide coroner's office that would work in behalf of the smaller counties in the State. He said this office would not have to operate in counties where a separate office of coroner had been created. He presented a statement to the Committee concerning this proposal. He said he would recommend that the Committee consider a feasibility study concerning the State taking over the coroner duties in the smaller counties.

ASSEMBLY BILL 524

Limits dissemination of certain criminal records
and provides for their examination and challenge.

Mr. de la Torre presented to the Committee "Background and Scope of the LEAA Security and Privacy Regulation" (Exhibit B).

Mr. de la Torre said that Governor O'Callaghan had issued an executive order in July, 1978, concerning the content of this bill. He said that if the order was not endorsed through the passage of this bill, it would die.

Mr. de la Torre said that the dissemination of criminal records was a concern of LEAA, and that his department would have to submit a plan within 30 days after the end of the legislative session. He said if no plan was submitted, LEAA could cut off funds, and the Federal government could step in with their own regulations to apply in Nevada.

On Page 5, Line 42 of the bill, Mr. de la Torre said the language which states that regulations may establish time limits of not less than 90 days should say "not more than 90 days."

On Page 2, Section 8, Line 11, Mr. de la Torre said this was the definition of "recorded information." He said this term was used 34 times in the bill. However at the Federal level, he said the terminology "criminal history recorded information" was used. He said he was sure the language in the bill would go along with the Federal language, but to be consistent with the Federal definition under Title 28, he requested that the change be made to the Federal language.

Mr. Small said that one of the concerns of the Committee that worked with the writing of this bill was to be very clear what they were and were not dealing with. He said that this called for a lot of definitions and detail. He said that much of the bill was in response to various mandates.

Chairman Hayes asked the proponents of the bill to outline its provisions.

Norm Herring stated that Sections 1 and 2 were preparatory remarks. Section 3, defining "administration of criminal justice," would say where a person would be during his period of incarceration. Section 4 defines "agency of criminal justice." He said that other states, when disseminating criminal information want to be sure that the information is going to a criminal justice agency. Sections 5 through 7 were of some importance in trying to determine the disposition of a case. Section 8 would be changed to "criminal history recorded information." He said this is the definition used by both the Federal government and state statutes that he had researched.

Mr. de la Torre said that Section 8 would only deal with Nevada's information. He said that Subsection 2 in Section 8 showed areas defined by Federal regulations that will not be part of the criminal history recorded information.

Mr. Herring said that Section 9 concerns the accuracy of records before they can be disseminated. He said this would require that a record that had not been used in the last 30 days would have to be checked again before it could be used. Also in Section 9, he said that Subsection 1 should be a part of the main paragraph, and the following subsections should be renumbered.

Mr. Herring said that Section 10 of the bill makes it clear that after conviction, criminal information is public record. Mr. Small said that matters relating to a present conviction do not come under this bill, but pre-conviction information would be covered.

There followed a discussion of Section 10 regarding the provision allowing "any news reporter" to receive criminal history recorded information. Mr. Small said that his only hope in this regard was that the Crime Commission would come up with regulations to establish a means of screening reporters.

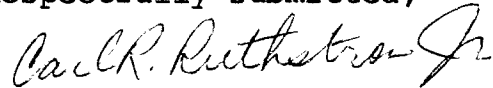
Mr. Stewart said it seemed contradictory to have six pages of restricting access to criminal information, and yet turn it over to the news media.

Mr. Herring said that if the State wanted Federal money for LEAA and access to Federal records, he did not see how it would happen without passage of this bill.

Mr. Ketzenberger said he had proposed setting aside \$30,000 from the State to put together an implementation plan to implement a central state records criminal history repository. He said he did not know if the State was interested in spending the money necessary for this type of system.

Chairman Hayes adjourned the meeting at 9:50 a.m. due to the convening of the Assembly at 10:00 a.m.

Respectfully submitted,



Carl R. Ruthstrom, Jr.
Secretary



NAPA COUNTY

PHILLIP E. STEWART
Sheriff — Coroner

OFFICE OF SHERIFF — CORONER

1125 THIRD STREET • NAPA, CALIFORNIA 94558
AREA CODE 707.253-4451

March 14, 1979

Hal Dunn, Sheriff
Carson City, Nevada

Dear Sheriff:

In Napa County the Sheriff is also the Coroner.

