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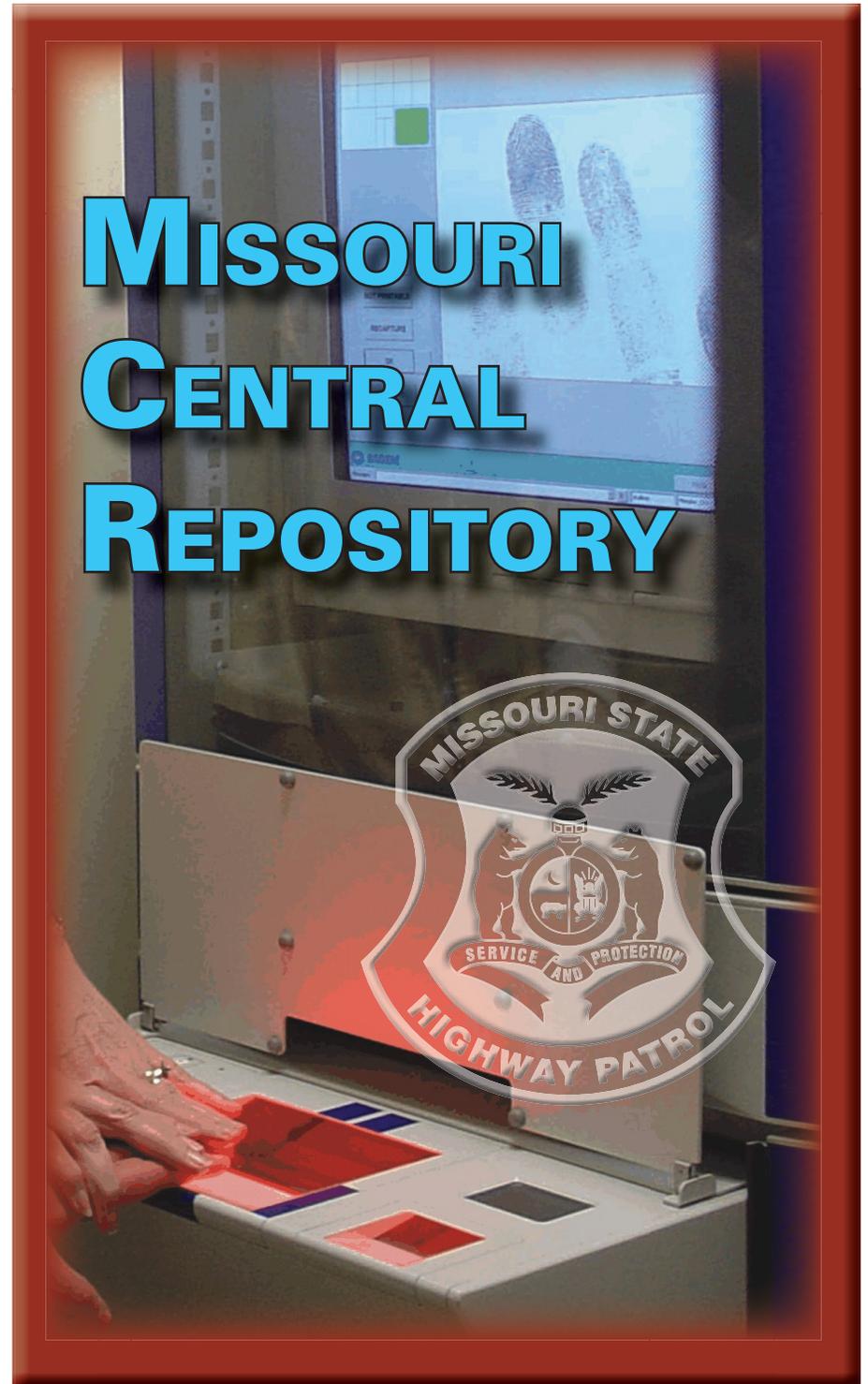
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An Internationally Accredited Agency
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MISSOURI CENTRAL REPOSITORY



BACKGROUND

The Missouri State Highway Patrol has been a repository for fingerprints and criminal records since 1934. The Missouri Legislature designated the Highway Patrol as the “Central Repository” for criminal history records in the state of Missouri in 1987. The specific responsibilities of the Central Repository have been assigned to the Criminal Justice Information Services (CJIS) Division.

The CJIS Division is located on the first floor of the Highway Patrol Annex Building, 1510 East Elm Street, Jefferson City, MO.