All of the deputies are Deputy Coroners. A
Patrolman will usually make the report and the
Coroners work is overseen by the Chief Deputy Coroner.

Our biggest problem is that some of the Deputies do
not like Coroner duties. Our Department is too small
to have a Coroners Bureau.

Sincerely,

PHILLIP E. STEWART, SHERIFF-CORONER

BY

Joseph Page
Joseph Page, Captain
Chief Deputy Coroner

JP:nr



SISKIYOU COUNTY SHERIFF'S OFFICE
COURTHOUSE - YREKA, CALIFORNIA 96097

March 14, 1979

Sheriff Hal Dunn
Carson City County
Carson City, Nevada 89701

Dear Sheriff Dunn:

This Department is a Sheriff-Coroner Department. There are some advantages of having it in the Sheriff's Office especially on criminal investigation cases. The basic cases or natural cause cases are a pain in the side and there are more non-criminal cases than criminal. I feel a medical examiner's office would be more feasible except when a criminal case is involved.

In California, a coroner's case is a case in which a doctor cannot state the cause of death, a death that has occurred twenty days after last seeing a doctor, any suicide, homicide, drowning, fire and acute alcoholism. As you can see, it covers a wide variety and sometimes becomes a problem in a small department.

If you have any further questions, please feel free to contact me.

Sincerely,

A handwritten signature in cursive script that reads "L. E. Taylor".

L. E. "BUD" TAYLOR, Sheriff-Coroner

LET:sc



SHERIFF-CORONER DEPARTMENT
COUNTY OF ORANGE
CALIFORNIA

BRAD GATES
SHERIFF-CORONER

March 13, 1979

Sheriff Hal Dunn
Carson City,
Nevada 89701

Dear Sheriff Dunn:

This letter is in response to your teletype of March 12, 1979 in which you asked for information regarding the "Sheriff-Coroner" operation.

In Orange County, California, the Sheriff is also the Coroner. This merger came about approximately 1964 by Board of Supervisors' action due to problems at that time within the Coroner's Office. Also, with the merger, we were able to reduce the Coroner's budget substantially.

Our present operational setup is as follows: We have 12 Deputy Coroners, three Supervising Coroners and one Chief Coroner. All these positions are in the non-safety classification. We contract for all of our pathological services who, of course, are qualified M.D.'s.

Presently, our main problem within Orange County is not having a central morgue facility. All bodies are removed to the nearest private mortuary with the pathologists having to respond for the examination. We have found that this procedure is not totally cost effective due to pathologists having to travel all over the county and the heirs of the deceased being confused as to where they should go.

Hopefully, this will answer your three questions and certainly we will provide you with any other assistance that you may request.

Very truly yours,

Robert E. Griffith
Assistant Sheriff, Special Services

REG:kc



COUNTY OF LAKE

Office of the County Sheriff - Coroner
Courthouse — 375 Third Street
Lakeport, California 95453
Telephone 707/263-5656

ALVIE G. ROCHESTER
County Sheriff - Coroner

March 14, 1979

Hal Dunn, Sheriff
Carson City, Nevada 89701

Dear Sheriff Dunn:

In reply to your teletype request of March 12, 1979, please be advised as follows:

In Lake County, which is Northern California, the Sheriff's Department is a Sheriff - Coroner combination. We find the coroner work to be compatible with the workings of this office for the following reasons:

1. The Sheriff is elected to the Sheriff-Coroner position, eliminating the singular office of coroner, a savings to the County of the separate office of coroner and his wages.
2. The Undersheriff is the Chief Deputy Coroner who is in charge of the legal aspects of the office, signs death certificates, and orders autopsys when necessary.
3. All Deputy Sheriffs in Lake County are also Deputy Coroners, which includes the homicide investigators eliminating any problems one might have involving cooperation with other agencies.

Neither the Sheriff or the deputies receive extra pay in regard to the Coroners Office, another savings to the County.

Our department has a total of 75 personnel of which 30 work in the field as deputy coroners as necessary. We handle about 160 coroner cases per year.

If we can be of further assistance do not hesitate to contact us.

Very truly yours,

A handwritten signature in cursive script, appearing to read "R. R. Benevedes".

R. R. Benevedes
Undersheriff

:gl

SHERIFF - CORONER
COUNTY OF MENDOCINO

THOMAS W. JONDAHL
SHERIFF-CORONER

951 LOW GAP RD., P. O. BOX 745
UKIAH, CALIFORNIA 95482
" (707) 468-4411

NORTH SECTOR OFFICE
E. Commercial Street
Willits, California 95490

DEPARTMENTS

SHERIFF
CORONER
CORRECTIONS
CIVIL

COAST SECTOR OFFICE
393 N. Main Street
Fort Bragg, California 95437



March 14, 1979

Sheriff Hal Dunn
Carson City, Nevada 89701

Dear Sheriff:

In response to your teletype requesting information regarding the Coroner, I offer the following:

In Mendocino County the Sheriff is the Coroner and is elected to the position every four years. The Administrative and Services Division Commander, who is an Assistant Sheriff, is also the Chief Deputy Coroner appointed by the Sheriff-Coroner. All other sworn personnel are Deputy Coroners.

There are many special problems attendant to the present system, but the one that presents the greatest problem is that the average Deputy Sheriff-Deputy Coroner may only work two or three Coroner's cases a year and it is difficult for them to remember the many details required by this unique function.

The solution to that problem, of course, is a special group of personnel whose primary duties are to perform the Coroner function. However, this is not economically practical with our present personnel structure.

If I interpret the teletype correctly, there is presently a Coroner's office separate from the Sheriff in your county and the proposal is to maintain this Coroner's office, giving responsibility for the present operation and supervision of staff to the Sheriff.

If that is the case, I should think it would work much more efficiently, both procedurally and economically, than the system we now employ. However, if the proposal is to transfer the duties of the Deputy Coroner to the Deputy Sheriff, you will be faced with the same problems we have and would initially, I believe, require considerable training immediately for your personnel. In addition, I would guess that the personnel would be expecting additional compensation for the added Coroner's duties.

Also, one of the challenges confronting you in this situation is convincing the Deputy Sheriff that the Coroner responsibility is just as important as

Sheriff Dunn, cont'd.

Page 2

criminal responsibility and motivating the deputies to accept this attitude is extremely difficult.


There are many other advantages and disadvantages I could mention, however, I am sure you will be receiving considerable input in response to your teletype and I sincerely hope that our letter serves as at least a little help to you.

If you do not receive input from the Humboldt County Sheriff, you may want to personally contact him or the Coroner as their Board of Supervisors in the recent past, considered consolidating the office of Sheriff and Coroner.

The County Administrator's office contacted me by telephone and we spent 45 minutes going over the advantages and disadvantages and the information they possess concerning this might be of extreme value to you.

If you have any further questions please do not hesitate to call me.

Yours very truly,


THOMAS W. JONDAHL
Sheriff - Coroner

TWJ:ch



OFFICE OF
THE SHERIFF

EUGENE A. BROWN, Sheriff
~~JIM DENNY, Undersheriff~~
Charles N. Smith, Act. Undersheriff

ROOM 333, City Hall
San Francisco, CA 94102
Administration 558-2411
Civil Division 558-4375
558-4440

March 14, 1979

Ref: 72-085

Hal Dunn, Sheriff
Carson City Sheriff's Department
Carson City, Nevada 89701

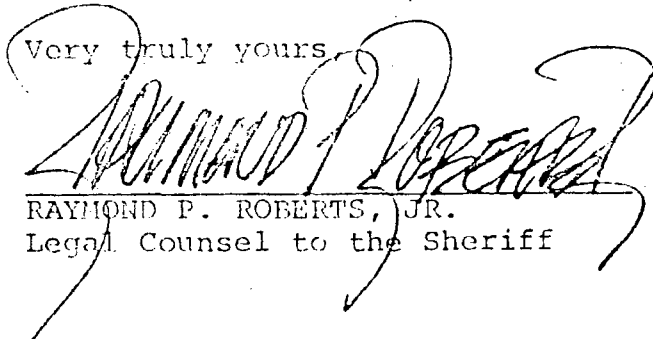
Dear Sheriff Dunn:

In response to your request for information relating to proposed legislation to make sheriffs ex-officio coroners in Nevada counties, please be advised as follows:

1. Is the sheriff also coroner?
No, not in the City and County of San Francisco.
2. If sheriff is not coroner, is coroner attached to another office?
No, the coroner is a distinct office within the City and County, although the coroner also serves as the chief medical examiner.
3. Any special problems or comments.