Section 43.503 RSMo. mandates the reporting of criminal history actions to the Central Repository for all police officers, prosecutors, clerks of the court, and corrections facilities in Missouri. The Central Repository is the sole communicator of Missouri Criminal History Information forwarded to the Federal Bureau of Investigation.

Without the submission of a complete and accurate criminal fingerprint card, a criminal record is not established. An accurate criminal history relies on cooperation among all criminal justice reporting agencies. At each point in the criminal history reporting process, a notification is required on the action taken by the reporting agency until a final disposition is reached.

OBTAINING FBI RECORDS

The FBI files are available to criminal justice agencies for the administration of criminal justice.

The FBI allows access by noncriminal justice agencies for certain purposes when authorized by state and federal law. A noncriminal justice request must be fingerprint based and be accompanied by the appropriate fees.

If an entity is authorized to receive federal information they will receive all available records.

- The purpose for the record check must be set forth in the federal guidelines.
- The state from which the noncriminal justice request originates must have a state statute specifying the entity has state authority to check the FBI files for the purpose specified.
- Fingerprints must be submitted before the FBI will release their files to a noncriminal justice entity.
- The result of the federal record search must be used for the purpose for which it is requested.
- All requests into the federal information from qualified entities within the state must come through and be processed by the Central Repository.
- Federal record checks for noncriminal justice entities are \$16.50 for licensing or employment checks and \$15 for volunteers.

Closed records are accessible to certain groups designated in Sections 43.535, 43.540, 43.543, 43.546, 43.547, and 610.120 RSMo. The Central Repository will release closed records, only when authorized by Missouri statutes, to entities that are entitled to receive closed records with the submission of fingerprints. Fingerprinting will ensure positive identification. Any person can receive their own records, open and closed, by submission of fingerprints and required fee.

CHALLENGING ACCURACY OR IDENTITY OF A CRIMINAL RECORD

An individual that disputes the accuracy of the results of a background check supplied to an employer/licensing agency may contact the Criminal Justice Information Services Division. Contacts will be made with the criminal justice agencies involved in the possible discrepancy to provide documentation to confirm any updates made to the challenged entry.

An individual may challenge the identity of a name search background check that is supplied to an employer/licensing agency by submitting fingerprints to confirm the identity of the applicant. After the fingerprints are searched, results will be supplied to the original requester. A notarized letter stating the results will be supplied to the applicant upon request.

EXPUNGEMENT OF ARREST RECORD

To have an arrest record completely removed from a Missouri criminal history, the criteria stated in Section 610.122 RSMo. must be met. The procedures for filing a petition for expungement of the arrest record are in Section 610.123 RSMo. Contact the county circuit court where the offense took place for court specific instructions for initiating an expungement proceeding.

DUTIES & RESPONSIBILITIES

- Collect, maintain, and disseminate criminal justice information submitted by criminal justice agencies.
- Maintain the Automated Fingerprint Identification System.
- Maintain latent fingerprints from unsolved crimes within AFIS.
- Publish and distribute the Missouri Charge Code Manual.
- Maintain the sex offender registration database and the Missouri Sex Offender Registry Web site.
- Provide training and auditing of the Missouri Data Exchange (Mo-DEX) and National Data Exchange (N-DEX) to Missouri law enforcement personnel.
- Provide training and education on proper criminal record reporting.
- Collect and distribute Uniform Crime Reporting statistics, as well as provide training and auditing services on UCR procedures.
- Missouri Uniform Law Enforcement System training and auditing.
- Provide for the security of CJIS data while ensuring compliance with the FBI CJIS Security Policy.
- Coordinate record improvement efforts with law enforcement, prosecutors, courts, and corrections personnel.

USES OF CRIMINAL HISTORY RECORD INFORMATION

Criminal history record information has a variety of uses in today's society. Criminal justice agencies use the records for investigations, prosecutorial decisions, sentencing, release decisions, etc.

The requests for criminal record checks by the noncriminal justice community are growing tremendously. Employment and licensing background checks for teachers, school bus drivers, health-care/childcare workers, and firearm purchases are among the most common requests. The need for a timely, accurate, and complete criminal history is critical when employing or licensing persons for positions of public trust in our society.

ESTABLISHING A CRIMINAL

Law enforcement makes an arrest for a criminal violation reportable to the state and FBI.



The Missouri State Criminal Fingerprint Card, including the associated demographics and arrest charges, is completed by the arresting officer and submitted to the Central Repository.

- The fee for a Missouri criminal record check for foster care (pursuant to Sections 210.481 and 210.487 RSMo.), childcare, or conceal and carry endorsement (Section 571.101 RSMo.) is \$14.

For more information regarding criminal record checks, the public window, MACHS, or MoVECHS, visit www.mshp.dps.mo.gov. Select the Program/Services tab on the menu bar, then Background Checks/MOVECHS.

STATUS OF A CRIMINAL HISTORY RECORD – OPEN & CLOSED

Missouri criminal history records are designated as open or closed.

Open Records Include:

- Arrest records for 30 days from the date of arrest.
- Arrest records for which charges have been filed and court actions are pending.
- Court disposition of guilty.
- Suspended imposition of sentence during probationary period.
- A positive response on an active registered sex offender.

Closed Records Include:

- Arrest records over 30 days from the date of arrest with no charges filed.
- Charges nolle prossed.
- Charges dismissed.
- Found not guilty.
- Suspended imposition of sentence after probation is completed.
- A positive response on an active registered sex offender.

OBTAINING CRIMINAL BACKGROUND CHECKS

Criminal Justice Purposes

Criminal justice agencies obtain background checks through the Missouri Uniform Law Enforcement System (MULES). MULES can only be used to obtain criminal records for the administration of criminal justice for the performance of any of the following: detection, apprehension, detention, pretrial release, post-trial release, prosecution, adjudication, correctional supervision, or rehabilitation of accused persons or criminal offenders.

Noncriminal Justice Purposes

The general public, including state and private agencies, may obtain a criminal background check electronically through the Missouri Automated Criminal History Site (MACHS). In addition, requests may be made in person at the CJIS Division public window or by mailing a request to the Central Repository. 90% of the name-based record checks processed electronically through MACHS are returned almost instantaneously to the user's account.

The state of Missouri contracted with a third party vendor to provide electronic fingerprinting capabilities for the submission of fingerprint-based criminal record checks throughout the state of Missouri by utilizing the MACHS. To schedule and submit a fingerprint search or a name-based personal identifier search via the MACHS, please visit www.machs.mo.gov.

- The public window is open Monday through Friday from 8 a.m. to 5 p.m., excluding state holidays. Record requests, either name-based or fingerprint searches, will be processed while the requestor waits.

The fee policy for a Missouri criminal record check is as follows:

- Name Search – \$11
- State Fingerprint Search – \$20
- FBI Fingerprint Search – \$16.50 (\$15 for volunteers)
- Vendor Surcharge – \$8.30

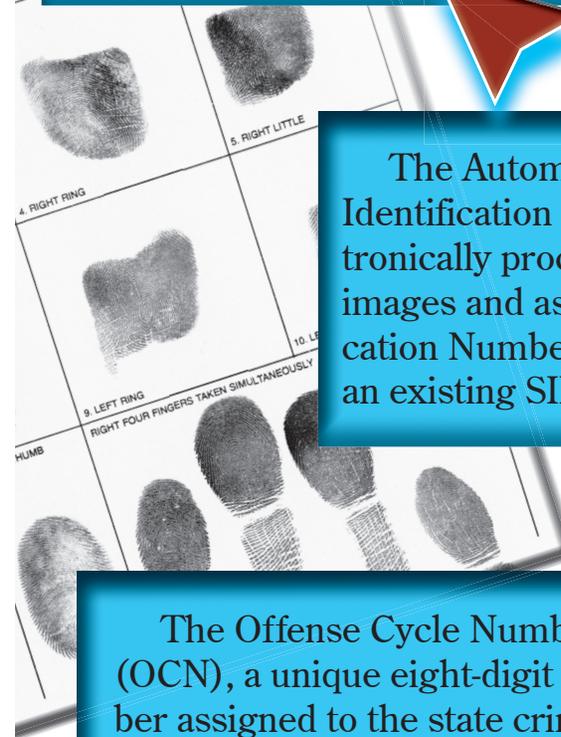
(ARREST) RECORD

Following AFIS processing, the arrest information associated with the OCN is entered into criminal history based on the subject's SID and is forwarded to the FBI for processing.



The Automated Fingerprint Identification System (AFIS) electronically processes the fingerprint images and assigns a State Identification Number (SID) or identifies an existing SID.

The Offense Cycle Number (OCN), a unique eight-digit number assigned to the state criminal fingerprint card, is the tracking number for the arrest.



CRIMINAL HISTORY PROCESS