We are not aware of any special problems, at least in the City and County situation here in San Francisco.

Very truly yours,


RAYMOND P. ROBERTS, JR.
Legal Counsel to the Sheriff

RPR:vr

MONTEREY COUNTY

SHERIFF'S DEPARTMENT

P.O. BOX 809 - SALINAS, CALIFORNIA 93902 --- AREA CODE (408)

EMERGENCY ONLY - DIAL 911
ADMIN. AND BUSINESS - 424-6487
RECORDS AND WARRANTS - 424-0421

DETECTIVE DIVISION - 424-0352
COUNTY JAIL - 757-1073



D. B. "BUD" COOK
SHERIFF

March 16, 1979

Hal Dunn, Sheriff
Carson City Sheriff's Office
Carson City, Nevada 89701

Dear Sheriff Dunn:

In response to your teletype dated March 12, 1979, the following is the answer to your specific questions.

1. The Sheriff of Monterey County is not the Coroner.
2. There is a separate office of Coroner-Public Administrator, which is an elected office.
3. There are no special problems in the division of duties in Monterey County, however, I believe that on a statewide basis, there are 37 of the 58 counties in California where the Coroner has been combined with the duties of the Sheriff.

Perhaps this information will be of some value to you.

Very truly yours,

D. B. "BUD" COOK,
Sheriff

DBC/jm

OFFICE OF

SHERIFF-CORONER

COUNTY OF SAN LUIS OBISPO

P. O. Box 32

San Luis Obispo, California 93406



March 19, 1979

George S. Whiting

(A/c 805) 543-2850

Sheriff Hal Dunn
Carson City, Nevada 89701

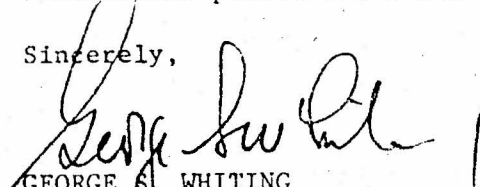
Dear Sheriff Dunn:

Concerning your teletype of March 12th regarding the bill being presented to the Nevada Legislature to make Sheriffs ex-officio coroners:

1. Yes, the sheriff is also coroner.
2. N/A
3. No, we have had no problems with this system and, in fact, it has been working out very well.

Hope this answers your questions, if you need any further information please don't hesitate to contact me.

Sincerely,


GEORGE S. WHITING
Sheriff-Coroner-Marshal

NEF

AM. CA0150004
11:32 03/12/79 01035
11:39 03/12/79 00222 NV0130000
TXT
CARSON CITY SHERIFF
#020 KCSO 1023 HRS

ATTN SHERIFF HAL IUNN
IN REPLY TO UR TELETYPE REGARDING SHERIFF-CORONER.
1. THE SHERIFF IS NOT THE CORONER. TWO SEPRATE OFFICES.
2. THE CORONER IS ATTACHED TO THE CORONERS OFFICE
3. THERE IS NO PROBLEM WITH THE PRESENT SYSTEM.

REFER UNDERSHERIFF FOTE
AL LOUSTALOT SHERIFF EAKERSFIELD CALIFORNIA PKG PK

NEF

AM. CA0180000
15:03 03/13/79 01895
15:11 03/13/79 00364 NV0130000
TXT
RSON CITY SO

ATTENTION SHERIFF HAL IUNN

YES, THE SHERIFF OF LASSEN CO IS ALSO THE CORONER

ALSO THE ONLY REAL PROBLEM WOULD BE A NEED FOR A NIGHT FOR THE
PATHOLOGIST
AND SOME SPECIAL TRAINING FOR THE INVESTIGATIVE PERSONNEL

REFER SHERIFF
LELFORI L COPPET SHERIFF OF LASSEN CO SUGARVILLE 3-13-79 SOL/EL

CLETS E 111

NEF

301

AM. CA0100000
18:20 03/14/79 00721
18:21 03/14/79 00105 NV0130000
TXT NV0130000, CA0100000.

025
SHERIFF S OFFICE CARSON CITY NEVADA

ATTN: SHERIFF HAL LUNN

RE YOUR REQUEST TO ALL CALIFORNIA SHERIFF'S OFFICES RE YOUR
LEGISLATIVE BILL TO MAKE SHERIFFS EX-OFFICIO CORONERS IN MOST COUNTIES.
SHERIFF AND CORONER CONSOLIDATED IN THIS COUNTY UNTIL JANUARY THIS
YEAR. TRANSFERRED TO PUBLIC ADMINISTRATOR. NO ADMINISTRATIVE PROBLEMS
IN THE PRIOR CONSOLIDATION. TRANSFERRED AT REQUEST OF SHERIFF TO AVOID
POSSIBILITY OF CONFLICT CHARGE IN HOMICIDES INVOLVING MEMBERS OF THIS
DEPARTMENT

H C MCKINNEY/ADMINISTRATIVE
HAROLD C MCKINNEY SHERIFF FRESNO COUNTY CALIFORNIA
031479 1720 HRS EP
P

NEF

AM. CA0030000
13:16 03/14/79 00333
13:16 03/14/79 00075 NV0120000
TXT
AMALOE COUNTY SHERIFF
INDEPENDENT CITY COUNTY SHERIFF
YOUR QUESTIONNAIRE RE CALIFORNIA
SHERIFFS OFFICES. IN RESPONSE
1.- YES2.- ANSWERED IN #1.....3.- NO
AMALOE CO SO
P
NEF

CLETS

801

032279 1402
NEF 1007
N SRF 034 NE
SO CARSON CITY NV / _HLRIFF HAL DUNN
3-22-79 1403PST / EF
SRF SO MARIN CO / CAPTAIN SID STINSON

REUR LIS REQUEST OF 3-12-79 ----
IN THIS COUNTY THE SHERIFF AND CORONER ARE TWO SEPARATE AUTONOMOUS ORGANIZATIONS, WITH BOTH THE SHERIFF AND CORONER BEING ELECTED POSITIONS. THE CORONER'S OFFICE IS STAFFED WITH THEIR OWN INVESTIGATORS WHO HAVE COUNTY WIDE RESPONSIBILITY. THERE ARE SOME PROBLEMS WITH THIS PARTICULAR SYSTEM WHICH REQUIRE CLOSE COOPERATION BETWEEN BOTH DEPARTMENTS.

SRF SO MARIN CO

031579 0852
NEF 0565
N ***001 NEF
SJK A0000.N 401 NEF
CARSON CITY SHERIFF'S OFFICE
031579 0850
SJK SANTA CLARA CO SO
ATTN: SHERIFF HAL DUNN
RE: IN RESPONSE TO UR TT INQUIRY DATED 03-12-79...
#1. NO, OUR SHERIFF IS NOT ALSO CORONER.
#2. YES, THE CORONER IS ATTACHED TO ANOTHER OFFICE - SANTA CLARA COUNTY MEDICAL EXAMINER-CORONER.
#3. NO, THERE ARE NO PROBLEMS WITH OUR CURRENT SYSTEM.
REFER SGT. CHARVEZ, P&T
SANTA CLARA CO SO VIA SJK LF

NEF

031279 1714

NEF 0413

N MKV 001 NEF

ATTN: HAL DUNN, SHERIFF

IN RESPONSE TO YOUR REQUEST FOR INPUT FROM CALIFORNIA SHERIFFS RE:
CORONERS DUTIES.

I AM A SHERIFF-CORONER AND HANDLE BOTH ELECTED POSITIONS. I BELIEVE
THAT IN SPARSELY POPULATED COUNTIES THAT THIS IS THE MOST
EFFICIENT MEANS OF OPERATION AND DOLLAR SAVING TO THE TAXPAYER.
IN COUNTIES THAT HAVE A LARGE CASE LOG, THIS JUSTIFIES A FULL-TIME
CORONER'S OFFICE AND IS THE MOST EFFICIENT MEANS OF OPERATION.

ARCHIE P. WOOL JR., SHERIFF-CORONER, ALPINE COUNTY SO, MKV
031279 1715 SC

BERNARD DEHL
Chairman



MICHAEL A. de la TORRE
Director

Commission on Crime, Delinquency and Corrections

CAPITOL COMPLEX
CARSON CITY, NEVADA 89710
Telephone (702) 885-4404

M E M O R A N D U M

TO: ASSEMBLY JUDICIARY COMMITTEE

KAREN HAYES, CHAIRPERSON

FROM: MICHAEL A. de la TORRE, DIRECTOR *M.A. de la Torre*

DATE: MARCH 29, 1979

SUBJECT: AB 524

Enclosed for your information is, "Background and Scope of the LEAA Security and Privacy Regulation."1

1. "Advisory Bulletin", No. 6, Search Group, Inc., February, 1979, Appendix A, pp. A-1 - A-6.

BACKGROUND

- 1968 SAFE STREETS ACT ESTABLISHED LEAA
- LEAA FUNDS USED TO EXPAND AND AUTOMATE INFORMATION SYSTEMS
- EXPANDED SYSTEMS CREATED SECURITY AND CONFIDENTIALITY PROBLEMS
- SEARCH ACTIVITY DEVELOPED SYSTEM SAFEGUARDS
- EARLY 1970'S--STUDIES AND HEARINGS ON ABUSES
- PRESSURE ON LEAA TO ISSUE REGULATIONS OR SYSTEM SPECIFICATIONS
- 1973 LEAA AMENDMENTS: SECTION 524B
- 1973-1975: CONGRESSIONAL WORK ON PROPOSED SECURITY AND PRIVACY LEGISLATION
- FEBRUARY 14, 1974: DRAFT LEAA REGULATIONS ISSUED
- MAY 20, 1975: FINAL REGULATIONS PROMULGATED
- CRITICISM FROM STATES ABOUT COMPUTER DEDICATION AND DISSEMINATION LIMITS
- 1976 AMENDMENTS TO REGULATIONS
 - DELETED DEDICATION PROVISION
 - LESSENER DISSEMINATION LIMITS
- DECEMBER 1977: COMPLIANCE DEADLINE EXTENDED
 - DEADLINES NOW BASED ON STATE SCHEDULE AND CAPABILITY

A-1

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REVISED DEADLINES

- EACH STATE SETS OWN SCHEDULE KEYED TO LEGISLATIVE SESSION
- OUTSIDE LIMITS:
 - JULY 31, 1978: FULL COMPLIANCE WITH REVIEW AND CHALLENGE AND ADMINISTRATIVE SYSTEM SECURITY
 - THIRTY DAYS AFTER END OF NEXT LEGISLATIVE SESSION: SUBMISSION TO LEAA OF DISSEMINATION POLICY
 - SIX MONTHS AFTER SESSION'S END: SUBMISSION TO LEAA OF OPERATIONAL PROCEDURES ON DISSEMINATION LIMITS
 - EIGHTEEN MONTHS AFTER SESSION'S END: SUBMISSION TO LEAA OF STATEWIDE AUDIT RESULTS SHOWING LEVEL OF COMPLIANCE
- NO OUTSIDE LIMITS ON:
 - COMPLETENESS AND ACCURACY
 - PHYSICAL (HARDWARE) SYSTEM SECURITY

A-2

COVERAGE OF REGULATIONS

- COVERS ALL CRIMINAL JUSTICE AGENCIES THAT HAVE USED LEAA FUNDS FOR INFORMATION SYSTEMS SINCE JULY 31, 1973
- "CRIMINAL JUSTICE AGENCY" INCLUDES:
 - COURTS
 - OTHER PUBLIC AGENCIES PRIMARILY ENGAGED IN:
 - . CRIME DETECTION (BUT NOT PREVENTION)
 - . APPREHENSION OF SUSPECTS
 - . PROSECUTION (BUT NOT DEFENSE)
 - . ADJUDICATION
 - . CORRECTIONAL SUPERVISION
- COVERS "CRIMINAL HISTORY RECORD INFORMATION":
 - RAP SHEET FILES PRIMARILY
 - ANY FILES THAT CONTAIN ID INFORMATION AND CRIMINAL TRANSACTIONS
 - DOES NOT INCLUDE:
 - . INTELLIGENCE AND INVESTIGATIVE FILES
 - . IDENTIFICATION FILES WITH NO CRIMINAL REFERENCES
 - . STATISTICAL OR RESEARCH DATA WITHOUT IDENTIFICATIONS
 - . TREATMENT, MEDICAL OR EVALUATIVE DATA

EXCLUDED RECORDS

- WANTED POSTERS
- ORIGINAL ENTRY RECORDS (POLICE BLOTTERS) IF SOLELY CHRONOLOGICALLY COMPILED
- COURT RECORDS OF ALL TYPES
- COURT OPINIONS
- PUBLIC COURT, LEGISLATIVE OR ADMINISTRATIVE PROCEEDINGS
- TRAFFIC RECORDS FOR LICENSING PURPOSES
- PARDONS AND EXECUTIVE CLEMENCY

NOTE: PERMISSIBLE FOR AGENCIES TO RESPOND TO SPECIFIC INQUIRIES ("WAS X ACQUITTED JANUARY 22, 1977?" OR "WAS X CONVICTED JANUARY 22, 1977?") IF THE RESPONSE IS BASED ON INFORMATION OBTAINED FROM ANY OF THE ABOVE EXCLUDED TYPES OF FILES.

DISSEMINATION PROVISIONS

- NO LIMITS ON CRIMINAL JUSTICE USE AND DISSEMINATION
- NO LIMITS ON RELEASE TO ANYONE OF CONVICTION RECORDS
- NO LIMITS ON CURRENT DATA (WHILE SUBJECT IS WITHIN THE CRIMINAL JUSTICE SYSTEM)
E.G., PENDING CASES
- PERMISSIBLE TO RELEASE ARRESTS WITHOUT DISPOSITIONS FOR UP TO ONE YEAR AFTER ARREST
- LIMITS APPLY ONLY TO NONCONVICTION RECORDS:
 - ACQUITTALS (ALL TYPES)
 - DISMISSALS
 - INDEFINITE POSTPONEMENTS
 - PROSECUTION DECLINED
 - RELEASE WITHOUT CHARGES
 - ARRESTS OVER A YEAR OLD IF NOT ACTIVELY PROSECUTED
- DISSEMINATION OF NONCONVICTION RECORDS MUST BE FOR "LAWFUL PURPOSE":
 - BASED ON:
 - . STATUTE
 - . EXECUTIVE ORDER
 - . LOCAL ORDINANCE
 - . COURT RULE, ORDER OR DECISION
 - AS CONSTRUED BY APPROPRIATE STATE OFFICIALS

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LEAA REGULATIONS ON CRIMINAL RECORDS
 - Dissemination Limitations -

4. Traffic Records:
 All offenses that are
 for licensing purposes

TYPES OF RECORDS
 NOT COVERED
 BY REGULATIONS

3. Judicial Records:
 Docket books
 Case files
 Transcripts
 Opinions

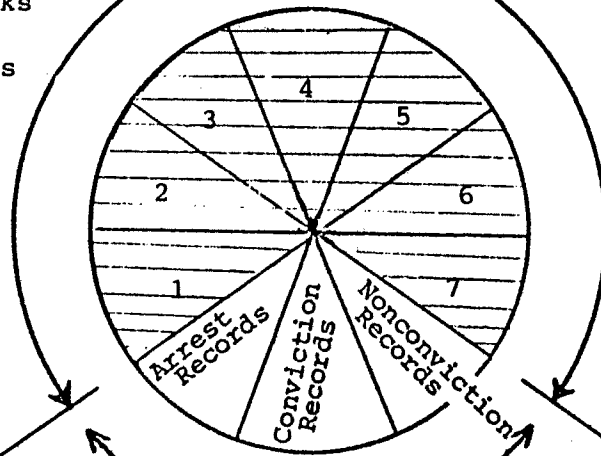
5. Evaluative Information:
 Bail reports
 Pre-sentence reports
 Medical reports
 Correctional treatment reports

2. Chronologically-Accessed
 Original Entry Records:
 Police blotters
 Arrest books
 Offense reports
 Incident reports

6. Investigative & Intelligence Data:
 Suspected criminal activity
 Associates
 Hangouts
 Financial information
 Ownership of property

1. Wanted Persons:
 Posters
 Lists
 Bulletins

7. Executive Clemency:
 Pardons



"Rap sheet" type records are covered by the Regulations if name-indexed. They are subject to provisions on accuracy and completeness, security, audit and quality control, review and challenge, and dissemination limits.

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